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CHAPTER 21.04: ZONING DISTRICTS

21.04.010 GENERAL PROVISIONS

This chapter establishes the zoning districts and contains basic information pertaining to zoning districts, including statements of purpose and district-specific regulations. The following chapters 21.05 and 21.06 set forth the uses allowed within the districts and the dimensional standards applying to development in the districts, respectively.

A. Districts Established; Zoning Map

1. Zoning Districts Established

The following zoning districts are established:

District Type	Abbreviation	District Name
Residential Districts	RS-1	Single-Family Residential
	RS-2-7	Low-Density Residential (one-half acre)
	RT-2	Two-Family Residential
	RM-1	Low-Density Mixed Residential
	RM-2-3	Mixed Residential
	RM-3-4	Multi-Family Residential
	RM-4	Residential Mixed-Use (was RMX)
	R-5	Low-Density Residential with Mobile Homes
	RL-2-6	Low-Density Residential (1 acre)
	RL-3-9	Low-Density Residential (2.5 acres)
	RL-4-40	Low-Density Residential, Alpine/Slope
Commercial Districts	NC	Neighborhood Commercial (was NMU-1)
	AC	Auto Commercial Corridor
	CBD-1	Central Business District, Core
	CBD-2	Central Business District, Intermediate
	CBD-3	Central Business District, Periphery
	MC	Marine Commercial (became M below)
	OC	Office
Mixed-Use Districts	RMX	Residential Mixed-Use (became RM-4 above)
	NMU-1	Small Scale Neighborhood Mixed-Use (became NC above)
	NMU-2	Neighborhood Mixed-Use
	CCMU	Community Commercial Mixed-Use
	RCMU	Regional Commercial Mixed-Use
	MMU	Midtown Mixed-Use
Industrial Districts	IC	Industrial / Commercial
	I-1	Light Industrial
	I-2	Heavy Industrial
	MI	Marine Industrial (became M below)

TABLE 21.04-1: ZONING DISTRICTS ESTABLISHED		
District Type	Abbreviation	District Name
Chugiak-Eagle River Districts	RL-1	Low-Density Residential with Mobile Homes
	RC	Rural Commercial
Other Districts	AD	Airport Development
	AF	Antenna Farm
	DR OL	Development Reserve Open Lands
	M	Marine (was MC and MI)
	PR	Parks and Recreation
	PLI	Public Lands and Institutions
	RUC	Railroad Utility Corridor
	TA	Turnagain Arm
Overlay Zoning Districts	W	Watershed
	AHO	Airport Height Overlay
	NCO	Neighborhood Conservation Overlay
	RTRO	Railroad Terminal Reserve Overlay
Girdwood Districts	FHO	Flood Hazard Overlay
	Girdwood Districts are set forth in chapter 21.09, <i>Girdwood</i> .	

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2. Zoning Map

The use districts are shown on the Official Zoning Map (See section 21.01.050). Procedures for amending the zoning map are in section 21.03.050, *Rezoning (Zoning Map Amendments)*.

B. Relationship to Overlay Districts

All lands within the municipality shall be designated as one of the base zoning districts set forth in sections 21.04.020 through 21.04.070. In addition, some lands may be designated as one or more of the overlay districts set forth in section 21.04.080. Where the property is designated as an overlay district as well as a base zoning district, the regulations governing development in the overlay district shall apply in addition to the regulations governing development in the underlying base district. In the event of an express conflict between the two sets of standards, the standards for the overlay district shall control.

21.04.020 RESIDENTIAL DISTRICTS

A. General Purpose/Intent

The residential zoning districts established in this section generally are intended to:

1. Provide appropriately located areas for residential development that are consistent with the comprehensive plan and with standards of public health and safety established by this code;

- 1 2. Reserve areas for residential living that offer a broad range of lot sizes, dwelling
2 types, densities, and housing choices, and that offer a range of living
3 environments;
- 4 3. Conserve residential lands for housing by limiting conversion of the residential
5 land base to non-residential uses, and by encouraging residential development to
6 occur at or near zoned densities;
- 7 4. Allow for a variety of housing types that meet the diverse economic and social
8 needs of residents;
- 9 5. Protect the scale and character of existing residential neighborhoods and
10 community character;
- 11 6. Provide light, air, privacy, and open space for each residential dwelling, and
12 protect residents from the harmful effects of excessive noise, glare and light
13 pollution, traffic congestion, and other significant adverse environmental effects;
- 14 7. Protect residential areas from commercial and industrial hazards such as fires,
15 explosions, and toxic fumes and substances;
- 16 8. Mitigate the risk to residential areas from natural hazards such as wildfires,
17 floods, avalanches, and geologic hazards;
- 18 9. Facilitate the provision of appropriate public services and facilities, such as
19 schools, parks, religious assembly, utility substations, and telecommunications
20 infrastructure, which are needed to accommodate planned population densities;
21 and
- 22 10. Minimize negative environmental impacts of development on stream corridors,
23 wetlands, and other important natural resources.

24 **B. RS-1: Single-Family Residential District**

- 25 1. **Purpose**
26 The RS-1 district is intended primarily for single-family residential areas. Certain
27 types of non-residential uses, such as governmental, educational, religious, or
28 ~~noncommercial~~ recreational uses, may be allowed subject to restrictions intended
29 to preserve and protect the single-family residential character of the district.

30 **C. RS-2-7: Low-Density Single-Family Residential (one-half acre) District**

- 31 1. **Purpose**
32 The ~~RS-2-7~~ district is intended primarily ~~for to encourage~~ low-density single-
33 family residential development, ~~and is intended for those land areas where~~
34 ~~large-lot development is desirable as an adjunct to the more typical urban and~~
35 ~~suburban residential zoning districts.~~ Certain types of non-residential uses, such
36 as governmental, educational, religious, or recreational uses, may be allowed
37 subject to restrictions intended to preserve and protect the residential character
38 of the district.

1 D. **RT-2: Two-Family Residential District**

2 1. **Purpose**

3 The RT-2 district is intended primarily for single-family and two-family residential
4 areas. Certain types of non-residential uses, such as governmental, educational,
5 religious, or noncommercial recreational uses, may be allowed subject to
6 restrictions intended to preserve and protect the residential character of the
7 district.

8 E. **RM-1: Low-Density Mixed Residential District**

9 1. **Purpose**

10 The RM-1 district is intended primarily for mixed-density residential areas that
11 allow for a variety of single-family, two-family, and low-density multifamily
12 dwellings. It permits the establishment of three- and four-dwelling multifamily
13 structures, subject to site plan review to ensure compatibility with a
14 predominantly single-family environment and the enhancement of overall
15 neighborhood quality. Certain types of non-residential uses, such as
16 governmental, educational, religious, or recreational uses, may be allowed
17 subject to restrictions intended to preserve and protect the residential character
18 of the district.

19 2. **District-Specific Standards**

20 a. Multi-family buildings shall contain no more than four dwelling units.

21 b. Buildings with three or four dwelling units shall maintain detached single-
22 family style architectural features to the extent practicable.

23 F. **RM-2-3: Mixed Residential District**

24 1. **Purpose**

25 The RM-2-3 district is intended primarily for mixed-density residential areas with
26 a variety of single-family, two-family, and multi-family dwelling uses with medium
27 densities. The RM-2-3 district provides residential neighborhoods with a greater
28 diversity of housing by allowing a mix of both detached and a variety of attached
29 dwelling types in close proximity to each other, rather than separated into
30 different use districts. The RM-2-3 district is often located in older existing or
31 redeveloping residential neighborhoods; existing structures may be renovated or
32 rehabilitated. Compatible building scale, appearance, and relationship to the
33 street is important in this district to integrate the mix of building types into a
34 neighborhood. Certain types of non-residential uses, such as governmental,
35 educational, religious, or noncommercial recreational uses, may be allowed
36 subject to restrictions intended to preserve and protect the residential character
37 of the district.

38 2. **District-Specific Standards**

39 a. **Number of Dwelling Units**

40 Multi-family buildings shall may contain no more than eight dwelling
41 units.

42 b. **Incentive to Encourage Mix of Dwelling Types**

43 The Assembly may grant a density bonus of up to 25 percent to the
44 underlying base zoning district density to any residential subdivision plat
45 or site plan containing a mix of housing types, provided the plat or plan

1 complies with the applicable zoning district restrictions on permitted uses
2 and with the following standards:

3 i. The plat or plan contains a minimum of two different housing
4 types. The following list of housing types shall be used to satisfy
5 this requirement:

6 (A) Single-family detached dwellings on lots of 8,000 square
7 feet or more;

8 (B) Single-family detached dwellings on lots of between
9 6,000 and 8,000 square feet;

10 (C) Two family dwellings;

11 (D) Single-family attached dwellings or townhouses; and

12 (E) Multi-family dwellings (limited to eight units per building).

13 ii. A single housing type from the list set forth in subsection i. above
14 shall not constitute more than 75 percent of the total number of
15 dwelling units. If single-family detached dwellings are the only
16 housing types included in the mix, then the difference between
17 the average lot size for each type of single-family detached
18 dwelling shall be at least 2,500 square feet.

19 iii. For site plans seeking to obtain a density bonus under this
20 subsection, the Director shall refer the site plan to the Assembly
21 for a decision on the award of the bonus only, with the Director
22 making the final decision on the site plan itself.

23 G. **RM-3-4: Multi-Family Residential District**

24 1. **Purpose**

25 The RM-3-4 district is intended primarily for multiple-family dwelling uses with
26 medium to high residential densities. Certain types of non-residential uses, such
27 as governmental, educational, religious, or noncommercial recreational uses,
28 may be allowed subject to restrictions intended to preserve and protect the
29 residential character of the district. The maximum residential density for this
30 district is 30 dwelling units/acre.

31 H. **RM-4X: Residential Mixed-Use District**

32 1. **Purpose**

33 The RM-4X district is intended primarily for to facilitate the development of
34 higher-density townhouse and multifamily residential development adjacent to
35 the CBD, MMU, and RMU districts. surrounding the CCMU, RCMU, and MMU
36 districts. This district is primarily residential in nature and provides housing
37 density to support the vitality of city centers, as well as housing opportunities
38 near employment and services. New development should facilitate strong
39 pedestrian and bicycle connections to nearby city centers and non-residential
40 uses. Limited commercial space is allowed within high-density residential
41 developments, and development is encouraged to incorporate an intensive multi-
42 story design including structured parking. Certain non-residential uses, such as

governmental, educational, religious, or recreational uses, may be allowed subject to restrictions intended to preserve and protect the residential character of the district. The RMX area contains primarily medium to higher density residential development, though it also may contain some limited small scale commercial, institutional, recreational, and service facilities needed to support residential development. Development in the RMX district should facilitate and encourage pedestrian travel between residential and nonresidential uses. This residential district is often adjacent and incidental to a mixed-use core of a town center, neighborhood commercial center, or other type of mixed-use or major employment center designated in the comprehensive plan.

2. District-Specific Standards

a. **Mixed-Use Development Standards**

Development in the RM-4X district shall comply with the mixed-use Building Placement and Orientation standards in subsection 21.04.040F.4, and the mixed-use Pedestrian Amenities standards in subsection 21.04.040F.5., ~~Mixed-Use District Development Standards.~~

b. **Neighborhood Scale and Intensity of Uses and Activities**

~~Allowed commercial~~ Non-residential uses in the RM-4X district shall have a maximum gross floor area of 3,000 square feet per use, comply with the following gross floor area restrictions:

c. **Maintaining Residential Character**

Development shall be primarily residential in order to ensure residential density and character, as well as housing opportunities adjacent to city centers. Commercial uses shall occupy no more than 20 percent of a building's gross floor area. At least 80 percent of the gross floor area of any building that contains commercial shall be residential.

TABLE 21.04-4 GROSS FLOOR AREA LIMITATIONS IN THE RMX DISTRICT	
Use	Gross Floor Area Limit
Convenience store General retail	3,000 sq. ft. maximum
Financial institution	3,000 sq. ft. maximum, provided that the majority area of such use provides retail services
Animal grooming service or pet shop Restaurant	2,500 sq. ft. maximum per use
Offices Retail (personal service)	1,500 sq. ft. maximum per use
Extended stay lodgings or inn Grocery or food store	5,000 sq. ft. maximum

3. District Location Requirement

The subject property shall be in an area designated for ~~medium or high residential city center~~ intensity residential use, and adjacent to a designated community ~~activity~~ commercial mixed-use center, regional commercial center, or Downtown/Midtown major ~~city employment~~ center, on the land use plan map or an adopted district or neighborhood plan.

R-5: Low-Density Residential with Mobile Homes District (This district has been moved to the section for Chugiak-Eagle River districts)

4. Purpose

The R-5 district is intended primarily for lands that are developing or will develop for residential purposes and is designed to protect and conserve areas with larger lots and low population densities. This district permits mobile home dwellings on individual lots.

I. RL-2-6: Low-Density Residential (1 acre) District

1. Purpose

The RL-2-6 district is intended primarily for those land areas where large lots or acreage development is desirable. The RL-2-6 district is designed to encourage low-density residential development while at the same time protecting and enhancing those physical and environmental features that add to the desirability of large-lot residential living. Certain types of non-residential uses, such as governmental, educational, religious, or recreational uses, may be allowed subject to restrictions intended to preserve and protect the single-family residential character of the district.

J. RL-3-9: Low-Density Residential (2.5 acres) District

1. Purpose

The RL-3-9 district is intended primarily for low-density residential development in areas where public sewers and water are unlikely to be provided for a considerable period of time or where topographic or other natural conditions are such that higher-density development and the provision of public sewers and water would be unfeasible at any time. Where public facilities may be provided in the distant future, the regulations are intended to ensure that development during the interim period does not exceed geological and hydrological capacities for safe and healthful maintenance of human habitation. Certain types of non-residential uses, such as governmental, educational, religious, or recreational uses, may be allowed subject to restrictions intended to preserve and protect the residential character of the district.

K. RL-4-10: Low-Density Residential, Alpine/Slope District

1. Purpose

The RL-4-10 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. Certain types of non-residential uses, such as governmental, educational, religious, or recreational uses, may be allowed subject to restrictions intended to preserve and protect the single-family residential character of the district. Creative site design and site engineering are essential to ensure that the development of these lands will:

- a. Protect natural features such as ponds, streams, wetlands, and forested areas, and incorporate such features into the development of the site design;
- b. Take into consideration the topography and the location of all physical improvements on the land;

- 1 c. Avoid development of land within natural hazard areas to minimize the
- 2 possibility of loss of life and property damage;¹
- 3 d. Promote the natural flow and storage capacity of any watercourse, to
- 4 minimize the possibility of flooding or alteration of water boundaries;
- 5 e. Consider the suitability of the soils and subsoils conditions for
- 6 excavations, site preparation, and on-site sewage disposal;
- 7 f. Provide adequate site drainage to avoid erosion and to control the
- 8 surface runoff in compliance with the Federal Clean Water Act. The
- 9 surface runoff and drainage from developments should not exceed the
- 10 surface runoff and drainage in its natural undeveloped state for all
- 11 intensities and durations of surface runoff;
- 12 g. Provide an adequate supply of potable water for the site development;
- 13 and
- 14 h. Minimize the grading operations, including cut and fill, consistent with the
- 15 retention of the natural character of the site.

16 **2. District-Specific Standards**

17 **a. Lot and Site Requirements**

18 Table 21.04-2 provides the lot and site requirements for the RL-4-10
 19 district. This table applies in addition to the dimensional standards
 20 stated in table 21.06-1.

**TABLE 21:04-2:
 LOT AND SITE REQUIREMENTS FOR RL-4-10 DISTRICT**

Average Slope of Lot (percent)	Minimum Lot Area (acres)	Minimum Lot Width (feet)	Maximum All Buildings (percent)	Coverage Impervious Surfaces (percent)	Maximum Units Per Acre
More than 30.00	7.50	300	3	8	0.133
25.01--30.00	5.00	300	5	10	0.20
20.01--25.00	2.50	180	8	14	0.40
20.00 or less	1.25	100	10	20	0.80

Average slope is calculated by the following formula:

$$S = \frac{I * L}{A} * 0.0023$$

Where;
 S = Average slope of lot or tract in percent
 I = Contour interval (20 feet or less)
 L = Sum of length of all contours on lot or tract in feet
 A = Area of the lot or tract in acres

21 When one-third or more of required soils borings reveal bedrock at a
 22 depth of less than 16 feet on the lot or tract, lot and site requirements
 23 shall be determined as if the average slope were in the next steeper
 24 percentage range shown on the table in this paragraph. Any required
 25 soil boring that does not extend to a depth of at least 16 feet shall be
 26

1 deemed for the purposes of this subsection to have encountered
2 bedrock.

3 **21.04.030 COMMERCIAL AND OFFICE DISTRICTS**

4 **A. General Purpose/Intent**

5 The commercial and office zoning districts established in this section generally are
6 intended to:

- 7 1. Provide appropriately located areas consistent with the comprehensive plan for a
8 full range of retail and service establishments and convenience and office uses
9 needed by the municipality's residents, businesses, and workers, and protect
10 such uses from the adverse effects of incompatible uses;
- 11 2. Provide adequate space to meet the needs of commercial development;
- 12 3. Encourage the redevelopment, conversion, and reuse of underused commercial
13 areas, and discourage new strip commercial development;
- 14 4. Minimize traffic congestion and avoid the overloading of public infrastructure and
15 services;
- 16 5. Strengthen the municipality's economic base and provide employment
17 opportunities close to home for residents of the municipality and surrounding
18 communities;
- 19 6. Provide for commercial land uses that meet the needs of and attract regional and
20 statewide populations, in addition to local residents;
- 21 7. Minimize negative impacts of commercial development on adjacent residential
22 districts;
- 23 8. Minimize negative environmental impacts of commercial development on stream
24 corridors, wetlands, and other important natural resources;
- 25 9. ~~Ensure that the appearance of commercial buildings and uses are of high quality
26 and are compatible with the character of the area in which they are located;~~ and
- 27 10. Provide sites for public and semi-public uses such as utilities and
28 telecommunications infrastructure needed to complement commercial
29 development.

30 **B. NC MU-1: Small-Scale Neighborhood Commercial Mixed-Use District**

31 **1. Purpose**

32 The NC MU-1 district is intended for small, compact commercial centers within or
33 surrounded by residential areas, compatible in scale and character with
34 surrounding residential uses, to serve the convenience needs of the immediately
35 surrounding neighborhood. NC MU-1 centers are between one-half and four
36 acres in size. Small-scale offices, retail, and upper-story residential uses are
37 allowed. Continuous retail frontages, largely uninterrupted by driveways and
38 parking, are encouraged. Gross floor area limitations help ensure that
39 businesses are consistent with the scale of the surrounding area.

2. District-Specific Standards

a. **Mixed-Use Development Standards**

Development in the NC MU-1 district shall comply with section 21.04.040.F., *Mixed-Use District Development Standards*.

b. **Ground-Floor**

The ground-floor level of all buildings along any street frontage in the NC MU-1 district shall be limited to commercial retail uses, with the exception of small lobbies to allow access to residential and office uses on upper floors.

c. **Drive-Throughs Prohibited**

No drive-throughs shall be allowed in the NC MU-1 district.

d. **Gross Floor Area Limitations**

Grocery or food stores in the NC district shall have a maximum gross floor area of 20,000 square feet, provided that such establishments have a floor area ratio of at least 0.5. All other allowed non-residential uses in the NC district shall have a maximum gross floor area of 3,000 square feet per use. The uses listed in the table below shall be allowed in the NMU-1 district subject to the listed gross floor area restrictions. Individual businesses not specified in the table below but allowed in the NMU-1 District pursuant to the use tables in chapter 21.05 shall be permitted to occupy up to a maximum of 10,000 square feet of gross floor area on development sites that have a floor area ratio (FAR) of at least 0.65, or a maximum of 5,000 square feet of gross floor area on sites that have a FAR of less than 0.65.

TABLE 21.04-5 GROSS FLOOR AREA LIMITATIONS IN THE NC MU-1 DISTRICT	
Use	Gross Floor Area Limit
Convenience store	3,000 sq. ft. maximum, provided that such establishment has a floor area ratio (FAR) of at least 0.5, and does not exceed 35% of the NMU district
General retail	
Financial institution	
Animal grooming service	1,500 sq. ft. maximum per establishment
Governmental office	
Office, business or professional	
Pet shop	
Restaurant	
Retail (personal services)	
Farmers market	10,000 sq. ft. maximum if indoors; total development site size of no greater than 20,000 square feet.
Grocery or food store	20,000 sq. ft. maximum, provided that such establishment has a floor area ratio (FAR) of at least 0.5, and does not exceed 50% of the NMU district

3. District Location Requirements

In addition to the general rezoning criteria, the following requirements shall apply in the creation or expansion of the NC MU-1 district:

- 1 a. New NC MU-1 districts larger than 1.5 acres shall be located on an
2 arterial or collector street, and existing NC MU-1 districts shall not be
3 enlarged unless ~~than~~ the site abuts an arterial or collector street.
- 4 b. No NC MU-1 district shall be larger than four acres.
- 5 c. The subject property shall be in an area intended primarily for
6 neighborhood-scale commercial mixed-use center on the land use plan
7 map or an adopted district or neighborhood plan.

8 **C. AC: Auto Commercial Corridor District**

9 **1. Purpose**

10 The AC district is intended primarily for uses that provide commercial goods and
11 services to residents of the community in areas that are dependent on
12 automobile access and exposed to heavy automobile traffic. These commercial
13 uses are subject to the public view and they should provide an attractive
14 appearance with landscaping, sufficient parking, and controlled traffic movement.
15 Environmental impacts should be minimized. Abutting residential areas should
16 be protected from potentially negative impacts associated with commercial
17 activity. While AC district areas shall continue to meet the need for auto-related
18 and other auto-oriented uses, it is the municipality's intent that the AC district
19 also shall provide for safe and convenient personal mobility in other forms.
20 Planning and design shall accommodate pedestrians **and bicyclists**. This district
21 is not intended for office or mixed-use developments, which are intended to be
22 located in the Office or Mixed-Use districts.

23 **2. District Location Requirements**

24 Establishment of the AC district or changes to existing AC district boundaries
25 shall meet the general rezoning criteria of this code and also shall meet the
26 following requirements:

- 27 a. The AC District shall not be expanded along street corridors or into
28 surrounding neighborhoods unless consistent with an adopted plan.

29 **D. CBD-1: Central Business District, Core²**

30 **1. Purpose**

31 The CBD-1 district is intended to create a concentrated area of retail, financial,
32 public, and institutional facilities in the core of downtown Anchorage in order to
33 encourage the development of interrelated uses and functions, reduce pedestrian
34 walking distance between activities, and ensure the development of pedestrian-
35 oriented uses on the ground-floor level throughout the district. The district
36 permits and encourages residential uses.

37 **2. District-Specific Standards**

38 **a. Restrictions on Ground-Floor Activities in CBD-1 District**

39 Each of the following non-retail uses or establishments that are
40 permitted, or permitted subject to a site plan review or conditional use
41 review, shall in the CBD-1 district be restricted to the second-floor level
42 of a building or above, or to below-ground, unless the use is set-back on
43 the ground floor from the street-facing building wall by 25 or more feet, in
44 order to allow more pedestrian-oriented uses to line the street:

- 1 i. Dwelling, mixed-use or multifamily;
- 2 ii. Vocational or trade school;
- 3 iii. Club/lodge or meeting hall;
- 4 iv. Parking structure; and
- 5 v. Instructional services.

6 **b. Bulk Regulations and Maximum Lot Coverage for CBD Districts**

7 Construction of buildings in the CBD districts above three stories in
8 height shall conform to the following bulk requirements:

9 i. *Building Tower Design*

10 One tower not exceeding the bulk requirements listed in (A) and
11 (B) below shall be allowed for a development on a parcel of land
12 containing 13,000 square feet or a fraction thereof, or one tower
13 not exceeding the bulk requirements listed in (C) and (D) below
14 shall be allowed for a development on a parcel of land containing
15 19,500 square feet. For a development on a parcel of land
16 containing more than 19,500 square feet, one additional tower
17 not exceeding the bulk requirements listed in (A) and (B) below
18 shall be allowed for every additional 13,000 square feet of land
19 area, or, alternatively, one additional tower not exceeding the
20 bulk requirements listed in (C) and (D) below shall be allowed for
21 every additional 19,500 square feet of land area.

22 (A) Maximum plan dimension: 130 feet.

23 (B) Maximum diagonal plan dimension: 150 feet.

24 (C) Maximum plan dimension: 130 feet.

25 (D) Maximum diagonal plan dimension: 180 feet.

26 Variances from the specific bulk requirement dimensions listed in
27 this subsection may be granted by the planning and zoning
28 commission on developments covering a land area of more than
29 26,000 square feet, provided that the commission finds that the
30 spirit and intent of the central business districts are maintained.

31 ii. *Alternative Structure Designs*

32 Alternative building designs may be submitted in the form of a
33 project development plan to the director for approval. Alternative
34 design forms may be approved that provide for at least 15
35 percent more access either to scenic views of adjoining
36 mountains and the Cook Inlet or for solar access as compared to
37 designs allowed under subsection b.i., above, *Building Tower*
38 *Design*. The percentage amount of additional scenic or solar
39 access shall be based on total building volume of the alternative
40 design compared to a representative tower design. Alternative
41 plans submitted under this subsection must include a schematic
42 of a project designed under subsection b.i, *Building Tower*

Chapter 21.04: Zoning Districts
Sec.21.04.030 Commercial and Office Districts

Urban Design Amenity (*Streetscape Amenity)	Bonus Points for Districts		
	CBD-1	CBD-2	CBD-3
Street trees*	1 point per tree	1 point per tree	1 point per tree
Seating units, street furniture*	1 point per 2 units (maximum of 6 points)	1 point per 2 units (maximum of 6 points each)	1 point per 2 units (maximum of 6 points each)
Decorative street illumination*	2 points per 1 unit	2 points per 1 unit	2 points per 1 unit
Sidewalks*	1 point per 300 sq. ft.	1 point per 300 sq. ft.	1 point per 400 sq. ft.
Sidewalk texture*	1 point per 200 sq. ft.	1 point per 250 sq. ft.	1 point per 300 sq. ft.
Bike racks, open*	1 point per 3 open storage units (maximum accumulation of 3 points)	1 point per 3 open storage units (maximum accumulation of 3 points)	1 point per 3 open storage units (maximum accumulation of 3 points)
Bike racks, covered*	1 point per covered storage unit (maximum accumulation of 3 points)	1 point per covered storage unit (maximum accumulation of 3 points)	1 point per covered storage unit (maximum accumulation of 3 points)
Kiosk*	1 point per unit (maximum accumulation of 3 points)	1 point per unit (maximum accumulation of 3 points)	1 point per unit (maximum accumulation of 3 points)
Canopy over sidewalk*	1 point per 200 sq. ft.	1 point per 240 sq. ft.	1 point per 290 sq. ft.
Covered arcade*	1 point per 100 sq. ft.	1 point per 115 sq. ft.	1 point per 180 sq. ft.
Open air plaza, or landscaped park*	1 point per 70 sq. ft. (corner); 1 point per 80 sq. ft. (other)	1 point per 70 sq. ft. (corner); 1 point per 80 sq. ft. (other)	1 point per 100 sq. ft. (corner); 1 point per 115 sq. ft. (other)
Public restrooms at ground level	1 point per 35 sq. ft.	1 point per 35 sq. ft.	1 point per 100 sq. ft.
Climate-controlled public plaza or court (galleria)*	1 point per 50 sq. ft.	1 point per 70 sq. ft.	1 point per 100 sq. ft.
Shops (50 percent or more transparent windows on ground floor street front*)	1 point per 100 sq. ft.	1 point per 130 sq. ft.	1 point per 200 sq. ft.
Shops (Less than 50 percent transparent windows on ground floor street front)	1 point per 140 sq. ft.	1 point per 225 sq. ft.	1 point per 160 sq. ft.
Shops (Second floor shops)	1 point per 140 sq. ft.	1 point per 225 sq. ft.	1 point per 160 sq. ft.
Shops (Third floor or basement level)	1 point per 350 sq. ft.	N/A	N/A
Commercial theater	1 point per 200 sq. ft.	N/A	N/A
Public rooftop recreation area or public viewing deck	1 point per 100 sq. ft.	1 point per 100 sq. ft.	1 point per 200 sq. ft.
Housing	1 point per 140 sq. ft. of area devoted to housing	1 point per 80 sq. ft. of area devoted to housing	1 point per 80 sq. ft. of area devoted to housing

**TABLE 21.04-3:
 DESIGN AMENITIES AND BONUS POINTS FOR CBD DISTRICTS**

Urban Design Amenity (*Streetscape Amenity)	Bonus Points for Districts		
	CBD-1	CBD-2	CBD-3
Hotels	1 point per 200 sq. ft. of area devoted to hotel rooms	1 point per 200 sq. ft. of area devoted to hotel rooms	1 point per 300 sq. ft. of area devoted to hotel rooms
Enclosed parking	N/A	11 points per space above or on grade; 13 points per space below grade	10 points per space above or on grade; 14 points per space below grade
Transit amenities	3 points per covered shelter; 10 points per bus pull-out	3 points per covered shelter; 10 points per bus pull-out	3 points per covered shelter; 10 points per bus pull-out
Historic preservation	1 point per 200 sq. ft. of area devoted to a retained historic structure	1 point per 200 sq. ft.	1 point per 200 sq. ft.
Sidewalk landscaping* (not otherwise credited)	1 point per 425 sq. ft. (public land); 1 point per 30 sq. ft. (private land)	1 point per 425 sq. ft. (public land); 1 point per 30 sq. ft. (private land)	1 point per 425 sq. ft. (public land); 1 point per 30 sq. ft. (private land)
Skywalks	10 points per skywalk	10 points per skywalk	10 points per skywalk
Day care, 24-hour child care facilities	1 point per 200 sq. ft.	1 point per 200 sq. ft.	1 point per 200 sq. ft.

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iv. Amenities for which bonus points have been granted must be maintained after construction of a project; provided, however, that amenities can be eliminated and others substituted on a point-for-point basis upon the approval of department staff.

v. Maximum height near Town Square Park is as follows:

(A) The maximum height of structures in Blocks 69 through 71, Anchorage Original Townsite, shall not exceed the following:

- (1) *Block 69*
 - Northwest quarter: 115 feet.
 - Northeast quarter: 85 feet.
 - South half: 200 feet.
- (2) *Block 70*
 - North half: 55 feet.
 - South half: 230 feet.
- (3) *Block 71*
 - Northwest quarter: 85 feet.
 - Northeast quarter: 115 feet.
 - South half: 200 feet.

(B) The director may waive this height limit for a structure that will not cast a shadow greater than that cast by

1 existing structures on the Town Square Park on Block
2 51, Anchorage Original Townsite, from April 21 to
3 August 21 between the hours of 9:00 a.m. and 3:00
4 p.m., solar time.

5 (C) Subject to the maximum height requirements of the
6 Airport Height Overlay District, at the request of the
7 owner of a lot in Blocks 69 through 71, Anchorage
8 Original Townsite, the right to construct the amount of
9 building square footage permitted on that lot under
10 subsections c.i. through c.iii. above, less the amount
11 allowed under this subsection c.v., may be added to the
12 amount allowed under this title on one or more lots not in
13 those blocks located in the CBD-1, CBD-2, or CBD-3
14 district. The extent of additional footage available under
15 this provision shall be calculated by the director, and a
16 letter stating the transfer shall be recorded against the
17 property.

18 vi. Structures in excess of three stories shall be allowed additional
19 buildable area for that portion of the required sidewalk within
20 private property between the structure setback line determined
21 by section 21.06.020.A.6., *Setbacks from Projected Rights-of-*
22 *Way*, and a sidewalk width of 11.5 feet. This additional area
23 shall be calculated by multiplying the lineal feet of sidewalk
24 affected by this subsection by 33 feet. This additional area can
25 be included as part of the maximum building height allowed in
26 the Airport Height Overlay District.

27 **E. CBD-2: Central Business District, Intermediate**

28 **1. Purpose**

29 The CBD-2 district is intended to create financial, office, and hotel areas
30 surrounding the predominately retail, public, and institutional core of the central
31 business district. The district permits and encourages high-density residential
32 uses.

33 **2. District-Specific Standards**

34 Development in the CBD-2 district shall comply with the requirements set forth in
35 subsection D.2.b. above, *Bulk Regulations and Maximum Lot Coverage for CBD*
36 *Districts*, and D.2.c. above, *Maximum Height of Structures in CBD Districts*.

37 **F. CBD-3: Central Business District, Periphery**

38 **1. Purpose**

39 The CBD-3 district is intended to create financial, office, and hotel areas at the
40 periphery of the central business district. The district also permits secondary
41 retail uses. The height limitations in this district are intended to help preserve
42 views and to conform structures to the geologic characteristics of the western
43 and northern boundaries of the district. The district permits and encourages
44 residential uses.

1 2. **District-Specific Standards**

2 Development in the CBD-3 district shall comply with the requirements set forth in
3 subsection D.2.b. above, *Bulk Regulations and Maximum Lot Coverage for CBD*
4 *Districts*, and D.2.c. above, *Maximum Height of Structures in CBD Districts*.

5 ~~MC: Marine Commercial District~~ (combined with MI district and moved to "Other Districts"
6 category)

7 3. **Purpose**

8 The MC district is intended primarily for water-dependent and water-related
9 commercial uses. Emphasis is on development flexibility for water-dependent
10 and water-related commercial uses and on public access to the waterfront and
11 Ship Creek.

12 4. **District-Specific Standards**

13 a. Food and beverage establishments shall provide direct visual or physical
14 public access to the waterfront.

15 b. Buildings shall include special design considerations that enhance the
16 relationship between the shoreline and the proposed site development.

17 G. **OC: Office Commercial District**

18 1. **Purpose**

19 The OC office district is intended to provide areas for professional, business, and
20 medical service (outpatient) office uses, ~~or a~~ along with a limited amount of
21 compatible ~~mix of office and multi-family~~ residential development. ~~The district~~
22 ~~allows multifamily residential, group living, and overnight lodging.~~ The district
23 provides for small- to medium-sized office buildings, often in transition locations
24 between residential areas and more intense commercial uses and road traffic, or
25 in commercial locations inappropriate for auto-oriented retail uses or intense
26 mixed-uses.

27 2. **District-Specific Standards**

28 a. **Limitations on Retail Uses**

29 Any uses categorized by this code as "retail (sales)," "retail (personal
30 services)," or "food and beverage service" may be located in the OC office
31 district only within a building that also contains office and/or residential
32 uses. Such retail uses shall be limited to 30 percent of the gross floor
33 area of the building. No outdoor storage or merchandise display is
34 allowed.

35 b. **Limitations on Visitor Accommodations**

36 Any uses categorized by this code as "visitor accommodation" shall
37 comply with the multi-family residential design standards set forth in
38 section 21.07.100.F. and G.

39 c. **Minimum Residential Density**

40 When such uses are the primary use on a lot, any multiple-family
41 residential uses in the OC office district shall have a minimum density of at
42 least 18 units/acre.

3. **District Location Requirements**

In addition to the general rezoning approval criteria, the following requirements shall apply to the creation or expansion of the OC office district:

- a. New OC office zones shall be located in areas optimal for low-intensity office use, or in locations that can buffer low-density residential neighborhoods from heavy volumes of traffic or more intense commercial retail activity.
- b. The OC office district shall not be located in or expand into residential areas that are designated residential by adopted plan for minimum housing density or that are intended to retain historically predominant residential use or single-family character.

21.04.040 MIXED-USE DISTRICTS

A. General Purpose/Intent

The mixed-use districts are intended to provide for and encourage development and redevelopment that contains a mix of residential and nonresidential uses within close proximity, rather than a separation of uses, in accordance with the comprehensive plan. The mixed-use districts define the uses of land and the siting and character of the improvements and structures allowed on the land in a manner that allows a balanced mix of uses. A key feature of all the mixed-use districts is a pedestrian- and bicycle- friendly network of streets and sidewalks connecting the nonresidential uses, residential neighborhoods, and transit facilities. The mixed-use districts specifically are intended to:

- 1. Concentrate higher-density residential development and commercial and office employment efficiently in and around major employment centers, town centers, and other designated centers of community activity;
- 2. Encourage mixed-use and higher-density redevelopment, conversion, and reuse of aging and underutilized areas, and increase the efficient use of available commercial land in the municipality;
- 3. Contain a transportation system network designed to ensure that residential areas will have direct access to adjacent non-residential portions of the proposed development/redevelopment, in lieu of entering and exiting through arterials thoroughfares and/or collector streets;
- 4. Create compact and pedestrian-oriented environments that encourage transit use and pedestrian access;
- 5. Concentrate a variety of commercial retail/services and public facilities that serve the surrounding community;
- 6. Ensure that the appearance and function of development in mixed-use areas is well-integrated with surrounding neighborhoods;
- 7. Ensure that development in mixed-use areas is of high quality and provides pedestrian scale and interest through use of varied forms, materials, and details, and colors, especially at the ground-floor and lower levels;

- 1 ~~8. Provide for phased development of the project area so as to promote long term~~
2 ~~quality;~~
- 3 9. Provide adequate light, air, privacy, and open space for each residential dwelling,
4 and protect residents from the harmful effects of excessive noise, glare and light
5 pollution, traffic congestion, and other significant adverse environmental effects;
6 and
- 7 10. Minimize negative impacts of development on stream corridors, wetlands, and
8 other important natural resources.

9 **B. NMU-2: Neighborhood Mixed-Use District**

10 1. **Purpose**
11 The NMU-2 district is intended for neighborhood retail service centers at a larger
12 scale than allowed by the NC MU-1 district. NMU-2 centers are generally
13 between four and 30 acres in size, and are primarily applied to existing
14 commercial areas to encourage mixed-use housing opportunities, compact
15 redevelopment, and mixed-use urban design. The NMU-2 district should contain
16 primarily commercial uses that serve the daily needs of nearby neighborhoods
17 (e.g., small grocery/convenience store, drug store, religious assembly, service
18 station) located in close proximity to one another. Multi-family residential and
19 limited office uses also are allowed. Siting and architectural design and scale of
20 structures in this district should be compatible with surrounding neighborhoods.
21 The NMU-2 district may be used for commercial retail segments of linear transit-
22 supportive development corridors, in addition to nodal centers. The NMU-2
23 district may be used for the “neighborhood commercial centers” identified in the
24 *Anchorage 2020 Anchorage Bowl Comprehensive Plan*.

25 2. **District-Specific Standards**

26 a. **Mixed-Use Development Standards**
27 Development in the NMU-2 district shall comply with section
28 21.04.040F., *Mixed-Use District Development Standards*.

29 b. **District Location Requirements**
30 In addition to meeting the general rezoning criteria, the following
31 requirements apply in the establishment or enlargement of NMU-2
32 districts:

33 i. New NMU-2 areas and NMU-2 districts proposed for expansion
34 shall be located within one to two miles of a residential
35 population of at least 10,000 people, and at the intersection of
36 two arterials or an arterial and a collector street.

37 ii. The NMU-2 district shall not be ~~extended~~ expanded along street
38 corridors or into adjacent residentially zoned areas unless
39 consistent with an adopted plan.

40 iii. The subject property shall be in an area intended for
41 neighborhood scale commercial mixed-use center, or transit-
42 oriented development corridor on the land use plan map or an
43 adopted district or neighborhood plan.

1 C. **CMU: Community Commercial Mixed-Use District**

2 1. **Purpose**

3 The CMU district is intended to facilitate the development of a mixed-use center
4 at the community scale. The CMU district may be used for the “town centers”
5 and the “redevelopment/mixed-use areas” identified in the *Anchorage 2020*
6 *Anchorage Bowl Comprehensive Plan*. ~~Communities are generally made up of~~
7 ~~three to five neighborhoods. Community centers are intended to be generally~~
8 ~~one-quarter to one-half mile in diameter and located approximately two to four~~
9 ~~miles apart.~~ The CMU area is intended to include commercial, institutional,
10 recreational, and service facilities needed to support the surrounding
11 neighborhoods (e.g., large supermarket, large drug store, specialty shops, and
12 community park). Medium- to higher-density housing should be located around
13 the district, and development should facilitate pedestrian **and bicycle** connections
14 between residential and nonresidential uses. The CMU district may **also** be
15 used for commercial retail segments of linear transit-supportive development
16 corridors, in addition to nodal centers.

17 2. **District-Specific Standards**

18 Development in the CMU district shall comply with section 21.04.040F., *Mixed-*
19 *Use District Development Standards*.

20 3. **District Location Requirement**

21 The subject property shall be in an area intended for community-scale
22 commercial mixed-use center or transit-oriented development corridor on the
23 land use plan map or an adopted district or neighborhood plan.

24 D. **RCMU: Regional Commercial Mixed-Use District**

25 1. **Purpose**

26 The RCMU district is intended **primarily for regional-scale commercial activity**
27 **centers that may have long-term potential to develop at greater intensities or as**
28 **mixed-use urban environments. The area is typically defined by conglomerations**
29 **of medium-to-large scale commercial uses, located near intersections of major**
30 **arterial streets and/or freeways, serving a metropolitan region-scale trade area.**
31 **Shopping malls and/or large retail establishments typically anchor the center.**
32 **Supporting uses include low-medium rise offices, hotels, transit hubs,**
33 **entertainment, and residential uses that provide potential for the area to grow into**
34 **a more physically integrated and mixed-use center. Somewhat greater**
35 **residential and employment densities are allowed than in NMU or CMU zones.**
36 **The RCMU district is appropriate for auto-oriented regional commercial centers**
37 **such as the Dimond Center area, and permits land-intensive auto-oriented uses**
38 **such as automobile dealerships that may not be appropriate for more compact**
39 **mixed-use zones.** ~~to facilitate the development of a mixed-use center at the~~
40 ~~regional scale. A region is a collection of adjacent communities. The district~~
41 ~~should provide commercial, office, institutional, and residential uses and~~
42 ~~structures at higher intensities than surrounding areas. The area should contain~~
43 ~~concentrations of medium- to high-density office development, with employment~~
44 ~~densities of 50 employees per acre or more. The area also should contain a~~
45 ~~broad mix of complementary uses, which may include major civic and public~~
46 ~~facilities and parks. The district should contain or be surrounded by high-density~~
47 ~~housing, and development should facilitate and encourage pedestrian travel~~
48 ~~between residential and nonresidential uses.~~

1 **2. District-Specific Standards**
2 Development in the RCMU district shall comply with section 21.04.040F., *Mixed-*
3 *Use District Development Standards*.

4 **3. District Location Requirement**
5 The subject property shall be in an area intended for regional-scale commercial
6 mixed-use center on the land use plan map or an adopted district or
7 neighborhood plan.

8 **E. MMU: Midtown Mixed-Use District**

9 **1. Purpose**
10 The MMU district is intended to facilitate the development of a high-intensity mix
11 of uses in the Midtown area, which is the area of the highest employment
12 densities and tallest building heights outside of the downtown. The MMU district
13 should provide commercial, office, institutional, and residential uses and
14 structures at higher intensities than surrounding areas. ~~The area should have~~
15 ~~employment densities of at least 50 employees per acre.~~ The area also should
16 contain a broad mix of complementary uses, which may include ~~major civic and~~
17 public facilities and parks. The district should contain **and** ~~or~~ be surrounded by
18 high-density housing, and development should facilitate and encourage
19 pedestrian **and bicycle** travel between residential and nonresidential uses.
20 Transit, **bicycle**, and pedestrian facilities are important components of
21 development in the district, in order to reduce demand for auto travel as well as
22 increase visual interest.

23 **2. District-Specific Standards**
24 Development in the MMU district shall comply with section 21.04.040F., *Mixed-*
25 *Use District Development Standards*.

26 **3. District Location Requirement**
27 The MMU district may only be applied in the Midtown area, **as specified on the**
28 **land use plan map.**

29 **F. Mixed-Use District Development Standards**

30 **1. Applicability**
31 All development in the RM-~~4X~~, NC ~~MU-1~~, NMU-~~2~~, CCMU, RCMU, and MMU
32 districts shall comply with the appropriate development standards in chapter
33 21.07, and also the standards in this subsection 21.04.040F. When the
34 standards of this subsection and section 21.07.110 are in conflict, the standards
35 of this subsection shall control.

36 **2. Mix and Intensity of Land Uses and Activities**
37 **a. Purpose**
38 The purpose of this section is to help integrate public/institutional,
39 residential, and commercial activities around the same shared public
40 streets and spaces. All uses should be located and convenient to each
41 other by walking. People who work, shop, and live in the different
42 buildings share the same public sidewalks and spaces.

43 **b. Public Focus Areas**
44 Any mixed-use development that is one gross acre or larger shall include
45 a public focus area such as a public/institutional use, plaza, public space,

1 or town square. The purpose of such an area is to encourage the
2 presence of civic or institutional uses, such as a public library; to promote
3 mixed-use areas as centers of community activity; and to attract greater
4 pedestrian traffic and activity to mixed-use areas. **The common space(s)**
5 **shall total not less than one percent of the total gross floor area of the**
6 **principal building, and no dimension shall be less than 15 feet.**

7 **c. FAR Incentives (moved from 2. above)**
8 **FAR incentives are offered to encourage residential development in**
9 **mixed-use areas.** In the NMU-1, NMU-2, and CCMU districts, the
10 following incentives apply and may be earned cumulatively:

11 i. *Incentive for Additional Residential Development*
12 An additional 0.07 FAR may be obtained beyond the maximum
13 allowed by section 21.06.010C. if the additional **0.5** ~~0.07~~ FAR is
14 residential, and 50 percent or more of the gross floor area of the
15 development project is residential.

16 ii. *Incentive for Additional Private Usable Open Space*
17 An additional 0.02 FAR may be obtained beyond the maximum
18 allowed by section 21.06.010C. if the additional **1.0** ~~0.02~~ FAR is
19 residential, and the majority of residential dwellings in the
20 development project each have at least 72 square feet of private
21 usable open space.

22 3. **Reduced Parking Ratios**
23 Development in the mixed-use districts **have reduced minimum parking**
24 **requirements as provided in** ~~shall only be required to provide 95% of the off-~~
25 ~~street parking required in~~ section 21.07.090, *Off-Street Parking and Loading*.

26 4. **Building Placement and Orientation**
27 a. **Placement, Orientation, and Openness to the Sidewalk**
28 i. *Purpose*
29 Building frontages should be built and oriented to the street,
30 lining sidewalks and public spaces with frequent shops,
31 entrances, windows with interior views, and articulated ground-
32 level façades. Comfortable, human-scale transition spaces such
33 as entrance areas, patios, or café seating may be placed
34 between the building and public sidewalk, as long as the building
35 remains close, accessible, and inviting from the sidewalk.

36 ii. *Building Placement and Street Setbacks*
37 Buildings shall be built to or close to the public sidewalk, using
38 the setbacks required in subsection 21.06.010C., *Table of*
39 *Dimensional Standards: Mixed Use Districts*.

40 iii. *Building Entrances*
41 All buildings shall have at least one primary resident, public, or
42 customer entrance oriented towards an abutting street that is not
43 separated from the building by on-site parking. If the building is
44 within a large development site and not located on the street,
45 then the entrance shall orient towards an on-site pedestrian
46 walkway connected to a public sidewalk.

5. **Pedestrian Amenities**

a. **Pedestrian Amenities Required**

All new developments or redevelopments to existing buildings in the mixed-use districts shall provide pedestrian amenities, as specified in this subsection. Where a pedestrian amenity required by this section also satisfies the in-lieu option in section 21.07.030B.3, the amenity may count for both. The number of pedestrian amenities provided shall comply with the following sliding scale.

TABLE 21.04-4: PEDESTRIAN AMENITIES	
Size of Development or Redevelopment (Building Square Footage)	Number of Amenities
Less than 5,000 sq. ft.	1
5,000 – 10,000 sq. ft.	2
10,000 – 50,000 sq. ft.	3
Greater than 50,000 sq. ft.	4

b. **Acceptable Pedestrian Amenities**

Acceptable pedestrian amenities include, but are not limited to:

- i. Sidewalks that are at least 50 percent wider than required by this title, incorporating paving treatments, including but not limited to concrete masonry unit pavers, brick, or stone.
- ii. A public outdoor seating plaza adjacent to or visible and accessible from the street, with a minimum useable area of 300 square feet.
- iii. Sidewalk planters between sidewalk and building.
- iv. Public art including but not limited to sculptures, fountains, clocks, or murals, with a value equal to or greater than one percent of construction value of the structure.
- v. Pocket parks with a minimum usable area of 300 square feet.
- vi. Heated sidewalks.

c. **Guidelines for the Siting, Construction, and Character of Pedestrian Amenities**

- i. Amenities shall be visible and accessible to the general public from a fully improved street. Access to pocket parks, plazas, and sidewalks shall be provided via a public right-of-way or a public access easement.
- ii. The type, size, and capacity of pedestrian amenities shall be roughly proportional to their expected use, including use by employees, customers, residents, and other visitors, as determined by the director. The director may alter minimum area standards for pocket parks and plazas based on this guideline.

1 **C. I-1: Light Industrial District**

2 **1. Purpose**

3 The I-1 district is intended primarily for public and private light manufacturing,
4 processing, service, storage, wholesale, and distribution operations.

5 **D. I-2: Heavy Industrial District**

6 **1. Purpose**

7 The I-2 district is intended primarily for public and private heavy manufacturing,
8 storage, major freight terminals, waste and salvage, resource extraction, and
9 other related uses.

10 ~~**MI: Marine Industrial District**~~ **(combined with MI district and moved to “Other Districts”**
11 **category)**

12 ~~**2. Purpose**~~

13 ~~The MI district is intended primarily for a mix of marine commercial and industrial~~
14 ~~manufacturing, processing, storage, wholesale, and distribution operations that~~
15 ~~are water dependent and/or water related.~~

16 ~~**3. District Specific Standards**~~

17 ~~Buildings shall include special design considerations that enhance the~~
18 ~~relationship between the shoreline and the proposed site development.~~

19 **21.04.060 CHUGIAK-EAGLE RIVER DISTRICTS**

20 **A. General Purpose/Intent**

21 The Chugiak-Eagle River area of the municipality is distinct from the Anchorage Bowl and
22 is geographically separated from it by the Fort Richardson Military Reservation, the
23 Chugach Mountains, and other natural topography and land features. The community’s
24 growth, development patterns, character, and lifestyle differ from those in the bowl. A
25 greater percentage of the Chugiak-Eagle River land areas are devoted to large-lot
26 residential living, and the commercial and industrial areas, for the most part, are
27 concentrated along the Old and New Glenn Highways, the major transportation corridors
28 of the community. The Chugiak-Eagle River community has a separate comprehensive
29 plan that guides its growth and development.

30 The *Chugiak-Eagle River Comprehensive Plan* provides guidance to the zoning district
31 sin this section. These districts are implementation tools that recognize the distinctness
32 of Chugiak-Eagle River and may apply in various areas of the community. Other zoning
33 districts in this chapter may also be applied in Chugiak-Eagle River, but these specific
34 zoning districts may be applied only in Chugiak-Eagle River.

35 **B. RL-1: Low Density Residential with Mobile Homes District**

36 **1. Purpose**

37 The RL-1 district is intended to be applied only in the Chugiak-Eagle River area,
38 for lands that are or will develop for residential purposes. It is designed to protect
39 and conserve areas with larger lots, low population densities, and a long-
40 established rural lifestyle. This district permits mobile home dwellings on
41 individual lots. As noted below, this district allows more varied accessory uses
42 commonly found in rural areas, with less regulatory control. Certain types of non-
43 residential uses, such as governmental, educational, religious, or recreational

1 uses, may be allowed subject to restrictions intended to preserve and protect the
2 residential character of the district.

3 **2. District-Specific Standards**

4 **a. Development and Design Standards**

5 Notwithstanding the provisions of subsection 21.07.080H.2., single- and
6 two-family dwellings are permitted to have no more than one dumpster.

7 **b. Accessory Uses**

8 The following district-specific standards for accessory uses replace the
9 corresponding accessory use standards of subsection 21.05.070 in this
10 district. The definitions of the accessory uses in subsection 21.05.070
11 still apply.

12 **i. Garage or Carport, Private Residential**

13 **(A)** On lots less than two acres, the gross floor area of the
14 garage or carport shall not exceed 9 percent of the lot
15 size.

16 **(B)** On lots of two acres or more, the gross floor area of the
17 garage or carport shall not exceed 8,000 square feet.

18 **(C)** Such accessory uses shall serve only the residents of
19 the property and shall not be used for commercial
20 purposes except as part of a home occupation approved
21 under subsection B.2.b. below, or a commercial use
22 allowed by table 21.05-1.

23 **ii. Home Occupation**

24 **(A)** A permanent resident of the dwelling unit shall be
25 engaged in the home occupation on the premises.

26 **(B)** The use of a dwelling unit for a home occupation shall
27 be clearly incidental and subordinate to its residential
28 use. This standard is met by and limited to the following:

29 **(1)** No more than 40 percent of the gross floor area
30 of the dwelling is devoted to the home
31 occupation; or

32 **(2)** 100 percent of an accessory structure is devoted
33 to the home occupation; or

34 **(3)** No more than 20 percent of the gross floor area
35 of the dwelling and 100 percent of the accessory
36 structure is devoted to the home occupation.

37 **(C)** No traffic or deliveries shall be generated by such home
38 occupation in greater volume than would normally be
39 expected in a residential neighborhood.

40 **(D)** No equipment or process shall be used in such home
41 occupation which creates noise, vibration, glare, fumes,
42 or odors detectable to the normal senses at the property
43 line. No equipment or process shall be used which

1 creates visual or audible interference in any radio or
2 television receivers off the premises, or causes a
3 fluctuation in line voltage off the premises. No
4 hazardous, toxic, or radioactive materials shall be
5 manufactured, handled, or stored on the property as part
6 of the home occupation.

7 **iii. *Vehicle Repair/Rebuilding, Outdoor, Hobby***

8 Repair or rebuilding work shall be screened from view from all
9 property lines and adjacent rights-of-way by an opaque fence
10 between six and eight feet in height, or by opaque landscaping of
11 equivalent height.

12 **iv. *Use of an Intermodal Shipping Container (Connex Trailer)***

13 The use of an intermodal shipping container is allowed in the RL-
14 1 district.

15 **v. *Outdoor Storage of Inoperative Vehicle***

16 Inoperative vehicles shall be screened from view from all
17 property lines and adjacent rights-of-way by an opaque fence
18 between six and eight feet in height, or by opaque landscaping of
19 equivalent height.

20 **vi. *Commercial Automotive Repair***

21 Commercial automotive repair is allowed in the RL-1 district
22 provided it complies with the home occupation standards specific
23 to the RL-1 district.

24 **vii. *Parking of Business Vehicles, Outdoor***

25 Parking of business vehicles is prohibited in any setback area.

26 **C. RC: Rural Commercial**

27 **1. Purpose**

28 The RC district is intended primarily for uses that provide a range of commercial
29 goods and services, including some light industrial services, to residents of the
30 community in areas where concentration of development is prevented by lack of
31 public sewer and/or water and the resulting requirement for large sites. Because
32 these commercial and light industrial uses are generally first generation
33 development and of lower intensity, the standards of building appearance, paved
34 parking, controlled traffic movement, and landscaping are not required.
35 Development in this district will be where commercial goods and services are
36 generally focused at intersections or in a linear manner along roadsides. This
37 district is not intended for moderate or high-density commercial, office, or light
38 industrial developments.

39 **2. District-Specific Standards**

40 The standards of the following sections do not apply in the RC district:

41 **a. 21.07.030, Open Space.**

42 **b. 21.07.060, Transportation and Connectivity.**

43 **c. 21.07.080, Landscaping, Screening, and Fences, except that**

1 i. Level 4 Screening landscaping shall be required on all lots
2 adjacent to the right-of-way of a freeway designated on the
3 *Official Streets and Highways Plan*, to roadway sections built to
4 freeway design standards with full grade separations of
5 intersecting streets, or to streets functioning as frontage roads
6 for such freeways.

7 ii. Level 3 Separation landscaping shall be required along lot lines
8 abutting lots in residential districts.

9 d. 21.07.090, *Off-Street Parking and Loading*, except that subsection
10 21.07.090D. shall apply.

11 e. 21.07.110, *Public/Institutional and Commercial Building Standards*.

12 f. 21.07.120, *Large Commercial Establishments*.

13 g. 21.07.130, *Exterior Lighting*.

14 **21.04.070 OTHER DISTRICTS**

15 **A. AD: Airport Development District**

16 **1. Purpose**

17 The AD district includes all lands and water areas owned by the Ted Stevens
18 Anchorage International Airport, Merrill Field Airport, and Birchwood Airport.

19 **2. District-Specific Standards**

20 [RESERVED] (still discussing with airports)

21 **B. AF: Antenna Farm District**

22 **1. Purpose**

23 The AF district is intended to create areas dedicated to the erection and
24 maintenance of communication equipment at reasonable cost and to encourage
25 the concentration of such equipment in a few sites throughout the municipality.

26 **C. ~~DR: Development Reserve~~ ~~OL: Open Lands~~ District**

27 **1. Purpose**

28 The ~~DR~~ ~~OL~~ district is applied to lands intended for future development, including
29 undesignated municipally owned lands, and military lands (which are exempt
30 from municipal jurisdiction). Large-lot single-family residential development is
31 allowed by right, though rezoning and/or master planning shall occur prior to
32 other types of development.

33 **D. M: Marine District**

34 **1. Purpose**

35 The M district is intended primarily for water-dependent and water-related
36 commercial and industrial uses. Emphasis is on development flexibility for water-
37 dependent and water-related uses, and on public access to the waterfront and
38 Ship Creek.

1 **2. District-Specific Standards**

2 **a.** Any use that is water-dependent or water-related may be allowed in the
3 M district, subject to determination by the director.

4 **b.** Buildings shall include special design considerations that enhance the
5 relationship between the shoreline and the proposed site development.

6 **E. PLI: Public Lands and Institutions District**

7 **1. Purpose**

8 The PLI district is intended to include major public and quasi-public civic,
9 administrative, and institutional uses and activities.

10 **F. PR: Parks and Recreation District**

11 **1. Purpose**

12 The PR district is intended to include public lands and open space dedicated
13 designated by the assembly as parks. The land uses within these parks are
14 governed by tables 21.05-1 and 21.05-2, and the uses shall be allocated
15 according to the current adopted parks plan and associated maps for that area of
16 the municipality, and any existing master plans for individual parks.

17 **2. District-Specific Standards**

18 Active recreational areas, such as soccer and softball fields, shall have Level 3
19 Separation landscaping between such areas and adjacent residential uses.

20 **G. RUC: Railroad Utility Corridor**

21 **1. Purpose**

22 The RUC district applies to the railroad utility corridor established by state law to
23 contain railroad tracks and utility lines, and extending from the Alaska Railroad
24 Corporation Railroad Terminal Reserve in the Ship Creek area north to the
25 municipal boundary at the Knik River, and south to the municipal boundary at the
26 Placer River. The typical width of the corridor is 200 feet.

27 **2. District-Specific Standards**

28 **a. Uses**

29 Uses in the RUC district are limited to uses that are essential to railroad
30 operations, and secondary uses such as utilities or trails, as approved by
31 the Alaska Railroad Corporation.

32 **b. Dimensions**

33 The RUC district has no minimum dimensional requirements and is
34 exempt from the design standards of section 21.08.030.

35 **H. TA: Turnagain Arm District**

36 **1. Purpose**

37 The TA district is intended to govern the land uses for that area known as
38 Turnagain Arm south of Potter Marsh, including but not limited to Rainbow,
39 Indian, Bird Creek, and Portage. Areas within Girdwood are not included in the
40 TA district and are covered by chapter 21.09, *Girdwood*. The permitted uses and
41 densities within the TA district are to conform to the policies, land use patterns,
42 and residential densities of the adopted *Turnagain Arm Comprehensive Plan*.

1 This district is structured to integrate flexible site design with protection of unique
2 scenic and environmental features, and to provide control over the major
3 secondary impacts of development. The TA district regulations employ the
4 conditional use process to provide review for major development activities. By
5 providing a public review process and by requiring submission of detailed site
6 plans, greater compatibility between the proposed uses and adjacent existing
7 uses can be obtained.

8 **2. District-Specific Standards**

9 **a. Additional Conditional Uses Allowed**

10 In addition to the uses allowed in the TA district in accordance with Table
11 21.05-2, *Table of Allowed Uses – Commercial, Industrial, Mixed-Use,*
12 *and Other Districts*, the following uses may be allowed through the
13 issuance of a conditional use permit subject to the requirements of
14 section 21.03.070, *Conditional Uses*:

15 **i. Multi-Family Dwellings**

16 Multi-family dwellings that are four-plex or greater in density.

17 **ii. Commercial Uses**

18 ~~(A) Commercial structures of more than 2,000 square feet in~~
19 ~~gross building area in areas designated "residential-~~
20 ~~commercial" on the Turnagain Arm Comprehensive~~
21 ~~Plan.~~³

22 **(B)** Commercial structures of more than 4,000 square feet in
23 gross building area in areas designated "commercial" on
24 the *Turnagain Arm Comprehensive Plan*.

25 **(C)** Uses occupying an area of more than 14,400 square
26 feet in those areas designated as "commercial" or
27 "residential-commercial" on the *Turnagain Arm*
28 *Comprehensive Plan*.

29 **iii. Institutional Uses**

30 Any institutional use located in any area, so long as the use is
31 permitted in the PLI district.

32 **iv. Industrial Uses**

33 Industrial uses located within any area not designated as
34 "industrial" on the *Turnagain Arm Comprehensive Plan*;
35 (industrial uses located with areas so designated shall be
36 permitted).

37 **I. W: Watershed District**

38 **1. Purpose**

39 The W district is intended to preserve and protect the potable water reserves
40 available to the municipality in the Chugach Range. The major responsibility in
41 the management of watershed areas is the control of factors that may
42 contaminate or pollute the water. Agricultural, residential, commercial, industrial,
43 or other land uses, including infrastructure and utilities, are incompatible with the
44 concept of watershed conservation.

1 **21.04.080 OVERLAY ZONING DISTRICTS**

2 **A. General Purpose/Intent**

3 The overlay zoning districts of this section apply in combination with the underlying base
4 zoning districts and impose regulations and standards for specific areas in addition to
5 what is required by the base districts. The requirements of an overlay district shall apply
6 whenever they are in conflict with those in the base district. ~~Variances may not be~~
7 ~~granted from the overlay district regulations of this section unless specifically provided for~~
8 ~~in this section.~~ The following overlay districts are established:

- 9 1. Airport Height Overlay District;
- 10 2. Neighborhood Conservation Overlay District;
- 11 3. **Railroad Terminal Reserve Overlay District;** and
- 12 4. Flood Hazard Overlay District.

13 **B. Creation, Alteration, or Elimination of Overlay Districts**

14 The creation, alteration, or elimination of an overlay district is a rezoning and is governed
15 by the provisions of section 21.03.050H., *Rezoning to Create, Alter, or Eliminate*
16 *Overlay Districts*.

17 **C. AHO: Airport Height Overlay District**

18 **1. Purpose**

19 The purpose of the Airport Height Overlay District is to regulate the height of
20 buildings and structures to prevent interference between land uses and air traffic.
21 It is intended to be in accordance with the Federal Aviation Regulations (FAR).

22 **2. Specific Airport Height Maps Adopted**

23 The following airport height zone maps are adopted and thus the referenced
24 areas are located within the Airport Height Overlay District:

- 25 a. The airport height zoning map prepared for the Birchwood Airport in the
26 municipality (most recently adopted version).
- 27 b. The airport height zoning map prepared for the Girdwood Airport in the
28 municipality (most recently adopted version).
- 29 c. The airport height zoning map prepared for the Ted Stevens Anchorage
30 International Airport in the municipality (most recently adopted version).
- 31 d. The Airport Height Zoning Map prepared for the Merrill Field Airport in
32 the municipality (most recently adopted version).

33 **3. Establishment or Modification**

34 In addition to the standard submittals required to initiate an overlay map
35 amendment pursuant to section 21.03.050.H., establishment of an Airport Height
36 Overlay District also shall require preparation of an airport height map as set
37 forth in this section:

- 1 a. The owner or manager of any airport may prepare an airport height map
2 in accordance with the provisions of this subsection and the stipulations
3 of FAR part 77, subpart C, paragraph 77.23(A)(2), 77.23(A)(3) or 77.25.
4 The owner or manager of a governmentally operated airport shall
5 prepare and maintain an airport height map in accordance with FAR part
6 77, subpart C, paragraph 77.25. The map shall be filed with the
7 department.
- 8 b. The map shall be to scale and shall accurately reference the following:
- 9 i. Existing subdivisions.
- 10 ii. Current zoning districts.
- 11 iii. Major reference points in the vicinity of the airstrip or airport.
- 12 iv. Existing topography, if available.
- 13 v. The airport elevation that shall be the official elevation of the
14 airport or airstrip upon approval of the map.
- 15 c. The map required by paragraph a. above, shall accurately depict
16 airspace zones as provided in FAR part 77, subpart C, paragraph 77.25,
17 in ten-foot conical increments. Before submission to the Department the
18 map shall be certified by the Federal Aviation Administration that it
19 depicts the requirements of FAR part 77, subpart C, paragraph 77.25. If,
20 for safety reasons, zone surfaces deviate in any way from the
21 requirements of the FAR, each such deviation shall be indicated in
22 writing on the map and shall be accompanied by a letter of nonobjection
23 by the Federal Aviation Administration. Any such deviation is subject to
24 approval of the department.
- 25 d. Before submission to the department any optional map depicting
26 airspace zones provided in FAR part 77, subpart C, paragraph
27 77.23(A)(2) or 77.23(A)(3), must be certified by the Federal Aviation
28 Administration indicating that it accurately depicts the requirements of
29 FAR part 77, subpart C, subsection 77.23(A)(2) or 77.23(A)(3).
- 30 **4. Additional Height Limitations in Airport Height Overlay District**
31 Notwithstanding the height limitations in section 21.06.010, *Dimensional*
32 *Standards Tables*, all development within the Airport Height Overlay District shall
33 comply with the following height limitations:
- 34 a. No structure shall be constructed or maintained so that it exceeds the
35 greater of:
- 36 i. Thirty-five feet above ground elevation; or
- 37 ii. The maximum height permitted under FAR part 77, subpart C, as
38 depicted on any airport height zone map adopted under section
39 21.04.080.C., *Airport Height Overlay District*.
- 40 b. Any structure within three nautical miles of an airport reference point
41 established by federal regulation, the height of which exceeds the level

1 of that reference point by more than 200 feet, shall present to the
2 building official the results of an airspace determination conducted by the
3 Federal Aviation Administration pursuant to its regulations.

4 c. The height restrictions of this district do not apply to buildings for which
5 building or land use permits were issued prior to June 17, 1986.

6 d. Vegetation shall not be affected by the height limitation of this section.

7 **D. NCO: Neighborhood Conservation Overlay District**

8 **1. Purpose**

9 The NCO district is intended to allow neighborhoods throughout the municipality
10 to protect and preserve distinctive design features and existing character, and to
11 promote new construction that is compatible with existing character. The overlay
12 district is a flexible tool that may be applied to a variety of neighborhoods, each
13 of which is distinguished by its architectural, natural, cultural, or historic
14 attributes. Each NCO district established under this code will have an adopted
15 Neighborhood Conservation Plan that identifies the character-defining
16 characteristics of that neighborhood.

17 **2. Establishment or Modification**

18 Establishment of an NCO district shall include designation of the NCO district by
19 separate ordinance that shall include a map defining the overlay boundaries and
20 an adopted Neighborhood Conservation Plan that shall establish standards and
21 conditions for future development in the district consistent with the purposes of
22 the plan. The Neighborhood Conservation Plan shall be adopted as a
23 component of the comprehensive plan (see section 21.01.080, *Comprehensive*
24 *Plan*).

25 **a. Eligibility Criteria**

26 Areas meeting all of the following minimum criteria may be considered
27 for NCO designation:

28 i. The proposed district includes a minimum area of at least two
29 contiguous acres, including intervening streets and other rights-
30 of-way, and contains at least three separate parcels.

31 ii. At least 75 percent of the land area within the proposed district,
32 not including streets and other rights-of-way, is developed.

33 iii. As of the date of application for designation, at least 50 percent
34 of the developed lots contain principal structures that are more
35 than 20 years old.

36 iv. The proposed area has a distinctive character with identifiable
37 attributes, embodied in architecture, use, urban design, or history
38 that make it an integral part of the municipality's identity.

39 v. The proposed area has a recognized neighborhood identity and
40 a definable physical character that makes the area's
41 conservation important to the municipality's history or function.

42 **b. Determination of Eligibility**

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- i. Requests to establish or modify NCO districts may originate with any interested citizen or citizen group and shall be presented to the director for consideration. Citizens or groups that request a determination of eligibility are responsible for gathering and preparing the materials necessary to justify whether the neighborhood meets the eligibility criteria.
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- ii. Working with the director, the urban design commission shall conduct a preliminary consideration of the eligibility of the proposed area based on the criteria set forth in subsection a. above. The urban design commission may conduct informal meetings with residents of the community, seek the advice of preservation professionals and historians, and conduct or receive any preliminary research or studies to assist with its decision regarding eligibility.
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- c. **Preparation of Neighborhood Conservation Plan**
- i. If the urban design commission determines that the general area is eligible to become a NCO district, it shall direct the director to notify the property owners in the proposed area as identified in municipal tax records, through first class mail, that an informational meeting will be conducted and that a task force will be formed to assist the urban design commission in preparing a Neighborhood Conservation Plan for the district. The task force shall be appointed by the urban design commission and be composed of individuals representing various interests in the area under consideration and members of the urban design commission. The director shall appoint a liaison from the municipality's staff to serve on the task force.
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- ii. The Neighborhood Conservation Plan shall detail the boundaries of the district, document the history and significance of the area, provide photographs of properties within the area, and present proposed design standards and guidelines for regulating future development in the district.
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- iii. The urban design commission shall review the Neighborhood Conservation Plan, including the proposed boundaries and design guidelines, and shall then vote whether to recommend to the planning and zoning commission that the area be designated an NCO district.
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- d. **Property Owners' Approval**
Prior to submission to the planning and zoning commission, the Neighborhood Conservation Plan shall be made available for review by all of the owners of parcels in the proposed district. Each property owner shall indicate whether they are for, against, or undecided on the application. If the signature of an owner cannot be obtained, the applicant may substitute a signed affidavit stating that the applicant has attempted in good faith to obtain the signature of the owner but has been unable to do so. Owners of record will be based on currently available municipal assessor's information. At least 51 percent of the property owners within the proposed district must approve the application before it may be submitted to the planning and zoning commission for review.

1 e. **Rezoning Process**
2 If the urban design commission recommends designation of the NCO
3 district, and at least 51 percent of the property owners indicate approval,
4 then the director shall forward the application to the planning and zoning
5 commission for an amendment to include the district on the zoning map.
6 The application shall then be processed according to the general
7 rezoning procedures set forth in section 21.03.050D., *General*
8 *Procedures*.

9 f. **Findings Required**
10 In addition to the general approval criteria applicable to all proposed
11 rezonings (see 21.03.050E.), an application for designation of a NCO
12 district may be approved only if the assembly finds that:

13 i. The district retains the general character and appearance of its
14 original period of development;

15 ii. The district evidences on-going maintenance of existing older
16 buildings and/or there is potential for rehabilitation of existing
17 buildings in the district;

18 iii. There is potential or existing pressures for redevelopment and
19 new infill development in the district;

20 iv. The district exhibits a significant degree of continuity in terms of
21 the built environment, including both sides of the facing block
22 fronts; and

23 v. The proposed development standards are appropriate to protect
24 and preserve the general character and appearance of the
25 district.

26 g. **Establishment of NCO District**
27 The assembly shall designate each NCO district by separate ordinance
28 that shall include a map defining the overlay boundaries and an adopted
29 Neighborhood Conservation Plan that shall establish standards and
30 conditions for future development in the district consistent with the
31 purposes of the plan. The Neighborhood Conservation Plan shall be
32 adopted as a component of the comprehensive plan (see section
33 21.01.080, *Comprehensive Plan*).

34 h. **Amendments to Approved Neighborhood Conservation Districts**
35 Any proposal to add or subtract parcels to an adopted NCO District,
36 including the dissolution of the district, or any proposed modification to
37 the development standards in an NCO district, shall be subject to the
38 procedural requirements set forth in this subsection.

39 3. **Development Application Review**
40 Applications for development in an approved NCO district shall be reviewed by
41 the regular decision-making body assigned by this code to hear such
42 applications. For example, the director shall review administrative site plans in
43 an NCO district, and the urban design commission shall review major site plans.
44 Applications shall be reviewed for compliance with the Neighborhood

1 Conservation Plan and associated development standards, in addition to any
2 other applicable requirements of this code.

3 **4. Development Standards**

4 a. All new development, additions, changes, and expansions to existing
5 structures must comply with the regulations associated with the NCO
6 district.

7 b. Neighborhood Conservation Plans may contain neighborhood design
8 standards related to any of the following issues: location of proposed
9 buildings or additions; characteristics of uses; height; size; exterior
10 materials; demolition; exterior color; setbacks; lot size/coverage; roof
11 line/pitch; paving; building orientation; relationship of buildings to the
12 streetscape; location of parking; exterior lighting; neighborhood character
13 and compatibility; view preservation of or from specific locations;
14 landscaping and screening; riparian areas, wetland areas, or drainage
15 patterns; ~~and site disturbance;~~ or other items as deemed critical to
16 maintaining the existing character of the proposed district.

17 c. In no circumstance shall a Neighborhood Conservation Plan:

18 i. Prohibit uses that are otherwise allowed by the underlying base
19 zoning district; or Relax or waive any standard of general
20 applicability in this Code; or

21 ii. Allow uses that are prohibited in the underlying base zoning
22 district.

23 d. When the neighborhood design standards have been approved for an
24 NCO district, each application for a building permit for new construction
25 within that district shall comply with those standards.

26 **E. RTR: Railroad Terminal Reserve Overlay District**

27 **1. Purpose and Intent**

28 The purpose of the Alaska Railroad Terminal Reserve Overlay District is to
29 indicate the properties of the Alaska Railroad Corporation, which under certain
30 circumstances are subject to exclusive U.S. Department of Transportation
31 Surface Transportation Board regulation when used for railroad operations. Non-
32 railroad operations uses are subject to municipal title 21 land use regulations.

33 **F. FHO: Flood Hazard Overlay District**

34 **1. Purpose and Intent**

35 The purpose of the Flood Hazard Overlay District is to promote the public health,
36 safety, and general welfare and to minimize loss due to flood. The provisions of
37 this section are intended to be an addition to all other land use regulations and
38 to:

39 a. Restrict or prohibit uses and structures that are dangerous to health,
40 safety, or property in time of flood, or that cause increased flood heights
41 or velocities;

- 1 i. Flood Insurance Study for the Municipality of Anchorage,
2 prepared by the Federal Insurance Administration, Federal
3 Emergency Management Agency (FEMA).
- 4 ii. Flood insurance rate map (FIRM) prepared by the Federal
5 Insurance Administration, FEMA, including the current digital
6 flood insurance rate map (DFIRM) prepared by the Federal
7 Insurance Administration.
- 8 iii. Flood boundary and floodway map, prepared by the Federal
9 Insurance Administration, FEMA, including the current digital
10 flood boundary and floodway map prepared by the Federal
11 Insurance Administration.
- 12 iv. Flood hazard boundary map (FHBM), prepared by the Federal
13 Insurance Administration, FEMA, including the current digital
14 flood hazard boundary map (DFHBM) prepared by the Federal
15 Insurance Administration.

16 The current editions of each of the maps and reports listed in this
17 subsection are made a part of this section. Subsequent maps and
18 reports prepared by the Federal Insurance Administration or the
19 municipality delineating the Flood Hazard Overlay District, floodway and
20 floodplain areas within the municipality shall become part of this chapter
21 upon publication. A copy of the reports and maps cited in this subsection
22 shall be on file in the department. Definitions of terms appearing on the
23 maps and reports appear in 41 CFR 19.09.1.

24 **b. Review of Maps**
25 In no case will longer than five years elapse without an update and
26 review of the existing flood hazard district maps. The review may be
27 conducted by the municipality, the U.S. Corps of Engineers, or the
28 Federal Insurance Administration, and any changes or amendments in
29 the boundaries of the flood hazard district, floodway, or floodway fringe
30 area shall then be submitted to the planning and zoning commission and
31 assembly for final adoption as part of this chapter.

32 **c. Rules for Interpretation of District Boundaries**
33 The boundaries of the floodplain districts established by this chapter
34 shall be determined from the cited maps and reports. Where
35 interpretation is needed as to the exact location of the boundaries, the
36 department of project management and engineering, upon advice from
37 the U.S. Corps of Engineers, shall make the necessary interpretation.

38 **4. Establishment of Flood Hazard Overlay District**
39 The area within the limit of the boundary of the base flood, the highest extreme
40 tide, or a designated special hazard area is hereby designated as the Flood
41 Hazard Overlay District. The boundaries of this district are established in
42 accordance with subsection F.3. above.

43 **5. Regulations Applicable to Flood Hazard Overlay District**
44 **a. Applicability**
45 The regulations within this section shall apply to all areas of the Flood
46 Hazard Overlay District.

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b. Prohibited Development

- i. Any encroachments, new construction, fill, obstructions, substantial improvements and other development or action within the regulatory floodway that would result in any increase in flood levels during the occurrence of a base flood are prohibited.
- ii. Critical facilities shall not be located in the Flood Hazard Overlay District. For the purposes of this subsection only, critical facilities are defined as fire stations, police stations, hospitals, emergency shelters, schools, and emergency operations centers.

c. Standards for Issuance of Building or Land Use Permit

No building permits, encroachment permits, manufactured home permits, or other land use permits shall be issued for the construction or placing of a structure within the Flood Hazard Overlay District unless the plans show that, in addition to compliance with all other ordinances, regulations and permit requirements, the structure shall meet the following requirements:

- i. Prior to final approval of a permit it must be demonstrated that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including section 404 of the Federal Water Pollution Control Act amendments of 1972.
- ii. It must be demonstrated that the structure will be reasonably safe from flooding. If a proposed building site is in a floodplain, all new construction and substantial improvements shall be designed and adequately anchored to prevent flotation, collapse or lateral movement of the structure, be constructed with materials and utility equipment resistant to flood damage, and be constructed by methods and practices that minimize flood damage.
- iii. The approval of a subdivision application or multi-unit development shall require proof that:
 - (A) The proposed construction is consistent with the need to minimize flood damage within the floodplain;
 - (B) All public utilities and facilities such as sewer, gas, electrical and water systems are to be located and constructed to minimize or eliminate flood damage;
 - (C) Adequate drainage is provided to reduce exposure to flood hazards. The actions of one project shall not adversely impact the receiving waters and the rights of other property owners, as measured by increased flood peaks, flood stage, flood erosion, and sedimentation through storm waters or drainage systems; and
 - (D) Base flood elevation data has been provided for subdivision proposals and other proposed development

1 which contains at least 50 lots or five acres, whichever is
2 less.

3 iv. Construction within floodplains shall require that new and
4 replacement water supply systems be designed to minimize or
5 eliminate infiltration of floodwaters into the systems.

6 v. Construction within floodplains shall require that:

7 (A) New and replacement sewage systems shall be
8 designed to minimize or eliminate infiltration of
9 floodwaters into the systems and discharges from the
10 systems into floodwaters; and

11 (B) On-site waste disposal systems to be located to avoid
12 impairment to them or contamination from them during
13 flooding.

14 d. **Storage of Materials or Equipment**

15 The storage or processing of equipment or materials that are buoyant,
16 flammable, explosive or injurious to safety, or which would cause a
17 violation of state water quality standards upon contact with water, are
18 prohibited.

19 6. **Regulations Applicable to Subdistricts**

20 a. **Floodway Area**

21 Since the floodway is an extremely hazardous area due to the velocity of
22 floodwaters, which carry debris and potential projectiles and have
23 erosion potential, the following provisions apply:

24 i. Permitted uses and structures are parks, parkways, greenbelts,
25 land reserves, golf courses, playgrounds, playfields, and related
26 facilities.

27 ii. Permitted accessory uses and structures are picnic tables,
28 playground equipment, outdoor cooking facilities and like
29 structures.

30 iii. The following structures and activities are permitted only by
31 special flood hazard permit: excavation of sand, gravel and other
32 natural resources, railroad and tramway tracks, streets, bridges,
33 utility installations and pipelines, storage yards for equipment
34 and materials, commercial farming, ~~landfills~~ and land
35 reclamation.

36 iv. The following uses are prohibited: landfills, storage yards
37 containing hazardous materials (as defined by the EPA),
38 encroachments not otherwise excepted in this section, including
39 fill, new construction, substantial improvements and other
40 development, unless certification by a registered professional
41 engineer or architect is provided demonstrating that such
42 encroachments shall not result in any increase in flood levels
43 during the occurrence of the base flood discharge or result in

1 violation of the state water quality standards. Manufactured
2 homes are prohibited, except as otherwise stated in this section.

3 **b. Floodway Fringe Area**

4 The regulations listed in this subsection are applicable to the floodway
5 fringe area:

6 i. Permitted uses and structures are parks, parkways, greenbelts,
7 land reserves, golf courses, playgrounds, playfields and related
8 facilities.

9 ii. Permitted accessory uses and structures are picnic tables,
10 playground equipment, outdoor cooking facilities and like
11 structures.

12 iii. The following uses, structures and activities are permitted only
13 by special flood hazard permit: any use permitted by special
14 flood hazard permit as set forth in subsection a. of this section,
15 and all other uses, structures and activities which are in
16 accordance with all other land use regulations provided they are
17 adequately floodproofed as set forth in subsection F.8. below,
18 *Special Flood Hazard Permit*.

19 iv. The following uses are prohibited: uses, structures and activities
20 which are not permitted under subsections b.i. through iii. of this
21 section or which would cause violations of state water quality
22 standards.

23 **7. Construction Requirements**

24 **a. Generally**

25 All new construction and substantial improvements in areas designated
26 on the flood insurance rate map as zones A1-30 shall meet the following
27 conditions:

28 i. The lowest floor, including basement or crawl space, of
29 residential structures shall be elevated to at least one foot ~~or~~
30 above the base flood level.

31 ii. The lowest floor, including basement, of nonresidential structures
32 shall be elevated to or above the base flood level, unless the
33 structure, with all utility and sanitary facilities, is designed so that
34 below base flood level the structure is watertight with walls
35 substantially impermeable to the passage of water and so that it
36 is capable of resisting hydrostatic and hydrodynamic loads and
37 effects of buoyancy.

38 iii. A minimum of two openings having a total net area of not less
39 than one square inch for every square foot of enclosed area
40 subject to flooding shall be provided to FEMA specifications
41 (such as Smart Vent). The bottom of all openings shall be no
42 higher than one foot above grade. Openings may be equipped
43 with screens, louvers or other coverings or devices provided that
44 they permit the automatic entry and exit of floodwaters.

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- iv. Where floodproofing is utilized a registered professional engineer or architect shall certify that the floodproofing methods are adequate.
 - v. For new manufactured home parks and manufactured home subdivisions; for expansions to existing manufactured home parks and manufactured home subdivisions; for existing manufactured home parks and manufactured home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50 percent of value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for manufactured homes not placed in a manufactured home park or manufactured home subdivision, require that the repair, and on all property not within a manufactured home park or subdivision stands or lots are elevated on compacted fill or on pilings so that:
 - (A) The lowest floor of each manufactured home must be at or above the base flood level.
 - (B) Adequate surface drainage and access for a hauler must be provided.
 - (C) For manufactured homes placed on pilings, pilings must be stable and no more than ten feet apart and reinforced if more than six feet above the ground level.
 - (D) Lots must be large enough to permit steps.
 - vi. All manufactured homes to be placed or substantially improved within zones A1-30, AH and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation, and be securely anchored to an adequately anchored foundation system.
 - vii. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include but are not limited to use of over-the-top or frame ties to ground anchors.
- b. **Standards for Shallow Flood Areas (AO Zones)**
Shallow flooding areas appear on the Flood Insurance Rate Maps as AO zones with depth designations. The base flood depths in these zones range from one to three feet where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:
- i. New construction and substantial improvements of residential structures within AO zones shall have the lowest floor, including basement or crawl space, elevated above the highest adjacent grade of the building site, to or above the depth number specified

- 1 on the Flood Insurance Rate Map (at least two feet if no depth
2 number is specified).
- 3 ii. New construction and substantial improvements of
4 nonresidential structures within AO zones shall either:
- 5 (A) Have the lowest floor, including basement, elevated
6 above the highest adjacent grade of the building site, or
7 to or above the depth number specified on the Flood
8 Insurance Rate Map (at least two feet if no depth
9 number is specified); or
- 10 (B) Together with attendant utility and sanitary facilities, be
11 completely floodproofed to or above that level so that
12 any space below that level is watertight with walls
13 substantially impermeable to the passage of water and
14 with structural components having the capability of
15 resisting hydrostatic and hydrodynamic loads and effects
16 of buoyancy. If this method is used, compliance shall be
17 certified by a registered professional engineer or
18 architect.
- 19 iii. Adequate drainage paths are required around structures on
20 slopes to guide floodwaters around and away from proposed
21 structures.
- 22 c. **Standards for Zone A99**
23 All construction in areas designated on the flood insurance rate map as
24 zone A99 shall meet all requirements of subsections 7.a. and 7.b. of this
25 section.
- 26 8. **Special Flood Hazard Permit**
27 a. **Required**
28 No person shall engage in development within the Flood Hazard Overlay
29 District unless a special flood hazard permit is first issued, pursuant to
30 section 21.03.110, *Special Flood Hazard Permits*.
- 31 b. **Conditions**
32 Special conditions may be attached as a condition to the issuance of a
33 special flood hazard permit. Conditions shall include any floodproofing
34 measures deemed necessary by the issuing official to further the
35 purposes of this chapter. Floodproofing measures may include
36 requirements that:
- 37 i. The finished surface of the first or main floor shall be at least one
38 foot above the level of the regulatory flood protection elevation.
- 39 ii. Structures or uses below the level of the regulatory flood shall be
40 restricted to those not involving habitual human habitation, such
41 as working space, living space, sleeping space, etc.
- 42 iii. The anchorage shall be suitable to resist flotation and lateral
43 movement.

- 1 iv. For all construction and substantial improvements, fully enclosed
2 areas below the lowest floor that are subject to flooding shall be
3 designed to automatically equalize hydrostatic flood forces on
4 exterior walls by allowing for the entry and exits of floodwaters.
5 Designs for meeting this requirement must either be certified by
6 a registered professional engineer or architect or must meet or
7 exceed the following minimum criteria: A minimum of two
8 openings having a total net area of not less than one square inch
9 for every square foot of enclosed area subject to flooding shall
10 be provided **to FEMA specifications (such as Smart Vent)**. The
11 bottom of all openings shall be no higher than one foot above
12 grade. Openings may be equipped with screens, louvers or
13 other coverings or devices provided that they permit the
14 automatic entry and exits of floodwaters.

- 15 v. All areas below the level of the regulatory flood protection levels
16 shall be coated with paint, membranes, or mortars substantially
17 impermeable to the passage of water.

- 18 vi. Water supply and waste treatment systems must prevent
19 infiltration of water.

- 20 vii. All interior drains must be connected to the sanitary sewer
21 system.

22 **9. Nonconforming Uses**

23 A structure or the use of a structure or premises located within the Flood Hazard
24 Overlay District that was lawful before the original passage of applicable
25 regulations, but that is not in conformity of the provisions of such regulations,
26 may be continued subject to the following conditions:

- 27 a. No such use shall be expanded, changed, enlarged, or altered in any
28 way which increases its nonconformity with respect to the provisions of
29 this chapter.

- 30 b. No repair, alteration, or addition shall be made to any nonconforming
31 structure if the value of such repair, alteration, or addition shall exceed
32 50 percent of the value of the structure at the time of its becoming a
33 nonconforming use unless the structure is permanently changed to a
34 conforming use.

- 35 c. If such use is discontinued for 12 consecutive months, any future use of
36 the structure or premises shall conform to this chapter.

- 37 d. Uses or adjuncts thereof which are or have become nuisances shall not
38 be entitled to continuance as nonconforming uses.

- 39 e. Any permitted alteration, addition, or repair to any nonconforming
40 structure the cost of which equals or exceeds 50 percent of the fair
41 market value of the structure which would result in substantially
42 increasing the flood damage potential shall be adequately floodproofed
43 in accordance with subsection F.8.

10. **Duties of the Director of the Department of Project Management and Engineering**

a. The director of the department of project management and engineering shall grant or deny development permit applications in accordance with the provisions of this chapter, except that the platting board is directed and authorized to consider this chapter in relation to any matter brought before that board.

b. The director of the department of project management and engineering shall maintain all records required by the Federal Insurance Administration and shall file an annual report with the federal insurance administrator. Form OMB 64-R1546 shall be used in accordance with 41 CFR 1909.22(b)(3).

c. Additional duties and responsibilities of the director of the department of project management and engineering are as follows:

i. *Permit Review*

The director of the department of project management and engineering shall:

(A) Review all flood hazard permits to determine that the permit requirements of this chapter have been satisfied.

(B) Review all flood hazard permits to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required.

(C) Review all flood hazard permits to determine if the proposed development is located in the floodway, and, if located in the floodway, ensure that the encroachment provisions of subsection 6.a. above are met.

ii. *Use of Other Base Flood Data*

When base flood elevation data have not been provided in accordance with subsection F.3. above, the director of the department of project management and engineering shall obtain, review and reasonably utilize any base flood elevation data available from a federal, state or other source in order to administer subsections F.6. through F.9. above.

iii. *Information to be Obtained and Maintained*

The director of the department of project management and engineering shall:

(A) Obtain and record the actual elevation, in relation to mean sea level, of the lowest habitable floor, including basement, of all new or substantially improved structures, and whether or not the structure contains a basement.

(B) For all new or substantially improved floodproofed structures:

- 1 (1) Verify and record the actual elevation, in relation
2 to mean sea level; and
- 3 (2) Maintain the floodproofing certifications required
4 in subsection 7.a.iv. above.
- 5 (3) Maintain for public inspection all records
6 pertaining to the provisions of this section.
- 7 iv. *Duties Regarding Alteration of Watercourses*
8 The director of the department of project management and
9 engineering shall:
- 10 (A) Notify adjacent communities and the state coordinating
11 agency prior to any alteration or relocation of a
12 watercourse and submit evidence of such notification to
13 the Federal Insurance Administration.
- 14 (B) Require that maintenance is provided within the altered
15 or relocated portion of the watercourse so that the flood-
16 carrying capacity is not diminished.
- 17 v. *Interpretation of FIRM Boundaries*
18 The director of the department of project management and
19 engineering shall make interpretations, where needed, as to
20 exact location of the boundaries of the areas of special flood
21 hazard, for example, where there appears to be a conflict
22 between a mapped boundary and actual field conditions. The
23 person contesting the location of the boundary shall be given a
24 reasonable opportunity to appeal the interpretation as provided
25 in subsection F.11. below.
- 26 11. **Appeal Procedure**
27 Appeals alleging error by the director of the department of project management
28 and engineering charged with the enforcement or interpretation of this chapter
29 may be taken to the zoning board of examiners and appeals in accordance with
30 the provisions of section 21.03.200, *Appeals*.
- 31 12. **Standards and Conditions for Variances and Appeals**
32 a. In passing upon variances or appeals, the zoning board of examiners
33 and appeals shall consider all technical evaluations, all relevant factors,
34 standards specified in other sections of this section and:
- 35 i. The danger that materials may be swept onto other lands to the
36 injury of others;
- 37 ii. The danger to life and property due to flooding or erosion
38 damage;
- 39 iii. The susceptibility of the proposed facility and its contents to flood
40 damage and the effect of such damage on the individual owner;
- 41 iv. The importance of the services provided by the proposed facility
42 to the community;

- 1 v. The necessity of the facility of a waterfront location, where
2 applicable;
- 3 vi. The availability of alternative locations for the proposed use
4 which are not subject to flooding or erosion damage;
- 5 vii. The compatibility of the proposed use with existing and
6 anticipated development;
- 7 viii. The relationship of the proposed use to the comprehensive plan
8 and floodplain management program for that area;
- 9 ix. The safety of access to the property in time of flood for ordinary
10 and emergency vehicles;
- 11 x. The expected heights, velocity, duration, rate of rise and
12 sediment transport of the floodwaters and the effects of wave
13 action, if applicable, expected at the site; and
- 14 xi. The costs of providing governmental services during and after
15 flood conditions, including maintenance and repair of public
16 utilities and facilities such as sewer, gas, electrical and water
17 systems and streets and bridges.
- 18 b. Generally, variances may be issued for new construction and substantial
19 improvements to be erected on a lot of one-half acre or less in size
20 contiguous to and surrounded by lots with existing structures constructed
21 below the base flood level, providing the items in subsections 12.a.i
22 through xi. of this section have been fully considered. As the lot size
23 increases beyond one-half acre, the technical justification required for
24 issuing the variance increases.
- 25 c. The zoning board of examiners and appeals may attach such conditions
26 to the granting of variances or appeals as it deems necessary to further
27 the purposes of this chapter.
- 28 d. The director of the department of project management and engineering
29 shall maintain the records of all variance and appeal actions and report
30 any variances to the Federal Insurance Administration upon request.
- 31 e. Conditions for variances are as follows:
- 32 i. Variances may be issued for the reconstruction, rehabilitation, or
33 restoration of structures listed on the National Register of
34 Historic Places or the state inventory of historic places, without
35 regard to the procedures set forth in the remainder of this
36 section.
- 37 ii. Variances shall not be issued within any designated floodway if
38 any increase in flood levels during the basic flood discharge
39 would result.

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- iii. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - iv. Variances shall only be issued upon:
 - (A) A showing of good and sufficient cause;
 - (B) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - (C) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - v. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

¹ 2005 NOTE: Two comments on this provision (which is carried forward from the current code) ask whether this could be interpreted as a requirement to perform soil analysis to determine the presence of earthquake hazards. We are not aware of the Municipality enforcing this current provision in such a way, and are not aware of any plans to institute such a policy. Such a requirement, if implemented, should be in the form of a standard and not contained in a purpose statement.

² 2005 NOTE: Names changed in the 2005 draft for the three downtown districts. All requirements relating to the CBD districts are otherwise unchanged from the current code. The Municipality is undertaking a new downtown plan and will update the downtown zoning as part of a separate project.

³ PRD#2 NOTE: This provision was removed because there are no areas designated "residential/commercial" in the communities that make up the TA district.