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TABLE OF CONTENTS

1		
2		
3	CHAPTER 21.05: USE REGULATIONS	181
4	21.05.010 Tables of Allowed Uses	181
5	A. Explanation of Table Abbreviations	181
6	B. Table Organization	182
7	C. Unlisted Uses	182
8	D. Use for Other Purposes Prohibited	182
9	E. Table of Allowed Uses – Residential Districts	183
10	F. Table of Allowed Uses – Commercial, Industrial, Mixed-Use, and Other Districts	186
11	21.05.020 Generally Applicable Use Standards	198
12	A. Uses Involving the Retail Sale of Alcoholic Beverages	198
13	B. Premises Containing Uses Where Children are Not Allowed	198
14	C. Large Commercial Uses	199
15	21.05.030 Residential Uses: Definitions and Use-Specific Standards	199
16	A. Household Living	199
17	B. Group Living	206
18	21.05.040 Public/Institutional Uses: Definitions and Use-Specific Standards	209
19	A. Adult Care [RESERVED awaiting Assembly action on AO 2005-124]	209
20	B. Child Care Facility [RESERVED awaiting Assembly action on AO 2005-185]	209
21	C. Community Service	209
22	D. Cultural Facility	212
23	E. Educational Facility	213
24	F. Health Care Facility	215
25	G. Parks and Open Areas	216
26	H. Public Safety Facility	216
27	I. Transportation Facility	217
28	J. Utility Facility	218
29	K. Telecommunication Facilities	219
30	21.05.050 Commercial Uses: Definitions and Use-Specific Standards	229
31	A. Agricultural Uses	229
32	B. Animal Sales, Service, and Care	229
33	C. Assembly	231
34	D. Entertainment, Indoor	231
35	E. Entertainment/Recreation, Outdoor	234
36	F. Financial Institution	237
37	G. Food and Beverage Services	238
38	H. Office	239
39	I. Retail (Personal Services, Repair, and Rental)	239
40	J. Retail (Sales)	240
41	K. Vehicles and Equipment	242
42	L. Visitor Accommodations	246
43	21.05.060 Industrial Uses: Definitions and Use-Specific Standards	248
44	A. Industrial Service	248
45	B. Manufacturing and Production	249
46	C. Marine Facility	252
47	D. Warehouse and Storage	253
48	E. Waste and Salvage	260
49	21.05.070 Accessory Uses and Structures	270
50	A. Purpose	270
51	B. General Standards	270
52	C. Table of Allowed Accessory Uses	271
53	D. Definitions and Use-Specific Standards for Allowed Accessory Uses and Structures	276
54	E. Prohibited Accessory Uses and Structures	289
55		

1 **21.05.080 Temporary Uses and Structures290**
2 A. Purpose290
3 B. General Temporary Use Standards290
4 C. Prohibited Temporary Uses and Structures291
5 D. General Requirements for All Temporary Uses and Structures.....291
6

CHAPTER 21.05: USE REGULATIONS

21.05.010 TABLES OF ALLOWED USES

Tables 21.05-1 and 21.05-2 below list the uses allowed within all base zoning districts. Each of the listed uses is defined in sections 21.05.030 through 21.05.060.

A. Explanation of Table Abbreviations

1. Permitted Uses

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

2. Administrative Site Plan Review

“S” in a cell indicates that the use requires administrative site plan review in the respective zoning district in accordance with the procedures of section 21.03.080B, *Administrative Site Plan Review*. The site plan review process is intended to determine compliance with the development standards of this title, not to review the appropriateness of the use itself.

3. Major Site Plan Review

“M” in a cell indicates that the use requires major site plan review in the respective zoning district, in accordance with the procedures of section 21.03.080C, *Major Site Plan Review*. The site plan review process is intended to determine compliance with the development standards of this title, not to review the appropriateness of the use itself.

4. Conditional Uses

“C” in a cell indicates that, in the respective zoning district, the use is allowed only if reviewed and approved as a conditional use in accordance with the procedures of section 21.03.070, *Conditional Uses*. Throughout this title, the term “conditionally allowed” means that approval through the conditional use process is required.

5. Multiple Abbreviations

Where Table 21.05-1 or Table 21.05-2 indicates more than one abbreviation for a particular use, such as “P/M” or “S/M,” then the applicable review procedure is determined by size, geographic location, or other characteristic of the use as specified in this code. For commercial uses, see section 21.05.020C., which applies special standards and procedures for commercial uses over 25,000 square feet. For other uses with multiple abbreviations, the procedure shall be as specified in the applicable use-specific standards.

6. Prohibited Uses

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

7. Use-Specific Standards

Regardless of whether a use is allowed by right, subject to major or administrative site plan review, or permitted as a conditional use, there may be additional standards that are applicable to the use. The existence of these use-specific standards is noted through a cross-reference in the last column of the table. These standards apply in all districts unless otherwise specified.

1 **B. Table Organization**

2 In Tables 21.05-1 and 21.05-2, land uses and activities are classified into general “use
3 categories” and specific “use types” based on common functional, product, or physical
4 characteristics, such as the type and amount of activity, the type of customers or
5 residents, how goods or services are sold or delivered, and site conditions. This
6 classification provides a systematic basis for assigning present and future land uses into
7 appropriate zoning districts. This classification does not list every use or activity that may
8 appropriately exist within the categories, and specific uses may be listed in one category
9 when they may reasonably have been listed in one or more other categories. The use
10 categories are intended merely as an indexing tool and are not regulatory.

11 **C. Unlisted Uses**

12 When application is made for a use type that is not specifically listed in Tables 21.05-1
13 and 21.05-2, the procedure in section 21.03.210, *Use Classification Requests*, shall be
14 followed.

15 **D. Use for Other Purposes Prohibited**

16 Approval of a use listed in Tables 21.05-1 and 21.05-2, and compliance with the
17 applicable use-specific standards for that use, authorizes that use only. Development or
18 use of a property for any other use not specifically allowed in the tables and approved
19 under the appropriate process is prohibited.

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E. Table of Allowed Uses – Residential Districts

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL DISTRICTS													
This table shows only those uses allowed in the residential districts. All other uses not shown are prohibited.													
P = Permitted Use S = Administrative Site Plan Review													
C = Conditional Use M = Major Site Plan Review													
Use Category	Use Type	RS-1	RS-2	RT	RM-1	RM-2	RM-3	RM-4	RL-1	RL-2	RL-3	RL-4	Use-Specific Standards
RESIDENTIAL USES													
Household Living	Dwelling, mixed-use						P	P					21.05.030A.1.
	Dwelling, multifamily				S	P	P	P					21.05.030A.2.
	Dwelling, single-family attached			P	P	P							21.05.030A.3.
	Dwelling, single-family detached	P	P	P	P	P			P	P	P	P	21.05.030A.4.
	Dwelling, townhouse				S	S	S	S					21.05.030A.5.
	Dwelling, two-family		P	P	P	P			P	P	P		21.05.030A.6.
	Dwelling, mobile home								P				21.05.030A.7.
	Manufactured home community				C	C	C		C				
Group Living	Habilitative care facility	C	C	C	C	C	C	C	C	C			21.05.030B.2
	Residential care (8 or fewer residents)	P	P	P	P	P	P	P	P	P	P		21.05.030B.3.
	Residential care (9 or more residents)	C	C	C	P	P	P	C	P	C			21.05.030B.3.
	Roominghouse				C	C	P	P					21.05.030B.4.
	Transitional living facility						P	P					
PUBLIC / INSTITUTIONAL USES													
Adult Care	Adult care (9 to 15 persons)	C		C	C	C	C	C	C				21.05.040A.
	Adult care (16 or more persons)	C		C	C	C	C	C	C				21.05.040A.
Child Care	Child care facility (9 or more children)	C	C	C	C	C	C	C	P	C	C		21.05.040B.
Community Service	Community center	C	C	C	S	S	S	S	C	C	C		21.05.040C.2.
	Neighborhood recreation center	S	S	S	S	S	S	S	S	S	S		
	Religious assembly	S	S	S	S	S	S	S	S	S	S		21.05.040C.7.
Cultural Facility	Botanical gardens		S						S	S	S	S	
Educational Facility	Boarding school				M	M	M	M					21.05.040E.1.
	College or university							M					

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL DISTRICTS

This table shows only those uses allowed in the residential districts. All other uses not shown are prohibited.

P = Permitted Use S = Administrative Site Plan Review
C = Conditional Use M = Major Site Plan Review

Use Category	Use Type	RS-1	RS-2	RT	RM-1	RM-2	RM-3	RM-4	RL-1	RL-2	RL-3	RL-4	Use-Specific Standards
	Elementary school	M	M	M	M	M	M	M	M	M			21.05.040E.4.
	High school or middle school	M	M	M	M	M	M	M	M	M			21.05.040E.5.
Health Care Facility	Health care facility or nursing facility (1-16 patients)				C	C	C	C					21.05.040F.1.
	Health care facility or nursing facility, 17+ patients						C						21.05.040F.1.
	Health services							P					21.05.040F.2.
Parks and Open Area	Community garden	P	P	P	P	P	P	P	P	P	P	P	
	Park and open space, public or private	S	S	S	S	S	S	S	S	S	S	S	
Public Safety Facility	Community or police substation				P	P	P	P					21.05.040H.1.
Transportation Facility	Airstrip, private	C	C	C					C	C	C	C	21.05.040I.2.
Utility Facility	Utility substation	S	S	S	S	S	S	S	S	S	S	S	21.05.040J.3.
Telecommunication Facilities	Type 1 tower	S	S	S	S	S	S	S	S	S	S	S	21.05.040K.
	Type 2 tower	C	C	C	C	C	C	C	C	C	C	C	21.05.040K.
	Type 3 tower	C	C	C	C	C	C	C	C	C	C	C	21.05.040K.
	Type 4 tower	S	S	S	S	S	S	S	S	S	S	S	21.05.040K.
COMMERCIAL USES													
Agricultural Uses	Farming, animal husbandry								P	P	P		21.05.050A.1.
	Farming, horticultural								P	P	P		
Animal Sales, Service & Care	Kennel, commercial								S/M				21.05.050B.2. 21.07.130
	Paddock or stable, commercial		S/M						S/M	S/M	S/M		21.05.050B.3. 21.07.130
Assembly	Club / lodge / meeting hall						C	S					21.05.020A.
Entertainment, Indoor	Fitness and recreational sports center							P					
Entertainment/ Recreation, Outdoor	Skiing facility, alpine											C	
Financial Institution	Financial Institution							P					

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL DISTRICTS													
This table shows only those uses allowed in the residential districts. All other uses not shown are prohibited.													
P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review													
Use Category	Use Type	RS-1	RS-2	RT	RM-1	RM-2	RM-3	RM-4	RL-1	RL-2	RL-3	RL-4	Use-Specific Standards
Food and Beverage Service	Restaurant							S					21.05.020A
Office	Office, business or professional							P					
Retail (Personal Services)	General personal services							P					
	Instructional services							P					
Retail (Sales)	Convenience store							S					21.05.050K.4
	General retail							P					
	Grocery or food store							S					21.05.020A
	Nursery, commercial	C		C					C	C			21.07.130
Visitor Accommodations	Extended-stay lodgings						C	S					21.05.050M.2.
	Hostel				C	C	P	P					
	Inn						C	S					21.05.020A. 21.05.050M.5.
	Recreational and vacation camp								C	C	C	C	
INDUSTRIAL USES													
Manufacturing and Production	Natural resource extraction, organic and inorganic	C	C	C	C	C	C	C	C	C	C		21.05.060B.5.
Waste and Salvage	Land reclamation	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	21.05.060E.4.

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1 F. Table of Allowed Uses – Commercial, Industrial, Mixed-Use, and Other Districts

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																					
P = Permitted Use S = Administrative Site Plan Review																					
C = Conditional Use M = Major Site Plan Review																					
For uses allowed in the AD and M districts, see section 21.04.060.																					
This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.																					
Use Category	Use Type	COMMERCIAL						MIXED-USE				INDUSTRIAL			OTHER					Use-Specific Standards	
		N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	N M U	C M U	R M U	M M U	I C	I 1	I 2	A F	D R	P R	P L I		T A
RESIDENTIAL USES																					
Household Living	Dwelling, mixed-use	P	P	P	P	P	P	P	P	P	P								S	21.05.030A.1.	
	Dwelling, multifamily				P	P	S		P	P	P	P						S		21.05.030A.2.	
	Dwelling, single-family detached							P								P			P	21.05.030A.4.	
	Dwelling, townhouse								S	S	S	S								21.05.030A.5.	
	Dwelling, two-family							P											C	21.05.030A.6.	
	Dwelling, mobile home							P											C	21.05.030A.7.	
Group Living	Correctional community residential center		P/C	C	C	C		P		P/C	P/C	P/C		P				P		21.05.030B.1.	
	Habilitative care facility		C	C	C	C	C											C		21.05.030B.2.	
	Residential care (8 or fewer residents)	P	P					P											P	21.05.030B.3.	
	Residential care (9 or more residents)		P	P	P	P	P	P											C	C	21.05.030B.3.
	Roominghouse	P	P	P	P	P	P	P	S	S	S	S								C	21.05.030B.4.

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																						
		COMMERCIAL							MIXED-USE				INDUSTRIAL			OTHER					Use-Specific Standards	
Use Category	Use Type	N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	N M U	C M U	R M U	M M U	I C	I 1	I 2	A F	D R	P R	P L I	T A		W
	Transitional living facility		P																			
PUBLIC/INSTITUTIONAL USES																						
Adult Care	Adult care (9 to 15 persons)	P	P	P	P	P	P													C	21.05.040A.	
	Adult care (16 or more persons)	P	P	P	P	P	P												P	C	21.05.040A.	
Child Care	Child care facility (9 or more children)	P	P	P	P	P	P	P	P	P	P								P	C	21.05.040B.	
Community Service	Cemetery or mausoleum							P											P	C	21.05.040C.1.	
	Community center							P	S	S	S	S						C	S	S	21.05.040C.2.	
	Crematorium							C						C	P				C	C	21.05.040C.3.	
	Government administration and civic buildings		P/M	P/M	P/M	P/M	P/M	P/M	P/M	P/M	P/M	P/M							P/M	M	21.05.040C.4	
	Homeless and transient shelter																			C		
	Neighborhood recreation center	S							P	S											S	
	Religious assembly	P	P	P	P	P	P	P	P	P	P	P								P	S	21.05.040C.7.
Cultural Facility	Aquarium										M	M								C		

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																					
		COMMERCIAL							MIXED-USE				INDUSTRIAL			OTHER					Use-Specific Standards
Use Category	Use Type	N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	N M U	C M U	R M U	M M U	I C	I 1	I 2	A F	D R	P R	P L I	T A	
	Botanical gardens																	P	S	S	
	Library	S		S/M	S/M	S/M		P	S/M	S/M	S/M	S/M							S/M	S/M	
	Museum or cultural center		C	S/M	S/M	S/M		C		S/M	S/M	S/M							S/M	C	
	Zoo																		C	C	
Educational Facility	Boarding school					M		C		M	M	M							M	C	21.05.040E.1.
	College or university		C	M	M	M				M	M	M							M	C	
	Education and research center			P	P	P	P			S	S	S	P	P					P	C	
	Elementary school		M		C	C		M		M	M	M							M	M	21.05.040E.4.
	High school or middle school		M		C	C		M		M	M	M							M	C	21.05.040E.5.
	Vocational or trade school		P	P	P	P	P	P		S	S	S	P	P					C		21.05.040E.6.
Health Care Facility	Health care facility or nursing facility (1-16 patients)	C	P					P	S	S	S	S								C	21.05.040F.1.
	Health care facility or nursing facility (17+ patients)		C					P		S	S	S							C	C	21.05.040F.1.
	Health services	P	P	P	P	P	P	P	S	S	S	S							C	C	21.05.040F.2.

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																					
		COMMERCIAL							MIXED-USE				INDUSTRIAL			OTHER					Use-Specific Standards
Use Category	Use Type	N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	N M U	C M U	R M U	M M U	I C	I 1	I 2	A F	D R	P R	P L I	T A	
Parks and Open Area	Community garden	P	P	P	P	P		P	P	P	P	P						P	P	P	
	Park and open space, public or private	S	S	S	S	S	S	P	S	S	S	S	S	S	S	S	S	S	S	S	S
Public Safety Facility	Community or police substation	P	P	P	P	P		P	P	P	P	P	P						P	C	
	Correctional institution																		C		21.05.040H.2.
	Fire station		M	M	M	M		P	M	M	M	M	M						M	C	
Transportation Facility	Airport																				
	Airstrip, private													C	C				C	C	21.05.040I.2.
	Bus transit center		S	S	S	S		P		S	S	S							S		
	Heliport		C	C	C								C	C	C				C	C	
	Railroad freight terminal													C	P					C	
	Railroad passenger terminal								M	M	M	M		M	M				M	C	
	Rail yard													C	P					C	
Utility Facility	Utility facility							P					C	C	C				C		C
	Utility substation	S	S	S	S	S	S	P	S	S	S	S	P	P	P				S	S	S

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																						
		COMMERCIAL							MIXED-USE				INDUSTRIAL			OTHER					Use-Specific Standards	
Use Category	Use Type	N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	N M U	C M U	R M U	M M U	I C	I 1	I 2	A F	D R	P R	P L I	T A		W
Telecommunication Facilities	Type 1 tower	S	S	S	S	S	S	S	S	S	S	S	P	P	P	S	S	S	S	S	S	21.05.040K.
	Type 2 tower	S	S	S	S	S	S	S	C	C	C	C	P	P	P	S	S	S	S	S	S	21.05.040K.
	Type 3 tower	S	S	S	S	S	S	S	C	C	C	C	P	P	P	S	S	S	S	S	S	21.05.040K.
	Type 4 tower	S	S	S	S	S	S	S	S	S	S	S	P	P	P	S	S	S	S	S	S	21.05.040K.
COMMERCIAL USES																						
Agricultural Uses	Farming, animal husbandry																					21.05.050A.1.
	Farming, horticultural													P							C	
Animal Sales, Service & Care	Animal control shelter		S/M											S/M					S/M			21.05.050B.1. 21.07.120
	Kennel, commercial		P/M	P/M	P/M	P/M		P	P/M	P/M	P/M		P/M	P/M							S/M	21.05.050B.2. 21.07.120
	Paddock or stable, commercial							P												M		21.05.050B.3.
	Retail and Pet services		P/M	P/M	P/M	P/M		P		P/M	P/M	P/M									C	21.05.050B.4. 21.07.120
	Veterinary clinic	P/M	P/M			P/M		P	P/M	P/M	P/M	P/M	P/M	P/M							C	21.05.050B.5. 21.07.120
Assembly	Civic / convention center			C	C	C				S	S	S								C		21.05.020A.
	Club / lodge / meeting hall	S	P	P	P	P		P	S	P	P	P							S	C		21.05.020A.

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																							
		COMMERCIAL							MIXED-USE				INDUSTRIAL			OTHER					Use-Specific Standards		
Use Category	Use Type	N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	N M U	C M U	R M U	M M U	I C	I 1	I 2	A F	D R	P R	P L I	T A		W	
Entertainment, Indoor	Amusement establishment		P/M		P/M	P/M		P		P/M	P/M	P/M							C			21.05.020A. 21.07.120	
	Entertainment facility, major		C	C	C	C						C						C	C			21.05.020A. 21.07.120	
	Fitness and recreational sports center		P/M	P/M	P/M	P/M		P	P/M	P/M	P/M	P/M							S/M			21.07.120	
	Movie theater			P/M	P/M	P/M		P		S/M	S/M	S/M							C			21.05.020A. 21.07.120	
	Nightclub, licensed		P/M	P/M	P/M	P/M		P		P/M	P/M	P/M									P/M		21.05.020A. 21.05.050D.5. 21.07.120
	Nightclub, unlicensed		P/M	P/M	P/M	P/M		P		S/M	S/M	S/M									P/M		21.05.020A. 21.05.050.D.6. 21.07.120
	Theater company or dinner theater				P/M	P/M	P/M		P		P/M	P/M	P/M								P/M		21.05.020A. 21.07.120
Entertainment/ Recreation, Outdoor	General outdoor recreation, commercial		S					P		S	S	S						C	C			21.05.050E.1.	
	Golf course							C										C	C				
	Motorized sports facility							C						C	C			C	C			21.05.050E.3. 21.05.020A.	
	Shooting range, outdoor							C											C			21.05.050E.4.	
	Skiing facility, alpine																	C	C	C			
Financial Institution	Financial institution	P	P	P	P	P		P	P	P	P											21.05.050F.	

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																							
		COMMERCIAL							MIXED-USE				INDUSTRIAL			OTHER					Use-Specific Standards		
Use Category	Use Type	N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	N M U	C M U	R M U	M M U	I C	I 1	I 2	A F	D R	P R	P L I	T A		W	
Food and Beverage Service	Bar	P	P/M	P/M	P/M	P/M		P	P/M	P/M	P/M	P/M	P/M						P/M			21.05.020A. 21.07.120	
	Food and beverage kiosk	P	P	P	P	P	P	P	S	S	S	S	P	P					P			21.05.020A. 21.05.050G.2.	
	Restaurant	P	P/M	P/M	P/M	P/M	P/M	P	P/M	P/M	P/M	P/M	P/M						P/M	C		21.05.020A. 21.07.120	
Office	Office, business or professional	P	P	P	P	P	P	P	P	P	P	P								C			
	Broadcasting facility		P	P	P	P	P	P			S	S	P	P					P	P			
Retail (Personal Services, Repair, and Rental)	Dry cleaning establishment		P/M					P					P/M	P/M								21.07.120	
	Funeral services		P/M			P/M		P		P/M	S/M	S/M										21.07.120	
	General personal services	P		P/M	P/M	P/M	P	P	P/M	P/M	P/M	P/M								P/M		21.07.120	
	Instructional services	P	P/M	P/M	P/M	P/M		P	P/M	P/M	P/M	P/M								P/M		21.07.120	
	Repair and/or service		P/M		P/M	P/M		P		P/M	P/M	P/M	P/M	P/M	P/M								21.07.120
	Small equipment rental		P/M					P					P/M	P/M									21.05.050I.6. 21.07.120
Retail (Sales)	Auction house		P/M					P					P/M	P/M								21.07.120	

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																						
		COMMERCIAL							MIXED-USE				INDUSTRIAL			OTHER					Use-Specific Standards	
Use Category	Use Type	N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	N M U	C M U	R M U	M M U	I C	I 1	I 2	A F	D R	P R	P L I	T A		W
	Building materials store		S/M					P			C		P/M	S/M								21.07.120
	Business service establishment	P	P/M	P/M	P/M	P/M	P	P	P/M	P/M	P/M	P/M	P									21.07.120
	Convenience store	P	P/M	P/M	P/M	P/M	P	P	P/M	P/M	P/M	P/M										21.05.020A. 21.05.050J.4. 21.07.120
	Farmers market			P	P	P		P		P	P	P							P	P		
	Fueling station		P/M					P	C	S/M	S/M	S/M	P/M	P/M							C	21.05.020A. 21.07.120
	Meat and seafood processing, storage, and sales		P/M					P					P/M	P/M						C		21.07.120
	General retail	P	P/M	P/M	P/M	P/M	P	P	P/M	P/M	P/M	P/M										21.07.120
	Grocery or food store	P		P/M	P/M	P/M		P	S/M	S/M	S/M	S/M								C		21.05.020.A. 21.07.120
	Liquor store		P/M	P/M	P/M	P/M		P	P/M	P/M	P/M	P/M										21.05.020.A. 21.07.120
	Nursery, commercial		P/M					P			C	C							C	C		21.07.120
	Pawnshop		P/M					P			P/M											21.07.120
Vehicles and Equipment	Aircraft and marine vessel sales		P					P					P	P								21.07.120

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																						
		COMMERCIAL							MIXED-USE				INDUSTRIAL			OTHER					Use-Specific Standards	
Use Category	Use Type	N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	N M U	C M U	R M U	M M U	I C	I 1	I 2	A F	D R	P R	P L I	T A		W
	Heavy equipment sales and rental							P						P	P							21.07.120
	Impound yard													C	P				C			21.07.120
	Parking lot or structure (50+ spaces)		S	M	M	M	S	P		M	M	M	S	C					C			21.05.050K.5. 21.07.120
	Parking lot or structure (less than 50 spaces)		P		S	S	S	P		S	S	S	S	C					P	S		21.05.050K.5. 21.07.120
	Vehicle parts and supplies		P					P		C	P	P	P	P						C		21.05.050.K.6. 21.07.120
	Vehicle-large, sales and rental		P/ M					P			S/ M		P/ M	P/ M								21.05.050K.7. 21.07.120
	Vehicle-small, sales and rental		P/ M					P			S/ M		P/ M	P/ M								21.05.050K.8. 21.07.120
	Vehicle service and repair, major		P					P					P	P	P					C		21.07.120
	Vehicle service and repair, minor		P					P			S		P	P						C		21.05.050K.10. 21.07.120
Visitor Accommodations	Camper park		C					P											C	C		21.05.050L.1.
	Extended-stay lodgings		C		P	P	S	P		P	P	P										21.05.050L.2.
	Hostel				P	P		P		P	P	P										

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																					
		COMMERCIAL							MIXED-USE				INDUSTRIAL			OTHER					
Use Category	Use Type	N	A	C	C	C	O	R	N	C	R	M	I	I	I	A	D	P	P	T	W
		C	C	D	D	D	C	C	M	M	M	M	C	1	2	F	R	R	L	A	
	Hotel		P	P	P	P	S	P		S	S	S									
	Inn			P	P	P			P	P	P	P								C	
	Motel		P				S	P												C	
	Recreational and vacation camp							P											C		
INDUSTRIAL USES																					
Industrial Service	Data processing facility						S	P					P	P	P						
	General industrial service							P						P	P						
	Governmental Service							P					P	P	P						21.05.060A.3.
	Research laboratory						S				C	C	P	P	P				C	C	
Manufacturing and Production	Cottage crafts	P				P		P	P	P										P	21.05.060B.1.
	Commercial Food Production		P					P			C	C	P	P	P						
	Manufacturing, heavy													C	P						
	Manufacturing, light							P					P	P	P						

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																					
		COMMERCIAL							MIXED-USE				INDUSTRIAL			OTHER					Use-Specific Standards
Use Category	Use Type	N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	N M U	C M U	R M U	M M U	I C	I 1	I 2	A F	D R	P R	P L I	T A	
	Natural resource extraction, organic and inorganic	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	S/ C	21.05.060B.5.
	Natural resource extraction, placer mining							C											C	C	21.05.060B.6.
Marine Facility	Aquaculture												C	C							
	Facility for combined marine and general construction																				
	Marine operations														P						
	Marine wholesaling														P						
Warehouse and Storage	Bulk storage of hazardous materials														C						21.05.060D.1.
	Motor freight terminal													C	P						21.05.060D.2.
	Self-storage facility		M					P					P	P							21.05.060D.3.
	Storage yard							P					P	P	P				C		21.05.060D.4.
	Warehouse							P					P	P	P				C		21.05.060D.5.

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																							
P = Permitted Use S = Administrative Site Plan Review																							
C = Conditional Use M = Major Site Plan Review																							
For uses allowed in the AD and M districts, see section 21.04.060.																							
This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.																							
Use Category	Use Type	COMMERCIAL							MIXED-USE				INDUSTRIAL			OTHER					Use-Specific Standards		
		N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	N M U	C M U	R M U	M M U	I C	I 1	I 2	A F	D R	P R	P L I	T A		W	
	Wholesale establishment							P					P	P	P								
Waste and Salvage	Composting facility							C							P				C			21.05.060E.1.	
	Incinerator or thermal desorption unit							C						C	C							21.05.060E.2.	
	Junkyard or salvage yard														C							21.05.060E.3.	
	Land reclamation	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C		S/ C	S/ C		21.05.060E.4.	
	Landfill														C				C			21.05.060E.5.	
	Snow disposal site													C	P	P				C	C		21.05.060E.6.
	Solid waste transfer facility														S	S				M	C		21.05.060E.7.

21.05.020 GENERALLY APPLICABLE USE STANDARDS

A. Uses Involving the Retail Sale of Alcoholic Beverages

Any use that involves the retail sale of alcoholic beverages is subject to the Assembly Alcohol Approval review process in section 21.03.220, *Assembly Alcohol Approval*. That process shall apply to any such use regardless of whether it is listed in tables 21.05-1 or 21.05-2 as being permitted as a matter of right or subject to site plan or conditional use review. The applicant shall be required to obtain approval through both the Assembly Alcohol Approval process and the separate process referenced in tables 21.05-1 or 21.05-2. A cross-reference to this section 21.05.020 in tables 21.05-1 or 21.05-2 is not required for the operator of a use to request approval under section 21.03.220.

B. Premises Containing Uses Where Children are Not Allowed

Premises containing uses where children are not allowed are defined in AMC section 10.40.050. Any premises containing uses where children are not allowed, regardless of whether it is listed in tables 21.05-1 or 21.05-2 as being permitted as a matter of right or subject to site plan or conditional review, shall comply with the requirements of this subsection 21.05.020B. The applicant shall be required to obtain approval through the process referenced in tables 21.05-1 or 21.05-2 and also to comply with the standards of this subsection 21.050.020B.

1. Purpose

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

2. Minimum Distance from Certain Uses

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

- a. A school;
- b. A public park;
- c. A religious assembly;
- d. Property zoned residential;
- e. Property in the TA district designated as “residential” in the *Turnagain Arm Comprehensive Plan*;

- f. Public recreational facilities;
- g. Care facilities; or
- h. Public libraries.

3. Compliance with State Standards

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

4. Administrative Permit Required

An administrative permit shall be on display in a prominent place. This permit shall certify that the enterprise is in compliance with subsection B.2. or 3. of this section, as applicable. This permit shall be obtained from the director, pursuant to section 21.03.230, *Administrative Permits*. This permit shall remain valid so long as the enterprise remains in continuous operation at that location and does not physically expand. In addition, a permit granted under subsection B.3. shall remain valid so long as the enterprise does not engage in an activity regulated by this section B.

5. Premises Without Permit

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

C. Large Commercial Uses

Where table 21.05-1 or table 21.05-2 indicates more than one abbreviation for a particular commercial use, such as "P/M" or "S/M," then the size of the proposed use shall determine the applicable review procedure. All such commercial uses of less than 25,000 square feet shall be reviewed through the process indicated by the first abbreviation, and all such uses of 25,000 square feet or more shall be reviewed through the process indicated by the second abbreviation. All such commercial uses which have a use-specific standard reference to section 21.07.120, shall, when they are 25,000 square feet or more, be subject to the large commercial standards in section 21.07.120, *Large Commercial Establishments*, in addition to other generally applicable development standards.

21.05.030 RESIDENTIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS

This section defines the general residential use categories and specific residential use types listed in tables 21.05-1 and 21.05-2. This section also contains use-specific standards that apply to specific use types. The use-specific standards apply regardless of whether the use type is permitted as a matter of right, or subject to a site plan or conditional use review process.

A. Household Living

This category is characterized by residential occupancy of a dwelling unit by a "household," which is defined in chapter 21.13. Tenancy is arranged on a month-to-month or longer basis. Common accessory uses include recreational activities, raising of pets, gardens, personal storage buildings, hobbies, and parking of the occupants' vehicles. Specific use types include:

- 1 1. **Dwelling, Mixed-Use**
2 a. **Definition**
3 A dwelling that is located on the same lot or in the same building as a
4 non-residential use, in a single environment in which both residential and
5 non-residential amenities are provided.
- 6 b. **Use-Specific Standards**
7 Buildings containing mixed-use dwellings in the RM-4 district shall
8 comply with the applicable residential design standards in section
9 21.07.100, *Residential Design Standards*. Buildings containing mixed-
10 use dwellings in the mixed-use districts shall comply with the mixed-use
11 development standards in section 21.04.040F.
- 12 2. **Dwelling, Multifamily**
13 a. **Definition**
14 A residential building or multiple residential buildings comprising three or
15 more dwelling units on one lot. The definition includes the terms
16 “apartment” or “apartment building.”
- 17 b. **Use-Specific Standards**
18 Multiple-family dwellings shall comply with the applicable residential
19 design standards in section 21.07.100, *Residential Design Standards*.
- 20 3. **Dwelling, Single-Family Attached**
21 a. **Definition**
22 One dwelling unit in a building on its own lot, with one or more walls
23 abutting the wall or walls of another single-family dwelling unit on an
24 adjacent lot.
- 25 b. **Use-Specific Standards**
26 i. *Residential Design Standards*
27 Single-family attached dwellings shall comply with the applicable
28 residential design standards in section 21.07.100, *Residential*
29 *Design Standards*.
- 30 ii. *Common Party Wall Agreement*
31 A common party wall agreement shall be recorded. The
32 agreement shall provide for maintenance of the uniformity and
33 common appearance of the exterior of all structures and
34 landscaping. The paint and trim colors for both units of each
35 structure shall be the same and landscaping shall be installed
36 and maintained as a common design for both units of each
37 structure.
- 38 iii. *Access; No Vertical Stacking*
39 Each unit shall have its own access to the outside, and no unit
40 may be located over another unit in whole or in part.
- 41 iv. *Side Setback Requirement*
42 Detached accessory structures shall comply with the side
43 setback requirement of the underlying zoning district on the
44 common lot line between attached residential units.

- 1 4. **Dwelling, Single-Family Detached**
2 a. **Definition**
3 One detached building on its own lot, erected on a permanent
4 foundation, designed for long-term human habitation exclusively by one
5 family, having complete living facilities, and constituting one dwelling
6 unit.
- 7 b. **Use-Specific Standards**
8 Single-family detached dwellings shall comply with the applicable
9 residential design standards in section 21.07.100, *Residential Design*
10 *Standards*.
- 11 5. **Dwelling, Townhouse**
12 a. **Definition**
13 Attached building containing three or more single-family dwelling units
14 erected in a single row, with each unit on its own lot and having its own
15 separate entrance.
- 16 b. **Use-Specific Standards**
17 i. Townhouse dwellings shall comply with the use-specific
18 standards for “Dwelling, Single-Family Attached” above.
- 19 ii. Townhouse dwellings shall comply with the applicable residential
20 design standards in section 21.07.100, *Residential Design*
21 *Standards*.
- 22 6. **Dwelling, Two-Family**
23 a. **Definition**
24 One detached building on one lot designed for and constituting two
25 dwelling units. The definition includes the term “duplex.”
- 26 b. **Use-Specific Standards**
27 Two-family dwellings shall comply with the applicable residential design
28 standards in section 21.07.100, *Residential Design Standards*.
- 29 7. **Dwelling, Mobile Home**
30 a. **Definition**
31 A transportable, factory-built dwelling unit designed and intended to be
32 used as a year-round dwelling, and built prior to the enactment of the
33 Federal Manufactured Home Construction and Safety Standards Act of
34 1976.
- 35 b. **Use-Specific Standards**
36 Only one mobile home is allowed per lot in the RL-1 district, unless the
37 lot is within a manufactured home community. A mobile home shall be
38 placed on a permanent foundation unless it is located within a
39 manufactured home community.
- 40 8. **Manufactured Home Community (MHC)**
41 a. **Definition**
42 Any parcel or adjacent parcels of land in the same ownership that is
43 utilized for occupancy by more than two mobile homes or manufactured
44 homes. This term shall not be construed to mean tourist facilities for

1 parking of travel trailers or campers, which are classified under "Camper
2 Park."

3 **b. Use-Specific Standards**

4 All MHCs within the municipality shall be constructed, operated, and
5 maintained in accordance with these general standards:

6 **i. Compliance with Applicable Regulations**

7 MHCs shall be constructed, operated, and maintained in
8 conformance with all applicable state statutes and regulations
9 and local ordinances; provided, however, that the provisions of
10 chapter 21.11, *Nonconformities*, of this title shall not be applied
11 to prohibit the removal and replacement of a mobile home or
12 manufactured home on a space within a MHC subject to that
13 chapter.

14 **ii. Responsibility for Compliance**

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

18 **iii. Minimum Site Size**

19 MHCs in the RM-1, RM-2, RM-3, and RL-1 districts shall be on
20 sites of at least two acres.

21 **iv. Maximum Site Density**

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

23 **v. Impermanent Foundations**

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

26 **vi. Mobile Home or Manufactured Home Spaces**

27 **(A) Occupancy**

28 No mobile home or manufactured home space shall
29 contain more than one manufactured home, mobile
30 home or duplex mobile home or manufactured home.
31 No other dwelling unit shall occupy a mobile home or
32 manufactured home space.

33 **(B) Minimum Size**

34 All single mobile home or manufactured home spaces
35 shall have a minimum of 3,500 square feet of land area.
36 A duplex mobile home or manufactured home space
37 shall have a minimum of 5,000 square feet of land area.

38 **(C) Mobile Home or Manufactured Home Separation**

39 **(1)** No part of any mobile home, manufactured
40 home, accessory building, or its addition shall be
41 placed closer than 15 feet from any other mobile
42 home, manufactured home, or its addition, or no
43 closer than ten feet if that mobile home,
44 manufactured home, accessory building, or its

- 1 addition being placed meets NFPA 501A and
2 HUD #24CFR328O standards.
- 3 (2) The requirements of sections 21.06.020A.2.,
4 *Projections into Required Setbacks* and
5 21.05.070, *Accessory Uses and Structures*, shall
6 not apply to MHCs. All mobile homes,
7 manufactured homes, and accessory structures
8 shall be placed at least five feet from the front
9 space line. Steps shall not be considered in
10 determining the separations required by this
11 subsection.
- 12 (D) *Access*
13 Each mobile home or manufactured home space shall
14 have direct access to an internal street. Direct access to
15 exterior public streets is prohibited.
- 16 vii. *Streets and Drainage Facilities*
17 All streets within an MHC shall comply with the following
18 standards:
- 19 (A) *Street Surface*
20 All streets shall be surfaced with all-weather materials,
21 such as gravel, asphalt, or concrete, to a minimum
22 surface width of 34 feet.
- 23 (B) *Right-of-Way Width*
24 Any street that services 100 spaces or more shall be
25 classified as a major street. Major streets shall have a
26 minimum right-of-way width of 50 feet. All other streets
27 shall have a minimum right-of-way width of 40 feet.
28 Streets are not required to be dedicated as public rights-
29 of-way.
- 30 (C) *Cul-De-Sac Streets*
31 No street shall dead end except for cul-de-sac streets
32 that are no more than 650 feet in length and have a
33 minimum turning radius of 50 feet at the termination
34 point of the cul-de-sac.
- 35 (D) *Intersections*
36 No street shall extend more than 650 feet in length
37 between street intersections. Intersecting streets shall
38 cross at 90-degree angles from an alignment point 100
39 feet from the point of intersection. No street intersection
40 shall be closer than 125 feet to any other street
41 intersection.
- 42 (E) *Street Frontage*
43 Double-frontage spaces are prohibited, except that
44 reverse-frontage spaces may back against streets
45 bordering the MHC.

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- (F) *Street Layout*
Streets shall be laid out so that their use by through traffic will be discouraged.
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- (G) *Street Grades*
Street grades shall not exceed six percent. Street grades within 100 feet of intersections shall not exceed four percent.
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- (H) *Street Curves and Visibility*
The radius of street curves (between intersections) shall exceed 100 feet. Streets shall be constructed to provide clear visibility as measured along a centerline of the street for a minimum distance of 150 feet.
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- (I) *Crosswalks*
Pedestrian crosswalks not less than ten feet in width may be required in blocks longer than 330 feet when deemed essential to provide reasonable circulation or access to schools, playgrounds, shopping centers, convenience establishments, service buildings or other community facilities.
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- viii. *Water and Sewage Systems*
All mobile homes in MHCs shall be connected to water and sewage systems approved by the appropriate governmental body before they may be occupied.
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- ix. *Additions to Mobile Homes or Manufactured Homes; Accessory Buildings*
- (A) *Generally*
Additions or other accessory buildings or structures shall not exceed 120 square feet gross floor area. Additions and accessory buildings shall not exceed the height of the mobile home or manufactured home by more than 12 inches. All additions and accessory buildings shall be subject to the spacing and setback requirements for mobile homes and manufactured homes. Any addition or accessory building shall be constructed in accordance with building safety code regulations pertaining to temporary structures, provided that additions will not be required to have a permanent foundation.
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- (B) *Exits*
The number of exterior exits from additions shall be equal to or greater than the number of exits leading from the mobile home or manufactured home to the addition. When two exterior exits are required from additions, they shall be placed a distance apart equal to one-fifth of the total perimeter of the addition.
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- x. *Refuse Collection*
A MHC operator shall provide adequate refuse collection facilities. Refuse collection facilities shall be constructed and

- 1 maintained in accordance with all municipal health regulations
 2 and shall be designed to bar animals from access to refuse.
 3 Refuse shall be removed from refuse collection sites at least
 4 once a week. Refuse facilities shall be screened pursuant to
 5 section 21.07.080H., *Screening*.
- 6 **xi. *Fuel Tanks***
 7 Fuel oil supply tanks shall be placed in compliance with
 8 applicable building and fire codes. Liquefied gas containers shall
 9 be securely anchored to a permanent and stable holding
 10 structure or adequately secured to a mobile home or
 11 manufactured home.
- 12 **xii. *Campers and Travel Trailers***
 13 Occupied campers and travel trailers are not subject to
 14 paragraphs 8.b.vi., *Mobile Home or Manufactured Home*
 15 *Spaces*, and 8.b.viii., *Water and Sewage Systems*, of this
 16 subsection. Any permitted spaces intended for occupied
 17 campers and travel trailers shall be placed in an area segregated
 18 from permanent mobile home or manufactured home spaces.
 19 Any area within a MHC that is occupied by campers and travel
 20 trailers shall be served by a service building containing public
 21 toilet facilities and water supply.
- 22 **xiii. *Animals in MHCs***
 23 The outdoor keeping of animals other than dogs is prohibited.
- 24 **xiv. *Convenience Establishments in MHCs***
 25 Convenience establishments of a commercial nature, including
 26 stores, coin-operated laundry and dry cleaning establishments
 27 and laundry and dry cleaning agencies, beauty shops and
 28 barbershops, may be permitted in MHCs subject to the following
 29 restrictions. Such establishments and the parking area primarily
 30 related to their operations shall not occupy more than ten
 31 percent of the area of the community, shall be subordinate to the
 32 residential use and character of the park, shall be located,
 33 designed and intended to serve frequent trade or service needs
 34 of persons residing in the community, and shall present no
 35 visible evidence of their commercial character from any portion
 36 of any district outside the community. Such convenience areas
 37 shall be considered accessory uses to the principal use of mobile
 38 homes or manufactured homes, may be permitted without a
 39 zoning change, and shall be discontinued if the MHC is
 40 discontinued.
- 41 **xv. *Sites in Flood Hazard Overlay District***
 42 All MHCs of which all or a portion are within the Flood Hazard
 43 Overlay District shall meet the following requirements:
- 44 **(A)** Over-the-top ties shall be provided at each of the four
 45 corners of the mobile home or manufactured home and
 46 two ties per side at intermediate locations. Mobile
 47 homes more than 50 feet long shall require one
 48 additional tie per side.

- 1 (B) Frame ties shall be provided at each corner of the frame,
2 and five ties per side at intermediate points. Mobile
3 homes or manufactured homes more than 50 feet long
4 shall require four additional ties per side.
- 5 (C) All components of the anchorage system shall be
6 capable of carrying a force of 4,800 pounds.
- 7 (D) Any additions to the mobile home or manufactured home
8 shall be similarly anchored.
- 9 (E) All applications for a conditional use for a MHC shall
10 include an evacuation plan indicating alternate vehicular
11 access and escape routes during times of flooding.
- 12 **xvi. Sites in Floodplain**
13 No mobile homes or manufactured homes shall be placed within
14 the regulatory floodplain, except that MHCs existing before
15 September 25, 1979, shall be permitted to place mobile homes
16 or manufactured homes within existing unit spaces.
- 17 **xvii. Nonconforming MHCs**
18 (A) Those MHCs situated within the boundaries of the
19 former City of Anchorage which existed prior to August
20 30, 1977, are not subject to paragraphs 8.b.vi., *Mobile*
21 *Home or Manufactured Home Spaces*, and 8.b.viii.,
22 *Water and Sewage Systems*, of this subsection,
23 provided that such communities meet the standards set
24 forth in the former City of Anchorage Municipal Code
25 sections 6.60.010 through 6.60.110.
- 26 (B) Those MHCs situated in any area of the municipality
27 other than that described in paragraph i. above, which
28 existed prior to 1966, are not subject to the requirements
29 of paragraphs 8.b.vi., *Mobile Home or Manufactured*
30 *Home Spaces*, 8.b.vii., *Streets and Drainage Facilities*,
31 and 8.b.ix., *Additions to Mobile Homes or Manufactured*
32 *Homes; Accessory Buildings*, of this subsection, within
33 the area and to the extent that it was constructed,
34 operated or maintained prior to that date.
- 35 (C) Any MHC exempt from certain requirements of this
36 subsection 21.05.030A.8., *Manufactured Home*
37 *Community*, as provided in paragraphs xvii.(A) and (B)
38 above, shall conform to all provisions of this subsection
39 21.05.030A.8. within any area first constructed,
40 operated, or maintained after the specified date or within
41 any area that is substantially altered, remodeled,
42 reconstructed or rebuilt after that date.

43 B. Group Living

44 This category is characterized by residential occupancy of a structure by a group of
45 people who do not meet the definition of "Household Living." The size of the group may

1 be larger than a family. Generally, structures have a common eating area for residents.
2 The residents may receive care, training, or treatment, and caregivers may or may not
3 also reside at the site. Accessory uses commonly include recreational facilities and
4 vehicle parking for occupants and staff. Specific use types include:

5 **1. Correctional Community Residential Center**

6 **a. Definition**

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

14 **b. Use-Specific Standards**

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

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

18 **(A)** No new correctional community residential center may
19 be located within one mile of an existing center or within
20 500 feet of an existing school or park.

21 **(B)** Program occupancy limits shall be as determined by the
22 state department of corrections.

23 **(C)** Maximum resident occupancy at a center shall be
24 determined by requiring a minimum of 150 square feet of
25 building area per resident. This measurement shall be
26 calculated by including all bedroom, kitchen, bathroom,
27 living, recreation, and other areas within the facility
28 intended for common use by the residents.

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

32 **(E)** In the AC, CMU, RMU, and MMU zoning districts,
33 correctional community residential centers that house
34 only residents convicted of misdemeanors are a
35 permitted use. Centers that house felons are a
36 conditional use in those districts.

37 **(F)** No additional correctional community residential centers
38 may be located in the CBD zoning districts or in an AC
39 zoning district in the area bounded on the north by Ship
40 Creek, on the south by Chester Creek, on the east by
41 Orca Street extended, and on the west by Cook Inlet.

42 **ii. Existing Centers Established Under Quasi-Institutional House**
43 **Provisions**

44 The three correctional community residential centers that were
45 established under the quasi-institutional house provisions of title

16 and title 21 of this code and that existed as of January 1, 1995, may continue to operate under the terms of their existing conditional use permits and at the occupancy level permitted as of that date. No other beds may be added to these centers.

2. **Habilitative Care Facility [RESERVED awaiting Assembly action on AO 2005-124]**

3. **Residential Care Facility [RESERVED awaiting Assembly action on AO 2005-124]**

4. **Roominghouse**

a. **Definition**

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

b. **Use-Specific Standards**

i. **Administrative Permit**

Roominghouses shall require an administrative permit issued in accordance with section 21.03.230. An application for a roominghouse shall not be complete unless it is accompanied by proof of a current business license, health inspection for 25 occupants or more, a health authority approval certificate (for on-site systems only), and a site plan and building floor plans meeting the requirements of this title.

ii. **General Standards**

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

(B) L2 buffer landscaping is required when abutting residential lots in a residential zone.

(C) The number of guestrooms shall be limited to 8 guestrooms or 12 pillows.

(D) Cooking facilities are prohibited in guestrooms.

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

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

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

1 **5. Transitional Living Facility [RESERVED awaiting Assembly action on AO**
2 **2005-124]**

3
4 **21.05.040 PUBLIC/INSTITUTIONAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

5 This section defines the general public/institutional use categories and specific public/institutional
6 use types listed in Tables 21.05-1 and 21.05-2. This section also contains use-specific standards
7 that apply to specific use types. The use-specific standards apply regardless of whether the use
8 type is permitted as a matter of right, subject to an administrative or major site plan review
9 process, or subject to the conditional use process.

10 **A. Adult Care [RESERVED awaiting Assembly action on AO 2005-124]**

11 **B. Child Care Facility [RESERVED awaiting Assembly action on AO 2005-185]**

12 **C. Community Service**

13 This category includes uses of a public, non-profit, or charitable nature providing a local
14 service to people of the community. Generally, such uses provide the service on-site or
15 have employees at the site on a regular basis. The service is ongoing, not just for special
16 events. The use may provide special counseling, education, or training. Accessory uses
17 may include offices, meeting, food preparation, parking, health, therapy areas, and
18 athletic facilities. Specific use types include:

19 **1. Cemetery or Mausoleum**

20 **a. Definition**

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

25 **b. Use-Specific Standards**

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

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

30 **ii. Landscaping**

31 The site shall contain L2 Buffer landscaping immediately within
32 and along the entire length of its periphery, except at access
33 points to the cemetery. The landscaping shall be maintained by
34 the property owner.

35 **iii. Platting of Burial Plots**

36 Burial plots shall be platted in accordance with section
37 21.03.060D., *Abbreviated Plat Procedure*.

38 **iv. Density of Burial Plots**

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

41 **v. Interment Below Groundwater Table Prohibited**

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

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- vi.** *Traffic Access*
A cemetery or mausoleum shall have direct access to a street designated as a collector or greater capacity.
- vii.** *Dimensional Standards*
Notwithstanding the general dimensional standards in chapter 21.06, the following standards shall apply to all cemeteries and mausoleums.
- (A)** *Minimum Site Area*
Five acres.
- (B)** *Minimum Setbacks*
- (1)** Front setback: Ten feet.
- (2)** Side setback: Ten feet.
- (3)** Rear setback: Ten feet.
- (C)** *Maximum Height of Structures*
35 feet.
- viii.** *Location of Burial Plots within Setbacks*
Graves and burial plots shall not be allowed within setback areas.
- ix.** *Parking, Driveways, and Streets*
Parking shall be provided according to section 21.07.090, *Off-Street Parking and Loading*, except that the traffic engineer may authorize a pavement surface of gravel for drives and streets that provide direct access to graves and burial plots. Internal driveways and streets providing direct access to a public right-of-way or connecting to principal structures shall be paved with asphalt or concrete.
- 2. Community Center**
- a. Definition**
A facility that is intended primarily to serve the meeting, cultural, social services, administrative, athletic, or entertainment needs of the community as a whole, operated by the government or as a non-profit facility, and generally open to the public.
- b. Use-Specific Standards (also apply to “Religious Assembly”)**
- i. Applicability**
The standards of this subsection shall apply to all community centers and religious assemblies within a residential zoning district.
- ii. Minimum Lot Area and Width**
Notwithstanding the general dimensional standards of chapter 21.06, community centers and religious assemblies subject to this subsection shall have a minimum lot area of 14,000 square feet and a minimum lot width of 100 feet at any point.

- 1 **6. Neighborhood Recreation Center**
2 **a. Definition**
3 A facility providing recreation/pool facilities and/or meeting rooms, and
4 typically oriented to the recreational needs of the residents of a particular
5 subdivision or housing project.
- 6 **7. Religious Assembly**
7 **a. Definition**
8 A building or structure, or group of buildings or structures, intended
9 primarily for the conducting of organized religious services. Accessory
10 uses may include, without limitation, parsonages, meeting rooms, and
11 child care provided for persons while they are attending religious
12 functions. Schools associated with religious assemblies are not an
13 accessory use.
- 14 **b. Use-Specific Standards**
15 **i. Standards**
16 Religious assembly uses shall comply with the use-specific
17 standards set forth above under "Community Center."
- 18 **ii. Columbaria**
19 Columbaria, which are structures having recesses in the walls to
20 receive urns containing ashes of the dead, or columbarium walls,
21 are permitted accessory uses with religious assemblies.
- 22 **iii. Maximum Height**
23 Except for those elements exempted in subsection
24 21.06.020C.3., a religious assembly may not exceed the height
25 permitted in the zoning district in which it is located. However, in
26 districts where the maximum height is 30 feet, the maximum
27 height for a religious assembly or a portion thereof may increase
28 to 40 feet, so long as the building is setback from any point on
29 the property line at least twice the maximum actual height.
- 30 **D. Cultural Facility**
31 This category includes public or nonprofit facilities open to the public that display or
32 preserve objects of interest or provide facilities for one or more of the arts or sciences or
33 provision of government services. Accessory uses may include parking, offices, storage
34 areas, and gift shops. Specific use types include:
- 35 **1. Aquarium**
36 **a. Definition**
37 An establishment where aquatic collections of living organisms are kept
38 and exhibited.
- 39 **2. Botanical Gardens**
40 **a. Definition**
41 A facility for the demonstration and observation of the cultivation of
42 flowers, fruits, vegetables, native, and/or ornamental plants.

3. Library**a. Definition**

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

4. Museum or Cultural Center**a. Definition**

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

5. Zoo**a. Definition**

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

E. Educational Facility

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

1. Boarding School**a. Definition**

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

b. Use-Specific Standards

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

2. College or University**a. Definition**

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

3. Education and Research Center**a. Definition**

Educational facilities, research centers, and laboratories operated by a government or educational institution and devoted to the study of natural and applied sciences and/or engineering.

4. Elementary School

a. Definition

A public, private, parochial, or charter school offering academic instruction for students typically between the kindergarten and sixth grade levels, but not higher than the seventh grade. Pre-school is not included and is categorized in this title as "Child Care Facility."

b. Use-Specific Standards (also apply to "Boarding School" and "Middle and High School")

i. Purpose

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

ii. Applicability

The standards of this subsection shall only apply to schools with 100 students or more.

iii. Public Schools

Public schools are subject to the facility standards of the Anchorage School District, in addition to the requirements of this title for the zoning district in which they are located. For issues in which the Anchorage School District site development and design criteria are more stringent than the standards of this section, the School District standards shall control.

iv. Minimum Lot Dimensions and Setbacks

All schools are subject to the following standards:

(A) School buildings in residential districts shall: 1) cover not more than 35 percent of their site area; and 2) provide 50-foot side and rear setbacks.

(B) Minimum lot requirements in all districts shall be as follows:

(1) Elementary: one acre per 100 students;

(2) Middle, High, and Boarding: one and one-half acres per 100 students.

v. Vehicle and Pedestrian Access

(A) All middle and high schools, and schools without an Anchorage School District attendance boundary shall have at least 100 feet of frontage on a Class I or greater classification street.

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

1 1. **Health Care Facility [RESERVED awaiting Assembly action on AO 2005-**
2 **124]**

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4 2. **Health Services [RESERVED awaiting Assembly action on AO 2005-124]**

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6 **G. Parks and Open Areas**

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

12 1. **Community Garden**

13 a. **Definition**

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

17 2. **Park and Open Space, Public or Private**

18 a. **Definition**

19 A non-commercial, not-for-profit facility or area designed to serve the
20 recreation needs of the residents of the community. Such facilities or
21 areas include, but are not limited to, playfields, playgrounds, and open
22 space.

23 **H. Public Safety Facility**

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

28 1. **Community or Police Substation**

29 a. **Definition**

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

33 b. **Use-Specific Standards**

34 In the RM-2, RM-3, and RM-4 districts, community or police substations
35 shall be no larger than 3,500 square feet in gross floor area, and shall be
36 architecturally compatible with the surrounding residential neighborhood
37 in terms of building and roofing design and materials and lot placement.

38 2. **Correctional Institution**

39 a. **Definition**

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

1 **b. Use-Specific Standards**
 2 i. *Traffic Access*
 3 A site more than one-half acre in size shall provide for direct
 4 access from a street of collector or greater capacity.

5 ii. *Screening or Buffering*
 6 The planning and zoning commission may require:

7 **(A)** Enclosure of the entire site by a fence, or L3 Separation
 8 landscaping, or both, in order to prevent casual access
 9 to and from the site.

10 **(B)** L3 Separation landscaping along the perimeter of the
 11 site.

12 **(C)** L4 Screening landscaping when adjacent to residential
 13 zones.

14 **3. Fire Station**
 15 a. **Definition**
 16 A station housing fire and rescue personnel including indoor and outdoor
 17 space for administrative offices, storage of equipment, and associated
 18 vehicles, equipment, and servicing facilities.

19 **I. Transportation Facility**
 20 This category includes facilities that receive and discharge passengers and freight.
 21 Accessory uses include freight handling areas, concessions, offices, parking and
 22 maintenance, and fueling facilities. Specific use types include:

23 1. **Airport**
 24 a. **Definition**
 25 A publicly owned area of land or water that is used or intended for use
 26 for the landing and take-off of aircraft, and includes its buildings and
 27 facilities, if any.

28 2. **Airstrip, Private**
 29 a. **Definition**
 30 Privately owned land or water maintained as a runway.

31 b. **Use-Specific Standard**
 32 Private airstrips are allowed conditionally in residential districts only if
 33 approach and noise buffer areas are provided.

34 3. **Bus Transit Center**
 35 a. **Definition**
 36 Any premises for the loading and unloading of passengers on public
 37 transit, such as a bus transfer center. Accessory uses may include ticket
 38 purchase facilities, food and beverage kiosks, and convenience stores.

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- 1 4. **Heliport**
2 a. **Definition**
3 An area designed to be used for the landing or takeoff of helicopters,
4 which may include all necessary passenger and cargo facilities, fueling,
5 and emergency service facilities.
- 6 5. **Railroad Freight Terminal**
7 a. **Definition**
8 A rail facility for the loading and unloading of goods, merchandise,
9 substances, materials, and commodities.
- 10 6. **Railroad Passenger Terminal**
11 a. **Definition**
12 A railroad facility for the boarding of passengers, but not including freight
13 terminal operations. Accessory uses may include ticketing sales and
14 offices, restaurants and stores.
- 15 7. **Rail Yard**
16 a. **Definition**
17 Lands reserved for typical railroad activities including, but not limited to,
18 repair, maintenance and servicing of rolling stock and railroad support
19 equipment; fueling; inventory of equipment, tools, parts, and supplies in
20 support of railroad activities; loading/unloading and transfer of freight;
21 switching and classifying rail cars in support of train operations and
22 intermodal activities; storage of rail cars and equipment supporting
23 railroad activities; crew operations, training, and other administrative
24 support functions in support of railroad activities.
- 25 J. **Utility Facility**
26 This category includes both major utilities, which are infrastructure services providing
27 regional or community-wide service, and minor utilities, which are infrastructure services
28 that need to be located in or near the neighborhood where the service is provided.
29 Services may be publicly or privately provided. Accessory uses may include parking and
30 control, monitoring, or data transmission equipment. Specific uses types include:
- 31 1. **Utility Facility**
32 a. **Definition**
33 A service of a regional nature that normally entails the construction of
34 new buildings or structures, and that typically has employees at the site.
35 Examples include water works, water or sewage treatment plants, power
36 or heating plants, or steam generating plants.
- 37 2. **Utility Substation**
38 a. **Definition**
39 A service that is necessary to support development within the immediate
40 vicinity, and is typically not staffed. Examples include, but are not limited
41 to, electric transformer stations; gas regulator stations; water reservoirs;
42 telephone exchange facilities; and water and sewage collection or
43 pumping stations.
- 44 b. **Use-Specific Standards**
45 The facility shall be designed and constructed to ensure visual and
46 aesthetic compatibility with the surrounding neighborhood. Compatibility

1 may be achieved either by using similar architectural design and
 2 materials as building(s) in the surrounding neighborhood, or by screening
 3 the facility with L3 Separation landscaping.

4 **K. Telecommunication Facilities**

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

8 **1. Definitions**

9 **a. Type 1 Tower**

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

14 **b. Type 2 Tower**

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

18 **c. Type 3 Tower**

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

22 **d. Type 4 Tower**

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

33 **2. Use-Specific Standards**

34 **a. Setbacks**

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

37 **(A)** Types 1 and 4: equal to or greater than the setbacks of
 38 the underlying zoning district.

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

41 **(C)** Type 3: equal to or greater than the distance measured
 42 from the tower structure axis to the outermost guy wire
 43 anchor. The guy wire levels and anchor radius must

1 match manufacturer's criteria for the proposed
2 application.

3 ii. For type 3 towers, that portion of guy wire anchor structure that
4 is above grade shall be set back from any property line in
5 accordance with the following:
6

7 (A) Guy wire with a nominal diameter of 0.25 inches or less--
8 25 feet, provided the setback may be reduced to 0 feet if
9 the anchor structure is enclosed within a sight obscuring
10 fence.

11 (B) Guy wire with a nominal diameter greater than 0.25
12 inches but less than 0.625 inches--25 feet, provided the
13 setback may be reduced to 5 feet if the anchor structure
14 is enclosed within a sight obscuring fence.

15 (C) Guy wire with a nominal diameter equal to or greater
16 than 0.625 inches--25 feet.
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20 **b. Tower Structure Height**
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22 i. Height for a tower structure directly fixed to the ground shall be
23 determined by measurement from grade to the highest point on
24 the tower structure, including any installed antennas and lighting
25 and supporting structures.

26 ii. Base height shall be as set forth below:

27 (A) Residential districts--65 feet

28 (B) Commercial and Mixed-Use districts--130 feet

29 (C) Industrial districts--150 feet

30 (D) AF district--200 feet

31 (E) All other districts--100 feet

32 iii. Height for a tower structure not directly affixed to the ground
33 shall be determined by measurement from the grade of the
34 building to the highest point on the tower structure, including any
35 installed antennas and lighting and supporting structures. At no
36 time shall the height of a tower installed on a building be more
37 than either two times the height of the existing building, or more
38 than the allowable tower height as set by the zoning district,
39 excluding the building, whichever is greater. Tower structures
40 shall not exceed the height limits set forth in subsection
41 21.04.080C. of this title nor interfere with Federal Aviation
42 Administration Regulations on airport approaches.

43 iv. Collocation shall grant an additional 15 feet above the base
44 height for each qualifying antenna to maximum of 30 feet of
45 additional height. Increases in tower structure height by

1 operation of this paragraph shall not reclassify a tower structure
2 from a local interest tower to a community interest tower.

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

8 vi. Any tower or antenna seeking to exceed the height limitations of
9 this section may apply for a conditional use permit.

10 c. **Residential Zoning Districts**

11 Type 1, 2 and 3 towers in residential districts shall only be located on a
12 lot with an existing non-residential use or a lot with a multifamily
13 residential use.

14 d. **Collocation**

15 i. The collocation tower structure, pole, monopole or any other
16 similar facility, must be designed to accommodate no less than
17 the following communications equipment: 12 antennas with a flat
18 plate wind loading of not less than 4 square feet per antenna; a
19 standard mounting structure, stand off arms, platform or other
20 similar structure that is sufficient to hold the antennas; cable
21 ports at the base and antenna levels of the tower structure; and,
22 sufficient room within or on the tower structure for 12 runs of
23 7/8" coaxial cable from the base of the tower structure to the
24 antennas. If the proposed collocation design does not meet the
25 standards for the 12 antennas, but still provides for collocation,
26 the director may apply a lesser collocation standard if it meets
27 the intent of promoting collocation.
28

29 ii. Applicants for collocation shall provide proof in a form found
30 acceptable to the municipal attorney that more than one service
31 provider can locate in the collocation facility.

32 iii. All community and local interest towers shall, for a reasonable
33 compensation, be made available for use by as many other
34 licensed carriers as can be technically collocated thereon when
35 the use will not result in substantial injury to the owner, or in
36 substantial detriment to the service to the customers of the
37 owners. All licensed carriers shall cooperate with each other in
38 collocating additional facilities upon such towers. All licensed
39 carriers shall exercise good faith in collocating with other
40 licensed carriers and in the sharing of towers, including the
41 sharing of technical information to evaluate the feasibility of
42 collocation. Reasonable compensation shall be as indicated in
43 the municipality at the time of the request for collocation, subject
44 to proof by the petitioner.

1 iv. Any request by a licensed carrier to a tower owner for collocation
2 shall be either approved or denied within six months of the date
3 of the request.

4 e. **General Standards**

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

15 ii. *Security*
16 The tower structure and support structures shall be secured to
17 prevent unauthorized access.

18 iii. *Installation*
19 All transmitting antennas shall be installed in a manner as set
20 forth by the manufacturer and by the Federal Communications
21 Commission as meeting the current American National
22 Standards Institute (ANSI) standard for nonionizing
23 electromagnetic radiation (NIER).

24 iv. *Tower Lighting*
25 Tower structures shall not be lighted unless the Federal Aviation
26 Administration requires or recommends that obstruction lighting
27 be installed. To prevent direct light reflection on other property,
28 tower structure lighting shall be shielded to the extent permitted
29 by the Federal Aviation Administration.

30 v. *Tower Color*
31 The tower structure and any other structure(s) directly related to
32 the operation of any antenna mounted on the tower structure
33 shall be neutral in color and, to the extent possible, shall be
34 compatible with the appearance and character of the
35 neighborhood or location unless obstruction marking is required
36 by the Federal Aviation Administration.

37 vi. *Notice and interference*
38 An operator proposing to install or modify an antenna shall
39 provide notice to all property owners within 500 feet of the date
40 of activation of the new or modified antenna. Within 90 days of
41 activation the antenna, the operator shall resolve all reported
42 occurrences of interference.

43 vii. *Identification placard*
44 An identification placard shall be attached to the tower structure
45 or the security fencing in a location clearly visible at eye level.
46 The placard shall provide the following information:
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- 1 (A) The name and address of the tower structure owner;
- 2 (B) The name and address of the tower structure manager,
3 if different from the owner;
- 4 (C) The date of erection of the tower structure; and
- 5 (D) The owner's name and address of each antenna on the
6 tower structure.
- 7 f. ***Administrative permit required***
8 An administrative permit shall be obtained from the director. The
9 application shall identify the antenna(s) on the tower, and include the
10 dimensional design of the tower/antenna(s), the legal description of the
11 site, its zoning and its street address, if any, and a site plan with the
12 exact location of the tower and/or antennas marked. This permit shall
13 certify that, when granted, the antenna, or tower structure was in
14 compliance with this section. This permit shall remain valid so long as
15 that antenna or tower structure remains in continuous operation or is
16 revoked according to this title.
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18 g. ***Tower Permit Revocation***
19 After having a tower permit revoked, no tower shall be re-permitted for
20 that property or by that tower owner on any property within the
21 municipality for a period of one year except through a conditional use
22 permit. This subsection shall apply only with respect to community and
23 local interest tower revocations pursuant to this title after the effective
24 date of this ordinance.
- 25
26 h. ***Annual inventory***
27 By January 31 of each year, each tower owner who is regulated by this
28 section shall provide the municipality with an inventory of all additions
29 and deletions of said provider's existing towers or approved sites for
30 such facilities that are either within the municipality or within one mile of
31 the border thereof as of December 31 of the previous year. The first
32 inventory from each provider shall be a comprehensive current list of
33 their existing towers and approved sites.
- 34
35 i. ***Time period for construction***
36 Construction of a tower shall commence within one year from the date of
37 the permit's approval, with opportunity for a six-month extension. If not
38 used within one year, or within the extension period, the permit shall
39 become null and void.
- 40
41 j. ***Administrative site plan review***
42
43 i. ***Applicability***
44 When an administrative site plan is required by tables 21.05-1 or
45 21.05-2, this subsection shall apply. A site plan review is
46 required of all such towers since they have aesthetic and visual
47 impacts on their neighbors and the public interest is best served
48 by allowing these neighbors and the public at large a chance to
49 comment on and provide input concerning the location and
50 design of these towers. All such towers shall conform to the

1 requirements of this section and to the requirements of the
2 zoning district in which the tower is located.

3 **ii. General**

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

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

13 **iii. Submittal Information**

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

17 **iv. Minimum Separation Distance From Protected Land Uses**

18 **(A)** The minimum separation distance between the base of
19 the tower and any principal structure on PLI or
20 residentially-zoned land, or any school or licensed
21 daycare facility, shall be two times the allowable tower
22 height.

23 **(B)** After giving due consideration to the comments of the
24 applicant, the property owner, and the local community
25 council, the minimum separation distance set forth in the
26 paragraph iv.(A) above may be reduced by no more than
27 one-half by the director.
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29 **v. Public Participation Process**

30 Notwithstanding table 21.03-1, at least 35 days before acting on
31 a tower site plan application under this section, the director shall
32 publish notice of the application in a newspaper of general
33 circulation in the municipality. The notice shall state the name(s)
34 of the applicant(s), a clear and concise description of the project,
35 the street address, if any, and the legal description of the land
36 subject to the application. The notice, including a map of the
37 vicinity, shall also be provided to any officially recognized
38 community council whose boundary encompasses the tower site
39 and to owners of property within 500 feet of the proposed site.
40 The applicant shall also post the property with a notice pursuant
41 to subsection 21.03.020H.5. Following notice of the site plan, the
42 community council has 35 days from the date of the letter to
43 respond.
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45 **vi. Approval Period**

46 The director shall take action on the site plan within 60 days of
47 the site plan application submission.
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- vii. Factors Considered In Granting Site Plan Approval For Tower Structures**
In addition to the general standards for site plan approval at subsection 21.03.080E, the director shall also consider the factors for conditional uses for tower structures in subsection m.iii. below.
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- viii. Height**
Unless clearly specified by conditions of approval, the approved tower height is that of the allowed tower height in the district, plus additional height allowed with collocation, if collocation is provided for. The petitioner must show that there is capacity for the height and enough space for equipment cabinets on their ground lease to accommodate the height and any collocated antennas.
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- k. Qualification Of Type 4 Tower Structure And Antenna**
Each type 4 tower structure and antenna shall be subject to design review and approval by the director. A proponent of a type 4 tower structure and antenna design shall provide evidence in the form of construction drawings, photographs, renderings, or other data sufficient for the director to find the design appropriately meets the definition of a type 4 tower as it relates to the specific proposed site. At completion of the construction of the tower structure and antenna, it shall be reviewed by the director to confirm the installation complies with the design standards. If the installation fails to comply, the tower structure and antenna design and installation shall be amended or redesigned as directed by the director.
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- l. Abandonment**
Any antenna or tower structure that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower structure shall remove the same within 180 days of receipt of notice from the director notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower structure within said 180 days shall be grounds for the municipality to remove the tower structure or antenna at the owner's expense. If there are two or more users of a single tower structure, then this provision shall not become effective until all users cease using the tower structure.
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- m. Conditional Use Standards**
- i. General and Applicability of Conditional Use Requirement**
Applications for conditional use permits under this section shall be subject to the general conditional use procedures of subsection 21.03.070C, but not the approval criteria of subsection 21.03.070D. Applications for conditional use permits under this section shall comply with the standards contained in this section.
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- (A)** In granting a conditional use permit, the planning and zoning commission may impose conditions to the extent the planning and zoning commission concludes such conditions are necessary to minimize any adverse effect

- 1 of the proposed tower structure or antenna on adjoining
2 properties.
- 3 **(B)** Any information of an engineering nature that the
4 applicant submits, whether civil, mechanical, or
5 electrical, shall be certified by a licensed professional
6 engineer.
- 7 **ii.** *Submittal Information*
8 Applicants for conditional use for a tower structure shall submit
9 the information required in the user's guide.
- 10 **iii.** *Factors Considered in Granting Conditional Use Permits for*
11 *Antennas and Tower Structures.*
12 The planning and zoning commission shall consider the following
13 factors in determining whether to issue a conditional use permit,
14 although the planning and zoning commission may waive or
15 reduce the burden on the applicant of one or more of these
16 criteria if the planning and zoning commission concludes that the
17 goals of this ordinance are better served thereby:
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20 **(A)** Height of the proposed tower structure;
21 **(B)** Proximity of the tower structure to residential structures
22 and residential district boundaries;
23 **(C)** Nature of uses on adjacent and nearby properties;
24 **(D)** Surrounding topography;
25 **(E)** Surrounding tree coverage and foliage;
26 **(F)** Design of the tower structure, with particular reference to
27 design characteristics that have the effect of reducing or
28 eliminating visual obtrusiveness;
29 **(G)** Proposed ingress and egress; and
30 **(H)** Availability of suitable existing tower structures, other
31 structures, or alternative technologies not requiring the
32 use of tower structures or structures or the availability of
33 said structures or technology to cover the service area
34 gap within the licensed service area.
- 35 **iv.** *Availability of Suitable Existing Tower Structures, Other*
36 *Structures, or Alternative Technology*
37 No new tower structure shall be permitted unless the applicant
38 demonstrates to the reasonable satisfaction of the planning and
39 zoning commission that no existing tower structure, structure or
40 alternative technology that does not require the use of tower
41 structures, or alternative technology can accommodate or
42 replace the applicant's proposed antenna. An applicant shall
43 submit any additional information requested by the planning and
44 zoning commission related to the availability of suitable existing

1 tower structures, other structures or alternative technology.
 2 Evidence submitted to demonstrate that no existing tower
 3 structure, structure or alternative technology can accommodate
 4 the applicant's proposed antenna, or is not able to cover the
 5 service area gap within the licensed service area, will consist of
 6 the following:

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 8 (A) No existing tower structures or structures are located
 9 within the geographic area which meet applicant's
 10 engineering requirements.

11 (B) Existing tower structures or structures are not of
 12 sufficient height to meet applicant's engineering
 13 requirements.

14 (C) Existing tower structures or structures do not have
 15 sufficient structural strength to support applicant's
 16 proposed antenna and related equipment.

17 (D) The applicant's proposed antenna would cause
 18 electromagnetic interference with the antenna on the
 19 existing tower structures or structures, or the antenna on
 20 the existing tower structures or structures would cause
 21 interference with the applicant's proposed antenna.

22 (E) The fees, costs, or contractual provisions required by the
 23 owner in order to share an existing tower structure or
 24 structure or to adapt an existing tower structure or
 25 structure for sharing are unreasonable. Costs exceeding
 26 new tower structure development are presumed to be
 27 unreasonable.

28 (F) The applicant demonstrates that there are other limiting
 29 factors that render existing tower structures and
 30 structures unsuitable.

31 (G) The applicant demonstrates that an alternative
 32 technology that does not require the use of tower
 33 structures or structures, such as a cable microcell
 34 network using multiple low-powered
 35 transmitters/receivers attached to a wireline system, is
 36 unsuitable. Costs of alternative technology that exceed
 37 new tower structure or antenna development shall not be
 38 presumed to render the technology unsuitable.

39 v. *Modifications*

40 Standards for modifications to community interest and local
 41 interest towers allowed as a conditional use are as follows:

42 (A) Repairs and maintenance to the tower structure may be
 43 performed consistent with Section 21.11.040F.

44 (B) The replacement, repair or addition of antennas, dishes
 45 and other transmitting or receiving devices to a tower

- 1 shall not be considered a modification of final approval
 2 as set forth in Section 21.03.070E. and shall be
 3 considered a use contemplated within the original
 4 approved or de facto conditional use where the
 5 replacement, repair or addition of antennas, dishes and
 6 other transmitting or receiving devices:
- 7 (1) Will serve the same user or successor entity
 8 under the original conditional use;
- 9 (2) Will serve the same general purpose as was
 10 served under the original conditional use;
- 11 (3) Is consistent with the original conditional use.
- 12 n. ***Amateur Radio Stations And Receive Only Antennas***
- 13 i. Amateur radio stations are exempt from the location, tower type,
 14 and height limitations contained in this title provided:
- 15 (A) The antenna and tower structure are part of a federally-
 16 licensed amateur radio station, and
- 17 (B) In residential zoning districts there is no use of the tower
 18 structure by a third party commercial antenna operator.
- 19 ii. The following are exempt from this title:
- 20 (A) Installation and use of antenna(s) smaller than one
 21 meter in any dimension for use by a dwelling unit
 22 occupant for personal, home occupation, or utility
 23 telemetry purposes, or by an electric or gas utility on an
 24 existing power pole or cabinet to monitor or control
 25 equipment thereon; and
- 26 (B) Noncommercial receive only antennas.
- 27 iii. Notwithstanding the above, any antenna or tower structure that
 28 is not operated for a continuous period of 12 months shall be
 29 considered abandoned, and the owner of such antenna or tower
 30 structure shall remove the same within 180 days of receipt of
 31 notice from the director notifying the owner of such
 32 abandonment. Failure to remove an abandoned antenna or
 33 tower structure within said 180 days shall be grounds for the
 34 municipality to remove the tower structure or antenna at the
 35 owner's expense.
- 36 iv. Any antenna or tower structure erected under this subsection
 37 2.n. shall not exceed the height limits set forth in chapter 21.06
 38 of this title nor interfere with Federal Aviation Administration
 39 Regulations on airport approaches.

21.05.050 COMMERCIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS

This section defines the general commercial use categories and specific commercial use types listed in tables 21.05-1 and 21.05-2. This section also contains use-specific standards that apply to specific use types. The use-specific standards apply regardless of whether the use type is permitted as a matter of right, subject to a site plan review process, or subject to the conditional use process.

A. Agricultural Uses

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

1. **Farming, Animal Husbandry [may change pending Assembly adoption of a Large Animal Ordinance]**
 - a. **Definition**

Commercial agricultural uses in general and especially dairy, stock, and poultry farming.
 - b. **Use-Specific Standards**
 - i. Notwithstanding the dimensional requirements in chapter 21.06, this use requires a minimum lot size of 15 acres.
 - ii. No livestock pens, fenced corrals, or buildings for the keeping of livestock shall be located within 100 feet the property line.
 - iii. Waste shall be managed in accordance with AMC title 15.20.020.
2. **Farming, Horticultural**
 - a. **Definition**

An establishment engaged in the raising of vegetables, produce, fruit crops, vines, shrubs, trees (including Christmas trees), sod production, and nursery plants for sale. This use includes, but is not limited to, crop farms, orchards, groves, tree plantations, or a temporary stand for the sale of products grown on the premises. Customers may visit the site, but establishments engaged primarily in the retail sale of nursery plants are classified as “nursery, commercial” below.

B. Animal Sales, Service, and Care

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

1. **Animal Control Shelter**
 - a. **Definition**

A facility used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by a public or nonprofit organization devoted to the welfare, protection, and humane treatment of animals.

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- b. **Use-Specific Standards (also apply to “Retail and Pet Services” and “Veterinary Clinic”)**
- i. **General Standards when Use is Adjacent to a Residential District**
All facilities, including all treatment rooms, cages, pens, kennels, training rooms and exercise runs, shall be maintained within a completely enclosed, soundproof building, and shall be sufficiently insulated so that, to the maximum extent feasible, no noise or odor can be detected off-premises.
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- ii. **Additional Standards in the I-1 and PLI District**
Notwithstanding the above provisions, outdoor exercise runs may be allowed in the I-1 or PLI districts where all parts of the use are located 200 feet or more from any non-industrial district. An outdoor run shall be located on site and shall be screened from the view of all adjacent streets and properties by fencing or vegetation. To the maximum extent feasible, no noise or odor shall be detected off-premises.
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- iii. Waste shall be managed in accordance with AMC section 15.20.020.
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2. **Kennel, Commercial**
- a. **Definition**
A commercial establishment where small domestic animals, such as dogs and cats, are boarded.
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- b. **Use-Specific Standards**
To the maximum extent feasible, no noise or odor shall be detected off-premises. Waste shall be managed in accordance with AMC section 15.20.020.
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3. **Paddock or Stable, Commercial [may change pending Assembly adoption of a Large Animal Ordinance]**
- a. **Definition**
A commercial establishment consisting primarily of a fenced area or enclosed building in which four or more large domestic animals, such as cattle, horses, pigs, and goats, are sheltered and fed. Such facilities have stalls or compartments. Includes riding stable facilities for the care and exercise of horses and related equestrian activities.
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4. **Retail and Pet Services**
- a. **Definition**
An establishment primarily engaged in the sale, bathing, and/or grooming of domestic animals, such as dogs, cats, fish, birds, and reptiles, excluding exotic animals and farm animals such as horses, goats, sheep, and poultry. Accessory uses may include overnight stays incidental to the primary use.
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- b. **Use-Specific Standards**
Retail and Pet Services shall comply with the use-specific standards above for “Animal Control Shelter.”
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1 **5. Veterinary Clinic**

2 **a. Definition**

3 An establishment for the medical care and treatment by a licensed
4 veterinarian.

5 **b. Use-Specific Standards**

6 Veterinary clinics shall comply with the use-specific standards above for
7 “Animal Control Shelter.”

8 **C. Assembly**

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

14 **1. Civic/Convention Center**

15 **a. Definition**

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

21 **b. Use-Specific Standard**

22 Any use that involves the retail sale of alcohol is subject to the Assembly
23 Alcohol Approval process; see section 21.05.020A.

24 **2. Club/Lodge/Meeting Hall**

25 **a. Definition**

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

29 **b. Use-Specific Standard**

30 Any use that involves the retail sale of alcohol is subject to the Assembly
31 Alcohol Approval process; see section 21.05.020A.

32 **D. Entertainment, Indoor**

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

36 **1. Amusement Establishment**

37 **a. Definition**

38 An establishment offering entertainment, game playing, or similar
39 amusements to the public within a fully enclosed building. This shall
40 include arcades, bowling alleys, billiard parlors, bingo parlors, laser tag
41 parlors, water parks, miniature golf courses, and indoor shooting ranges.

- 1 **b. Use-Specific Standard**
2 Any use that involves the retail sale of alcohol is subject to the Assembly
3 Alcohol Approval process; see section 21.05.020A.
- 4 **2. Entertainment Facility, Major**
5 **a. Definition**
6 Major entertainment facilities uses are designed to accommodate
7 activities that generally draw 1,000 persons or more to specific events or
8 shows. Activities are generally of a spectator nature. Examples include
9 amphitheaters, performing arts centers, stadiums, sports arenas,
10 coliseums, auditoriums, and fairgrounds. Accessory uses may include
11 restaurants, bars, concessions, parking and maintenance facilities.
- 12 **b. Use-Specific Standard**
13 Any use that involves the retail sale of alcohol is subject to the Assembly
14 Alcohol Approval process; see section 21.05.020A.
- 15 **3. Fitness and Recreational Sports Center**
16 **a. Definition**
17 A facility primarily featuring equipment for exercise and other active
18 physical fitness conditioning or recreational sports activities, such as
19 swimming, skating, racquet sports, aerobic dance, gymnasium facilities,
20 yoga, and other kinds of sports and fitness facilities.
- 21 **4. Movie Theater**
22 **a. Definition**
23 An indoor theater for showing motion pictures.
- 24 **5. Nightclub, Licensed**
25 **a. Definition**
26 An enterprise, that, for consideration, provides entertainment to its
27 patrons in the form of floorshows; dance revues; live, recorded, or
28 electronically enhanced music; patron dancing; or performances by live
29 or recorded professional or amateur entertainers. Discotheques,
30 nightclubs, bars, lounges, dance halls, bistros, and any facility that meets
31 the terms of this definition are often, but not exclusively, open during one
32 or more of the hours between 11:00 p.m. and 7:00 a.m. This definition
33 excludes theaters or auditoriums with fixed seating, religious assemblies,
34 adult-oriented establishments as defined by AMC section 10.40.050,
35 publicly owned and operated recreation centers or parks, and public and
36 private schools.
- 37 **b. Use-Specific Standards**
38 **i.** All facilities adjacent to a residential district shall be maintained
39 within a completely enclosed, soundproof building, and shall be
40 sufficiently insulated so that no unreasonable noise can be
41 detected off-premises.
- 42 **ii.** Any use that involves the retail sale of alcohol is subject to the
43 Assembly Alcohol Approval process; see section 21.05.020A.
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6. Nightclub, Unlicensed**a. Definition**

An enterprise, that, for consideration, provides entertainment to its patrons in the form of floorshows; dance revues; live, recorded, or electronically enhanced music; patron dancing; or performances by live or recorded professional or amateur entertainers, but does not offer or sell to its patrons either alcoholic beverages, as defined by AS 04.21.080 or adult entertainment as defined by AMC section 10.40.050. Teen clubs and cultural performance venues as set forth in AMC chapter 10.55, discotheques, nightclubs, bars, lounges, dance halls, bistros, and any facility that meets the terms of this definition are often, but not exclusively, open during one or more of the hours between 11:00 p.m. and 7:00 a.m. This definition excludes theaters or auditoriums with fixed seating, religious assemblies, adult-oriented establishments as defined by AMC section 10.40.050, publicly owned and operated recreation centers or parks, and public and private schools.

b. Use-Specific Standards**i. Purpose**

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

ii. Minimum Distance from Certain Uses

Except for teen nightclubs and underage dances permitted under AMC chapter 10.55, an unlicensed nightclub shall be located so that all portions of the lot on which the unlicensed nightclub is located shall be 300 feet or more from the lot line of property on which is located:

(A) A public, private, or parochial school;

(B) Property zoned residential; or

(C) TA-zoned property designated as residential in the *Turnagain Arm Comprehensive Plan*.

iii. Administrative Permit Required

An administrative permit for each unlicensed nightclub shall be obtained from the department and be displayed in a prominent place inside the unlicensed nightclub. This permit shall certify that, when granted, the enterprise was in compliance with paragraph ii. of this subsection. This permit shall be obtained from the director, pursuant to section 21.03.230, *Administrative Permits*. This permit shall remain valid so long as that enterprise remains in continuous operation at that location, and does not physically expand.

1 **7. Theater Company or Dinner Theater**

2 **a. Definition**

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

9 **b. Use-Specific Standard**

10 Any use that involves the retail sale of alcohol is subject to the Assembly
11 Alcohol Approval process; see section 21.05.020A.

12 **E. Entertainment/Recreation, Outdoor**

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

16 **1. General Outdoor Recreation, Commercial**

17 **a. Definition**

18 Intensely developed recreational uses such as amusement parks,
19 miniature golf courses, golf driving ranges, batting cages, skateboard or
20 skate parks or courses, bicycle motocross courses, water parks or slides,
21 drive-in movie theaters, courses for paramilitary games, and archery
22 facilities.

23 **b. Use-Specific Standard**

24 L3 Separation landscaping shall be provided wherever this use is
25 adjacent to a residential district.

26 **2. Golf Course**

27 **a. Definition**

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

35 **3. Motorized Sports Facility**

36 **a. Definition**

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

39 **b. Use-Specific Standards**

40 **i. Assembly Alcohol Approval Process**

41 Any use that involves the retail sale of alcohol is subject to the
42 Assembly Alcohol Approval process; see section 21.05.020A.

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

4 vi. *I-1 District Standards*

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

9 4. **Shooting Range, Outdoor**

10 a. **Definition**

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

13 b. **Use-Specific Standards**

14 i. *Intent*

15 The intent of the following conditional use standards for shooting
 16 ranges is primarily safety and buffering for adjacent
 17 neighborhoods.

18 ii. *Setbacks*

19 All shooting areas shall be set back a minimum distance of 100
 20 feet from any public right-of-way. The setback behind the back
 21 stops in the line of fire shall be a minimum of 100 feet. Buildings
 22 located behind the firing line are allowed to be located to the
 23 normal zone setback.

24 iii. *Site Size*

25 The minimum site size shall be 20 acres.

26 iv. *Shooting Area*

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

31 v. *On-site Uses*

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

35 5. **Skiing Facility, Alpine**

36 a. **Definition**

37 A facility and related terrain utilized for alpine skiing, and uses and
 38 facilities typically associated with the use and operation of such facility,
 39 including but not limited to:

40 i. Ski and snowboard runs and trails;

41 ii. Ski lifts and tows, including towers and structures, related to
 42 skiing and snowboarding patrons;

43 iii. Snow-making equipment/facilities;

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- 1 iv. Ski patrol facilities;
- 2 v. Ski area administrative and ticketing offices;
- 3 vi. Special events directly associated with ski areas such as ski
4 races, snowboard races, snow machine races, bicycle races,
5 and concerts;
- 6 vii. Alpine slide;
- 7 viii. Nordic ski trails and facilities;
- 8 ix. Tubing hills;
- 9 x. Ski and equipment rental facilities and ski instruction facilities;
- 10 xi. Ice skating rinks;
- 11 xii. Ski bridges; and
- 12 xiii. Supporting accessory structures.

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

18 **F. Financial Institution**

19 **1. Definition**

20 Establishments that provide retail banking, mortgage lending, and financial
21 services to individuals and businesses. This classification includes those
22 institutions engaged in the on-site circulation of cash money and check-cashing
23 facilities. Accessory uses may include automatic teller machines, offices, and
24 parking. Financial institutions may or may not have drive-through service
25 depending on the zoning district in which they are located; see section
26 21.05.070, *Accessory Uses and Structures*.

27 **2. Use-Specific Standards**

- 28 a. Financial institutions are permitted in the NC, NMU, and AC districts if
29 they are providing primarily retail services to walk-in customers, rather
30 than primarily office and support services with few walk-in customers.
- 31 b. Financial institutions in the NC and NMU districts shall have a maximum
32 gross floor area limit of 3,000 square feet.
- 33 c. Financial institutions in the AC district shall have a maximum gross floor
34 area of 5,000 square feet.¹

1 **G. Food and Beverage Services**

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

5 **1. Bar**

6 **a. Definition**

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

10 **b. Use-Specific Standard**

11 Any use that involves the retail sale of alcohol is subject to the Assembly
12 Alcohol Approval process; see section 21.05.020A.

13 **2. Food and Beverage Kiosk**

14 **a. Definition**

15 An establishment in a freestanding building, trailer, or vehicle on an
16 impermanent foundation that sells coffee or other beverages and pre-
17 made bakery goods from a window to customers who are either
18 pedestrians or seated in their automobiles for consumption off the
19 premises and that provides no indoor or outdoor seating.

20 **b. Use-Specific Standards**

21 Kiosks in all districts shall comply with the following standards:

22 **i.** Vehicle stacking spaces shall be provided pursuant to section
23 21.07.090I.

24 **ii.** Kiosks shall be on wheels to facilitate movement onto and off the
25 site, and may not be located on a permanent foundation. The
26 wheels shall be screened with opaque skirting or screening so as
27 to not be visible.

28 **iii.** Kiosks may be located on the same lot as another principal use.

29 **iv.** Kiosks shall comply with the "Drive-Through Service" accessory
30 use standards in section 21.05.070D.9.

31 **3. Restaurant**

32 **a. Definition**

33 An establishment primarily engaged in the preparation and sale of food
34 and beverages, normally for consumption on the premises.

35 **b. Use-Specific Standard**

36 **i.** Any use that involves the retail sale of alcohol is subject to the
37 Assembly Alcohol Approval process; see section 21.05.020A.

38 **ii.** Any restaurant with drive-through service shall comply with the
39 "Drive-Through Service" accessory use standards in section
40 21.05.070D.9.
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1 **H. Office**

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

6 **1. Office, Business or Professional**

7 **a. Definition**

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

15 **2. Broadcasting Facility**

16 **a. Definition**

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

19 **I. Retail (Personal Services, Repair, and Rental)**

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

25 **1. Dry Cleaning Establishment**

26 **a. Definition**

27 An establishment maintained for on-site laundry and/or dry cleaning,
28 using a perchlorethylene process or similar nonflammable, non-aqueous
29 solvent, of fabrics, textiles, wearing apparel, or articles of any sort
30 including related maintenance or operation of equipment and machinery.
31 This does not include large commercial dry cleaning plants, which are
32 classified as "General Industrial Service."

33 **2. Funeral Services**

34 **a. Definition**

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

39 **3. General Personal Services**

40 **a. Definition**

41 An establishment, whether for consideration or not, that provides care,
42 advice, aid, maintenance, repair, treatment, or similar semi-technical,
43 technical, or experienced assistance, other than the practice of a
44 profession and wholesale or retail sale of goods. Examples include, but
45 are not limited to: dry-cleaning drop-off; photography studios; shoe
46 repair; beauty and barber shops; and tanning salons.

- 1 **4. Instructional Services**
2 **a. Definition**
3 A specialized instructional establishment that provides on-site training of
4 business, artistic, or commercial skills. Examples include, but are not
5 limited to, driving schools, fine arts schools, dance, music, and computer
6 instructional services. This use does not include establishments that
7 teach skills that prepare students for jobs in a trade (e.g., carpentry),
8 which are classified under "Vocational or Trade Schools."
- 9 **5. Repair and/or Service**
10 **a. Definition**
11 An establishment primarily engaged in the provision of repair services to
12 individuals and households, rather than to business. Examples include,
13 but are not limited to, locksmith, repair of household appliances and
14 office machines. This use excludes maintenance and repair of
15 automobiles and industrial equipment or machinery.
- 16 **6. Small Equipment Rental**
17 **a. Definition**
18 The commercial rental of supplies and equipment primarily intended for
19 homeowner use, such as furniture, and minor residential gardening and
20 construction projects, but not including car or truck rentals, or rentals of
21 smaller motor vehicles not for home care such as motorcycles or
22 snowmobiles. This use does not include the rental, storage, or
23 maintenance of large construction or other commercial heavy equipment,
24 which are classified under "Industrial Service."
- 25 **b. Use-Specific Standard**
26 All maintenance of equipment shall be conducted within an enclosed
27 building.
- 28 **J. Retail (Sales)**
29 This category includes retail establishments involved in the sale of new or used products
30 to the general public. Accessory uses may include offices, parking, storage of goods,
31 assembly, repackaging, and repair of goods for on-site sale. Specific use types include:
- 32 **1. Auction House**
33 **a. Definition**
34 A structure or enclosure where goods are sold by auction.
- 35 **2. Building Materials Store**
36 **a. Definition**
37 An establishment primarily engaged in the storage, distribution, and sale
38 of lumber and other building materials such as brick, tile, cement,
39 insulation, floor covering, roofing materials, and other improvement
40 materials and associated tools; and/or the sale and service of plumbing,
41 heating, and/or electrical equipment.
- 42 **3. Business Service Establishment**
43 **a. Definition**
44 An establishment that, for consideration, provides other businesses with
45 advertising, leased or rented equipment, maintenance, security,
46 management, consulting or technical aid, or copying services.

- 1 4. **Convenience Store**
2 a. **Definition**
3 An establishment with a gross floor area of less than 5,000 square feet
4 engaged primarily in the sale of convenience goods, such as pre-
5 packaged food items, tobacco, over-the-counter drugs, periodicals, and
6 other household goods.
- 7 b. **Use-Specific Standards**
8 i. Any use that involves the retail sale of alcohol is subject to the
9 Assembly Alcohol Approval process; see section 21.05.020A.
- 10 ii. In the RM-4 and NC districts, a convenience store shall not sell
11 alcoholic beverages.
- 12 5. **Farmers Market**
13 a. **Definition**
14 An occasional, periodic, or seasonal market for offering for sale fresh
15 agricultural, fresh food, or arts and crafts products directly to the
16 consumer at an open-air market, covered structure with multiple stalls, or
17 other pre-designated area, where the vendors are generally individuals
18 who have raised the produce or made the product, or have taken the
19 same on consignment for retail sale.
- 20 6. **Fueling Station**
21 a. **Definition**
22 An establishment engaged in the retail dispensing or sale of gasoline or
23 other vehicular fuel products. This use definition does not include
24 convenience store or vehicle service and repair uses.
- 25 7. **Meat and Seafood Processing, Storage, and Sales**
26 a. **Definition**
27 An establishment primarily engaged in the cold storage and preservation
28 of food in separate and individual compartments that is offered for sale to
29 the public.
- 30 8. **General Retail**
31 a. **Definition**
32 An establishment engaged primarily in the retail sale of goods or
33 merchandise, and rendering services incidental to the sale of such
34 goods. Examples may include, but are not limited to: pharmacies;
35 general merchandise retailers; warehouse and club retailers;
36 superstores; discount stores; catalog showrooms; and specialty retail
37 stores specializing in such goods as clothing, home furnishings, sporting
38 goods, books, stationary, music, video rentals, or flowers.
- 39 9. **Grocery or Food Store**
40 a. **Definition**
41 An establishment primarily engaged in the retail sale of food and/or
42 beverages primarily to be consumed outside of the retail establishment's
43 premises. Examples include, but are not limited to: supermarkets,
44 grocery stores, delicatessens, specialty food shops, and bakeries.

45

4. Parking Lot**a. Definition**

An off-street, surfaced, ground-level area where motor vehicles are stored for daily, overnight, or temporary parking not to exceed 72 hours.

5. Parking Structure**a. Definition**

A structure designed with one or more levels or floors partially or fully enclosed, used for the parking of motor vehicles. The facility may be above, below, or partially below ground. This use does not include private carports or garages.

b. Use-Specific Standards**i. Ground-Floor Pedestrian-Oriented Uses Required**

A ground-floor parking garage in any district or any parking structure in the CBD, CMU, RMU, or MMU districts shall provide a first-floor space that:

(A) Has a minimum depth of 25 feet;

(B) Faces on each street, except alleys, for the full length of the building, except for places necessary for pedestrian and vehicle entrances and exits; and

(C) Is used for retail, restaurant, and other pedestrian-oriented uses otherwise permitted or approved in the zoning district.

ii. Upper-Floor Facade

The street-facing façade of second and higher floors of a parking garage or any parking structure in the CBD, CMU, RMU, or MMU districts shall have a repeating pattern that includes no less than three instances of either (1) color change, (2) texture changes, (3) material module changes, or (4) expression of an architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib. At least one of these elements shall repeat at an interval of not more than 30 feet. This standard may be waived if the applicant can demonstrate an alternative building design that significantly articulates a wall plane.

iii. Incentives for Active Uses on Second and Third Floor Facades

Parking garage projects are encouraged to contribute more human activity and vitality to the city center by providing occupied spaces with windows near street level. If the second and third floor of a parking garage or any parking structure in the CBD-1 or CBD-2 district has a space that (i) has a depth of twenty-five feet or more, (ii) faces on all streets, except alleys, for the entire length of the building, and (iii) is for any non-parking use otherwise permitted or approved for the zoning district, then a bonus height of two additional stories may be added to the parking structure.

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- iv. **Landscaping**
- (A) **Parking Structures in the CBD and CMU Districts**
Level 1 Edge Treatment landscaping shall be planted around the perimeter of the parking structure, except at vehicular and pedestrian ingress and egress points, where the structure abuts an alley right-of-way, and where there is a ground floor pedestrian-oriented use as specified in subsection b.i. above.
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- (B) **Parking Structures in the AC, OC, RMU, and MMU Districts**
Level 2 Buffer landscaping shall be planted around the perimeter of the parking structure, except at vehicular and pedestrian ingress and egress points, where the structure abuts an alley right-of-way, and where there is a ground floor pedestrian-oriented use as specified in subsection b.i. above. The Level 2 Buffer landscaping planting area minimum and minimum average widths may be 6 feet.
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- (C) **Waiver Provision**
The director may waive the required landscaping for sides of a parking structure that directly abut another building.
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6. **Vehicle Parts and Supplies**
- a. **Definition**
The display and sale of new, reconditioned, or rebuilt parts, supplies, or equipment for automobiles, motorcycles, trucks, vans, trailers, recreational vehicles, aircraft, boats, mobile homes, or snowmobiles.
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- b. **Use-Specific Standard**
No dismantling or wrecking of vehicles or machinery may occur on site. Uses that include dismantling and wreckage are classified by this title as "junkyards."
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7. **Vehicle-Large, Sales and Rental**
- a. **Definition**
An establishment engaged in the display, sale, leasing, or rental of new or used motor vehicles. Vehicles include, but are not limited to, automobiles, light trucks, vans, trailers, recreational vehicles, and mobile homes.
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- b. **Use-Specific Standards**
- i. Vehicles shall be in operable condition, and no repair work shall be done except minor incidental repair and necessary reconditioning of vehicles to be displayed and sold on the premises.
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- ii. At any given time, no more than five percent of the vehicle inventory on the lot, not including Class A and C motorhomes, shall have a gross vehicular weight rating (GVWR) of more than 12,000 lbs.

- 1 **8. Vehicle-Small, Sales and Rental**
- 2 **a. Definition**
- 3 An establishment engaged in the display, sale, leasing, or rental of small
- 4 motor vehicles. Vehicles include, but are not limited to: motorcycles,
- 5 personal watercraft (jet skis), utility trailers, snowmobiles, and all-terrain
- 6 vehicles (ATVs).
- 7
- 8 **b. Use-Specific Standards**
- 9 i. Vehicles shall be in operable condition, and no repair work shall
- 10 be done except minor incidental repair and reconditioning of
- vehicles to be displayed and sold on the premises.
- 11
- 12 **9. Vehicle Service and Repair, Major**
- 13 **a. Definition**
- 14 An establishment engaged in the major repair and maintenance of
- 15 automobiles, motorcycles, trucks, vans, trailers, recreational vehicles,
- 16 mobile homes, or snowmobiles. Services include all activities listed in
- 17 “Vehicle Service and Repair, Minor”, as well as engine, transmission or
- 18 differential repair or replacement; body, fender, muffler, or upholstery
- work; and painting.
- 19
- 20 **10. Vehicle Service and Repair, Minor**
- 21 **a. Definition**
- 22 An establishment engaged in light maintenance activities such as engine
- 23 tune-ups; oil change and lubrication; carburetor cleaning; muffler
- 24 replacement; brake repair; car washing; seasonal tire shops; and
- 25 detailing and polishing. Vehicle parts are sold and are ordinarily installed
- 26 on the premises. Major automotive repairs, including but not limited to
- 27 engine, transmission or differential repair or replacement, or body and
- 28 fender work, are prohibited except where specifically permitted by this
- title or by the terms of a conditional use.
- 29
- 30 **b. Use-Specific Standards for Carwash Bays and Vehicle Repair Bays**
- 31 i. In the RMU district, to the maximum extent feasible, the entrance
- 32 to a car wash bay or vehicle repair bay shall not face the primary
- street frontage.
- 33
- 34 ii. In the RMU district, notwithstanding the general setback
- 35 requirements in chapter 21.06, a 20-foot setback for vehicle
- 36 service areas, bays, or canopies is required from any adjacent
- 37 street. The setback shall be landscaped with L3 Separation
- 38 landscaping, in order to screen the automotive wash, repair, or
- maintenance facility from view from adjacent streets.
- 39
- 40 iii. Vehicle wash or service bays facing a rear or side setback shall
- 41 be screened from adjacent residential properties by a screening
- wall or fence of at least six feet in height.
- 42
- 43 iv. Outdoor vacuuming facilities must be screened by a sound-
- mitigating barrier when they are adjacent to residential uses.

1 **L. Visitor Accommodations**

2 This category includes visitor-serving facilities that provide temporary lodging in guest
3 rooms or guest units, for compensation, and with an average length of stay of less than
4 30 days. Accessory uses may include pools and other recreational facilities for the
5 exclusive use of guests, limited storage, restaurants, bars, meeting facilities, and offices.
6 Specific use types include:

7 **1. Camper Park**

8 **a. Definition**

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

15 **b. Use-Specific Standards**

16 **i. Location and Access**

17 A camper park shall have a minimum of 40 feet of frontage upon
18 a collector or street of greater capacity. No entrance to, or exit
19 from, a camper park shall be through a residential district or shall
20 provide access to any street other than collector or street of
21 greater capacity.

22 **ii. Occupancy and Length of Stay**

23 Spaces in camper parks may be used by campers, recreational
24 vehicles, equivalent facilities constructed on automobiles, tents,
25 or short-term housing or shelter arrangements or devices. The
26 occupants of such space shall remain in the camper park a
27 period not to exceed 30 days.

28 **2. Extended-Stay Lodgings**

29 **a. Definition**

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

35 **b. Use-Specific Standards**

36 **i.**A kitchen area separate from the living or sleeping area shall be
37 provided in all units, and cooking may be done only in the
38 kitchen area.

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

41 **iii.**Extended-stay lodgings in the RM-3 or RM-4 districts shall be
42 subject to the applicable multi-family building development and
43 design standards in section 21.07.100., and shall be subject to
44 the multi-family residential parking standards in section
45 21.07.090. In the RM-3 or RM-4 districts, extended-stay

lodgings shall adhere to the maximum floor area ratio permitted for multi-family dwellings.

3. **Hostel**

a. **Definition**

An overnight lodging facility containing between six and 19 guest rooms or up to 60 pillows. Sleeping accommodations may be dormitory-style and shared kitchen facilities may be available to the guests.

4. **Hotel**

a. **Definition**

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

b. **Use-Specific Standard**

Any use that involves the retail sale of alcohol is subject to the Assembly Alcohol Approval process; see section 21.05.020A.

5. **Inn**

a. **Definition**

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

b. **Use-Specific Standards**

i. Any use that involves the retail sale of alcohol is subject to the Assembly Alcohol Approval process; see section 21.05.020A.

ii. Inns in the RM-3 or RM-4 districts shall be subject to the applicable multi-family building development and design standards in section 21.07.100., and the multi-family building parking standards in section 21.07.090. In the RM-3 or RM-4 districts, inns shall adhere to the maximum floor area ratio permitted for multi-family dwellings.

6. **Motel**

a. **Definition**

An establishment that provides individual sleeping accommodations, containing six or more guestrooms, with the majority of rooms having direct access to the outside without the necessity of passing through the main lobby of the building. This use includes auto courts and motor lodges.

b. **Use-Specific Standards**

Any use that involves the retail sale of alcohol is subject to the Assembly Alcohol Approval process; see section 21.05.020A.

1 **7. Recreational and Vacation Camp**

2 **a. Definition**

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

7 **21.05.060 INDUSTRIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

8 This section defines the general industrial use categories and specific industrial use types listed
9 in tables 21.05-1 and 21.05-2. This section also contains use-specific standards that apply to
10 specific use types. The use-specific standards apply regardless of whether the use type is
11 permitted as a matter of right, subject to a site plan review process, or subject to the conditional
12 use process.

13 **A. Industrial Service**

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

21 **1. Data Processing Facility**

22 **a. Definition**

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

26 **2. General Industrial Service**

27 **a. Definition**

28 Establishments engaged in the repair or servicing of agricultural,
29 industrial, business, or consumer machinery, equipment, products, or by-
30 products. Examples include: welding shops; machine shops; tool repair;
31 electric motor repair; repair of scientific or professional instruments;
32 repair, storage, salvage, or wrecking of heavy machinery, metal, and
33 building materials; heavy truck servicing and repair; aircraft servicing and
34 repair; tire retreading or recapping; exterminators; gas and liquid fuel
35 distributors; large commercial dry cleaning and carpet cleaning plants;
36 and vending machine sales and service. Accessory activities may
37 include retail sales, offices, parking, and storage.

38 **3. Governmental Service**

39 **a. Definition**

40 A facility housing government shops, maintenance, and repair centers,
41 and equipment storage yards.

42 **b. Use-Specific Standard**

43 L4 Screening landscaping is required where adjacent to residential
44 zones.

1 **4. Research Laboratory**

2 **a. Definition**

3 A facility that is designed or equipped for basic or applied research or
4 experimental study, testing, or analysis in the natural sciences or
5 engineering, including any educational activities associated with and
6 accessory to such research. The use does not include facilities for the
7 manufacture or sale of products except as incidental to the main purpose
8 of the laboratory.

9 **B. Manufacturing and Production**

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

20 **1. Cottage Crafts**

21 **a. Definition**

22 An establishment engaged in small-scale assembly and arts-and-crafts
23 production by hand manufacturing involving the use of hand tools and
24 small-scale equipment. Examples include, but are not limited to: candle
25 making, artisan woodworking, art studio/gallery, artisan pottery and
26 jewelry production, and the like. Cottage crafts are less intensive than,
27 and do not have the off-site impacts often associated with, general
28 industrial uses.

29 **b. Use-Specific Standards**

30 **i. Production and Sale of Cottage Crafts**

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

39 **ii. Prohibitions**

40 The outdoor storage of materials related to the production and
41 sale of cottage crafts is prohibited. The use of equipment,
42 materials, or processes that create hazards, noise, vibration,
43 glare, fumes, or odors detectable to the normal senses off-site is
44 prohibited.

45 **2. Commercial Food Production**

46 **a. Definition**

47 An establishment engaged in providing food services at institutional,
48 governmental, commercial, industrial, and other locations of other

1 businesses. Examples include airline food services, cafeterias, and
 2 catering companies that prepare food for consumption at an off-premise
 3 customer site.

4 **3. Manufacturing, Heavy**

5 **a. Definition**

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

16 **4. Manufacturing, Light**

17 **a. Definition**

18 An establishment engaged in the manufacture, predominantly from
 19 previously prepared materials, of finished products or parts, including
 20 processing, fabrication, assembly, treatment and packaging of such
 21 products, and incidental storage, sales, and distribution of such products,
 22 but excluding basic industrial processing. Examples include, but are not
 23 limited to: airplane, automobile, or truck assembly; repair of railroad
 24 equipment; beverage manufacture and brewery; boatbuilding; cabinet
 25 shops; machine or blacksmith shops; metalworking or welding shops;
 26 paint shops; processing and/or dressing of skins; steel fabrication shops
 27 or yards; and printing, publishing, and lithography.

28 **5. Natural Resource Extraction, Organic and Inorganic**

29 **a. Definition**

30 The development or extraction of organic and/or inorganic material from
 31 its natural occurrences on affected land. This use includes placer mining
 32 operations in which rock byproduct is removed from the premises. This
 33 use shall also include commercial or industrial operations involving
 34 removal of timber, native vegetation, peat, muck, topsoil, fill, sand,
 35 gravel, or rock, or any other mineral and other operations having similar
 36 characteristics. This use includes only operations of a scale involving
 37 50,000 cubic yards or more of material. Site preparation as part of the
 38 development of a subdivision under a subdivision agreement is not
 39 included.

40 **b. Use-Specific Standards (also apply to "Natural Resource Extraction,
 41 Placer Mining")**

42 **i. General Standards**

43 The following general standards apply in all districts:

44 **(A) Limit on Site Size**

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

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- (B) *Water Discharge Permit*
Placer mining operations are subject to a wastewater discharge permit issued by the state department of environmental conservation.
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- (C) *Required Submittals*
In addition to the general submittal requirements applicable to all site plans specified in the title 21 user's guide, additional submittal requirements are specified in that guide for natural resource extraction. The site plan shall be subject to review and approval of the department of project management and engineering for drainage, erosion, and sedimentation control; for conformance with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit and other applicable EPA guidelines; and for compliance with generally accepted sound engineering principles.
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- (D) *Standards for Approval*
In addition to the conditional use standards of approval at 21.03.070D, the planning and zoning commission may approve a natural resource extraction conditional use only if the commission finds that the use also meets the following standards:
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- (1) Principal access to the site shall minimize the use of residential streets, and access roads shall be treated in a manner to make them dust free. Where access roads intersect collectors or arterials, suitable traffic controls shall be established.
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- (2) The extraction operations will not pose a hazard to the public health and safety.
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- (3) The extraction operations will not generate noise, dust, surface water runoff or traffic that will unduly interfere with surrounding land uses.
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- (4) The restoration plan for the site ensures that, after extraction operations cease, the site will be left in a safe, stable, and aesthetically acceptable condition. The site shall either be restored generally to its pre-excavation contours, or as appropriate for the future use of the land.
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- (5) The proposed use meets such additional standards for natural resource extraction conditional uses as the director may establish by regulation pursuant to AMC chapter 3.40.

1 **6. Natural Resource Extraction, Placer Mining**

2 **a. Definition**

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

7 **b. Use-Specific Standards**

8 Placer mining shall comply with the use-specific standards set forth
9 above for "Natural Resource Extraction, Organic and Inorganic."

10 **C. Marine Facility**

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

15 **1. Aquaculture**

16 **a. Definition**

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

19 **2. Facility for Combined Marine and General Construction**

20 **a. Definition**

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

23 **3. Marine Operations**

24 **a. Definition**

25 Establishments engaged in light industrial manufacturing, processing, or
26 storage operations, that are water-dependent and water-related.
27 Examples include, but are not limited to: cargo handling facilities,
28 including docking, loading, and related storage; fabrication, storage, and
29 repair of fishing equipment; facilities for marine construction and salvage;
30 facilities for marine pollution control, petrochemical cleanup, and
31 servicing of marine sanitation devices; facilities for processing of
32 products harvested from the ocean; facilities for manufacturing ice;
33 marine industrial welding and fabricating; seafood packaging, packing,
34 storage, loading, and distribution facilities; shipbuilding and facilities for
35 construction, maintenance, and repair of vessels; marine repair yards,
36 boat fabrication, boat storage, and marine machine shops; marine
37 transport services, including ferries, public landings and boat launches,
38 commercial vessel berthing, excursion services, hovercraft, and boat
39 rentals; recreational and commercial fishing and boating activities;
40 tugboat, fireboat, pilot boat; coast guard, and similar services; uses that
41 provide pedestrian access to the waterfront; wharves, docks, ramps, and
42 piers; marine police, harbormaster, and other marine enforcement
43 agencies; harbor and marine supplies and services, and ship supply,
44 such as fueling and bunkering of vessels; and aids to navigation.

1 **4. Marine Wholesaling**

2 **a. Definition**

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

5 **D. Warehouse and Storage**

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

11 **1. Bulk Storage of Hazardous Materials**

12 **a. Definition**

13 An establishment primarily engaged in the bulk storage of hazardous
14 materials, including liquefied petroleum gas, for wholesale sale.

15 **b. Use-Specific Standards**

16 Any new facilities for the storage and/or dispersion of hazardous
17 materials, or expansion of existing facilities for the storage and/or
18 dispensing of hazardous materials, shall occur at least 1,000 feet from a
19 residential or mixed-use district, school, hospital, or place of public
20 assembly.

21 **2. Motor Freight Terminal**

22 **a. Definition**

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

25 **b. Use-Specific Standards**

26 i. Loading, parking, and maneuvering space shall be entirely on
27 private property.

28 ii. No part of any terminal shall be located less than 200 feet from
29 any residential use or property zoned residential.

30 **3. Self-Storage Facility**

31 **a. Definition**

32 A completely enclosed structure(s) containing three or more areas or
33 rooms available for lease or rent for the purpose of the general storage
34 of household goods and business or personal property, where the leasee
35 of the unit is provided direct access to deposit or store items. Also
36 known as a "ministorage facility."

37 **b. Use-Specific Standards**

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

40 i. *Size of Site; Traffic Access*

41 The self-storage site shall contain no less than one-half acre and
42 no more than ten acres, and the vehicle storage site shall
43 contain no less than one acre and no more than ten acres. The
44 site shall have direct driveway access from a street constructed

- 1 to appropriate municipal standards as described in chapter
2 21.08, and as required by the traffic engineer.
- 3 **ii.** *Dimensional Standards*
4 Notwithstanding the general dimensional standards in chapter
5 21.06, the following specific standards apply:
- 6 **(A)** *Maximum Lot Coverage By All Buildings*
7 50 percent.
- 8 **(B)** *Maximum Height of Structures*
9 35 feet. Structures over 35 feet in height shall require
10 conditional use approval.
- 11 **iii.** *Parking*
12 There shall be a minimum on-site queue lane length of 50-feet
13 and 24-feet wide for vehicles entering a security gate. The width
14 of the gate shall be excluded from this requirement.
- 15 **iv.** *Paving and Drainage*
16 **(A)** All driveways, interior aisles, and walkways shall be
17 paved to municipal standards.
- 18 **(B)** Provisions shall be made to prevent any contamination
19 of the domestic water supply or to prevent excessive or
20 contaminated surface runoff from the site onto adjoining
21 lands or streams. Drainage flow patterns shall be shown
22 on the site plan or a separate approved map. If plans
23 indicate that surface drainage will be carried off, the site
24 plan shall be subject to the approval of the department of
25 project management and engineering. If applicable,
26 drainage shall comply with section 21.07.040.
- 27 **v.** *Curb Cuts*
28 Access shall be as approved by the traffic engineer. The width
29 and distance of any access from any property line or street
30 intersection will be subject to the approval of the traffic engineer
31 or the state department of transportation and public facilities.
- 32 **vi.** *Permitted Accessory Uses*
33 The facility may provide two on-site dwelling units for use by an
34 on-site caretaker, manager, or owner of the site.
- 35 **vii.** *Outside Storage of Vehicles or Equipment*
36 Any outside vehicle storage is a conditional use in the AC
37 district.
- 38 **viii.** *Storage of Hazardous Substances*
39 The storage of explosives, radioactive materials, or any other
40 hazardous chemicals, or flammable materials as defined by
41 municipal code, is prohibited.
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- ix. Prohibited Uses Within Storage Units**
Except for work performed ancillary to the operation of the self-storage facility, the following uses are prohibited from occurring within a self-storage facility or vehicle storage rental unit or space:
- (A)** Any type of servicing, repair, or fabrication of vehicles, boats, trailers, lawn mowers, appliances, or any other equipment.
 - (B)** The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
 - (C)** Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.
- x. Fencing and Landscaping**
- (A)** All site boundaries shall be fenced with a sight-obscuring fence structure at least eight feet high. No fencing shall be required on the portion of site boundaries where a structure, excluding connexes, abuts either side of the lot line. The design of the sight-obscuring structure shall be architecturally compatible with the surrounding properties and shall be approved by the department.
 - (B)** Where a self storage or vehicle storage facility abuts a commercially zoned district, L2 Buffer landscaping shall be required external to the sight-obscuring fence. Where lot lines for these facilities abut a residential district, 15 feet of landscaping shall be required. No landscaping shall be required on the portion of site boundaries where a structure, excluding connexes, abuts either side of the lot line, unless otherwise required by this title.
 - (C)** The structure shall be maintained in a safe, sound, and orderly condition, and shall be kept free of any advertising matter other than signs permitted by this title. Security wire, such as concertina or razor wire and barbed wire is permitted, but only if inverted inside the fence, and not visible from outside the fence.
 - (D)** All areas internal to the site not devoted to building structures, driveways, landscaping, designated snow storage areas and walkways shall be paved to municipal standards as prescribed by the traffic engineer. Snow storage areas, as designated on a site plan approved by the department of building safety, shall be provided in accordance with the requirements of building safety and municipal engineering requirements.

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- xi.** *Vehicle Storage Yards*
The yard may not be used to display or advertise any merchandise for sale, including vehicles. No salvaging, dismantling, or disassembly of vehicles is permitted in a vehicle storage yard.
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- xii.** *Financial Guarantees*
The department may require a financial guarantee to ensure installation of required landscaping, fencing, paving, or mitigation of any environmental impacts or contamination to the site or surrounding land in accordance with section 21.08.060, *Subdivision Agreements*.
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- xiii.** *Containerized Storage Units in Conjunction with Self-Storage Facilities*
In the AC district, containerized storage shall be prohibited in conjunction with vehicle storage yards, and shall only be permitted in conjunction with self-storage facilities in accordance with conditional use approval under this subsection. The following standards shall apply to the use of containerized storage units in conjunction with permitted self-storage facilities:
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- (A)** A containerized storage unit shall be a factory-built shipping container, meeting the standards of the U.S. Department of Transportation.
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- (B)** Containerized storage units may be utilized for storage, provided they are limited to one unit in height (no stacking), have uniform roll up doors or swing doors, uniform exterior façade materials and colors.
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- (C)** A containerized storage unit shall be subject to the requirements for any required permitting, as set forth in the Anchorage Municipal Code of Ordinances.
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- xiv.** *Existing Self Storage and Vehicle Storage Operations*
Self-storage and vehicle storage operations existing on or before the date of adoption of this title shall be deemed to be approved site plans and uses and not nonconforming uses or structures. Notwithstanding the provisions of chapter 21.11, *Nonconformities*, where self-storage and vehicle storage operations exist and have been in continuous existence since the date of adoption of this section, that use may continue provided the owner thereof complies with the following:
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- (A)** *Site Enhancement Plan Required*
Any self-storage or vehicle storage operation existing prior to the adoption of this section that does not comply with the requirements of this section related to sight-obscuring fencing, required landscaping external to said fencing, and elimination of security razor or concertina security wire at the top of a fence shall obtain approval by the director of, and agree to implement, a site enhancement plan for the property. This site

1 enhancement plan shall be submitted to the director
2 within 10 years of October 26, 2004, or within 24 months
3 of sale or transfer of ownership of the site, whichever
4 comes first. The intent of this site enhancement plan is
5 to bring the property as closely as reasonably possible
6 into compliance with the above noted subsection without
7 impeding existing operations.

8 **(B)** *Contents of Site Enhancement Plan*

9 The site enhancement plan shall include:

- 10 **(1)** A graphic and legal description of the plan area.
- 11 **(2)** Existing fencing and fencing types on the site.
- 12 **(3)** Current vegetation external to perimeter fencing,
13 if any.
- 14 **(4)** Vehicular access points, including ingress and
15 egress points, and queuing lanes.
- 16 **(5)** Proposed modifications to bring the property
17 into compliance with the intent of the standards
18 of this section, but only for the following items:
19 sight-obscuring fencing, required landscaping
20 external to said fencing on any side of the
21 property abutting a residential zoning district or a
22 major or minor arterial, if the side is not
23 otherwise obscured from view by other
24 landscaping, naturally-vegetated areas, natural
25 features or buildings located on adjoining
26 properties, and in all instances elimination of
27 barbed, razor and concertina or other security
28 wire, unless the security wire is inverted inside
29 the fence and not visible from outside the fence.
- 30 **(6)** It is the intent of this section that owners of
31 existing facilities not be required to move
32 existing fences or change existing operations.

33 **(C)** *Narrative Statement Required*

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

- 38 **(1)** The method of securing the area to prevent
39 casual access.
- 40 **(2)** A proposed schedule that specifies the date and
41 methods by which the owner will come into
42 compliance with the intent of this section.

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- 1 (3) A description of current operations and uses that
2 take place on the site.
- 3 (D) *Implementation of Approved Site Enhancement Plan*
4 The director shall set a reasonable period of time for
5 implementation of the approved site enhancement plan.
6 Adequacy of the site enhancement plan shall be based
7 on evidence presented by the owner, which may include
8 the following:
- 9 (1) The location and size of the property and the
10 self-storage and/or vehicle storage use,
11 including topography and related physical
12 constraints of the site.
- 13 (2) History of the use of the property as a self-
14 storage and/or vehicle storage use, including
15 information about the length of time it has
16 existed as that use and any relevant permits or
17 other official regulatory documents related to the
18 use of the property as a self- storage and/or
19 vehicle storage use.
- 20 (3) A map of the subject property indicating the
21 location of all parcels of real property within a
22 distance of 300 feet from the exterior boundary
23 of the subject property, showing the zoning
24 district boundaries.
- 25 (4) The compatibility of the operation with
26 surrounding neighborhoods, and with prevention
27 of noise, dust, safety hazards, traffic congestion,
28 aesthetic deterioration and other adverse
29 environmental effects.
- 30 (5) Any other information the property owner may
31 wish to submit in order to make his or her case.
- 32 (E) *Decision by Director*
33 Upon receipt of a site enhancement plan pursuant to
34 subsection xiv.(A). above, the director shall make a
35 determination within 60 days of submittal of the site
36 enhancement plan. The decision of the director shall be
37 in writing and sent by certified mail to the address listed
38 in the owner's application.
- 39 (F) *Appeals*
40 A decision of the director is final unless appealed within
41 30 days of its receipt by the owner of the property.
42 Appeal is to the zoning board of examiners and appeals.
43 Only the applicant may appeal the decision of the
44 director. An appeal from a decision of the zoning board
45 of examiners and appeals may be brought in superior
46 court.

(G) Abandonment

If the owner of property on which a self-storage or vehicle storage facility subject to this section is located fails, within 10 years, to submit a site enhancement plan for approval, or if an approved site enhancement plan has not been implemented within that period of time, the director shall send a notice by certified mail to the property owner that the use will be considered abandoned if, within 6 months a site enhancement plan has not been submitted. An owner so notified, who then timely submits a site enhancement plan, shall have 1 year after approval of its site enhancement plan to implement it, and an owner with a previously-approved site enhancement plan shall have 1 additional year to complete the plan's implementation. This section shall not apply to any self-storage and/or vehicle storage operation continuing under a planning and zoning commission-approved site plan or conditional use existing on the date of adoption of this title.

4. Storage Yard**a. Definition**

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

b. Use-Specific Standards (also apply to "Junkyard")**i. Location of Site**

(A) A storage yard shall not be located within 300 feet of any academic school, hospital, governmental facility (except governmental service), or any other place of public assembly.

(B) A junkyard shall not be located within 500 feet of any academic school, hospital, governmental facility (except governmental service), residential subdivision, or place of public assembly.

ii. Minimum Lot Size and Width

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

iii. Limits on Outdoor Storage

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

iv. Screening

L4 Screening landscaping is required where adjacent to residential districts.

1 v. *Drainage; Protection of Water Supply*
2 Provisions shall be made to prevent any contamination of the
3 domestic water supply or excessive surface runoff from the
4 property into adjoining lands or streams. The drainage plan that
5 carries water off the site shall be subject to the approval of the
6 department of project management and engineering. Failure to
7 prevent such contamination of the domestic water supply or to
8 prevent excessive surface runoff from the site onto adjoining
9 lands or streams shall be cause for the conditional use to be
10 rescinded and the junkyard to be removed at the cost of the
11 owner of the land upon which it is located.

12 5. **Warehouse**
13 a. **Definition**
14 A structure containing an area available for the purpose of storing raw
15 materials, goods, or property.
16 b. **Use-Specific Standard**
17 L3 Separation landscaping is required where adjacent to residential
18 districts.

19 6. **Wholesale Establishment**
20 a. **Definition**
21 An establishment primarily engaged in the sale or distribution of goods
22 and materials in large quantity to retailers or other businesses for resale
23 to individual or business customers. This shall not include heavy
24 manufacturing, resource extraction, scrap operations, bulk storage of
25 hazardous materials, or salvage operations.

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

34 1. **Composting Facility**
35 a. **Definition**
36 A facility where organic matter, including leaves, grass, manures, and
37 non-meat, non-biosolids waste, amassed primarily from off-site, is
38 processed by composting and/or processing for commercial purposes.
39 Activities may include management, collection, transportation, staging,
40 composting, curing, storage, marketing, or use of compost. collected
41 b. **Use-Specific Standards**
42 i. Composting facilities shall be set back at least 660 feet from any
43 lot line abutting a residential or and mixed-use district and any
44 residential use (except a residential use occupied by the owner,
45 operator or any employee of such composting facility) as such
46 zone districts or residential uses exist at the time of the
47 establishment of the composting facility.

- 1 ii. Composting facilities shall contain and treat on-site, all water
- 2 run-off that comes into contact with the feedstocks or compost, in
- 3 such manner that the run-off will not contaminate surface or
- 4 ground water.

- 5 iii. Composting facilities shall not be located in any floodway.

- 6 iv. No composting facility shall commence operation until a
- 7 nuisance condition control plan, specifying all measures to be
- 8 taken to control nuisance conditions (such as odor, noise,
- 9 scattered solid waste, dust) has been approved by the director.

10 2. **Incinerator or Thermal Desorption Unit**

11 a. **Definition**
12 An establishment that uses thermal combustion processes to destroy or
13 alter the character or composition of medical waste, hazardous waste,
14 sludge, soil or municipal solid waste (not including animal or human
15 remains). This definition does not include “rag burners” or oil heaters,
16 and short-term (less than six months) on-site remediation operations.
17 Incinerators and thermal desorption units that are accessory to other
18 principal uses must meet these use-specific standards.

19 b. **Use-Specific Standards**
20 Incinerator facilities that alter or destroy medical waste may be permitted
21 by conditional use as an accessory use to research institutes, hospitals,
22 nursing or convalescent facilities, or other uses, for which the applicant
23 shall have the burden of proof to demonstrate that the infectious waste
24 incinerator is an accessory use.

25 i. **Separation Requirements**
26 Incinerator facilities and thermal desorption units shall meet the
27 following separation distances from residential zoning districts
28 and public, private, and parochial academic schools, or meet the
29 supplemental requirements contained in subsection ii.(B). below:

30 (A) **Separation Distances for Thermal Desorption Units**
31 Facilities with a rated capacity of under 100 tons per
32 hour shall be 400 meters from the nearest emission
33 source. Facilities with a rated capacity of 100 tons per
34 hour or more shall meet the supplemental requirements
35 contained in subsection ii.(B). below.

36 (B) **Separation Distances for Incinerator Facilities**
37 Separation distances for incinerator facilities are as
38 follows:

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TABLE 21.05-3: SEPARATION DISTANCES FOR INCINERATOR FACILITIES				
Rated Capacity (lbs./hour)	Distance from Nearest Emission Source (meters)			
	400	700	1,000	1,200
Under 500	X			
500--1,000		X		
1,001--1,500			X	
1,501--2,000				X
Facilities with a rated capacity greater than 2,000 pounds per hour must meet supplemental requirements contained in subsection II.(B).				

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- ii. *Additional Requirements*
 In addition to standard materials required for all conditional use applications, all applicants for a conditional use for an incinerator facility or thermal desorption unit shall submit the following:
 - (A) *Information Pertaining to Incineration Process*
 The applicant must provide the following information pertaining to the proposed incineration process:
 - (1) A description of the incineration operation, including equipment to be used.
 - (2) The type and quantity of material that will be processed.
 - (3) Operating hours and conditions.
 - (4) Plans for storing the material to be burned.
 - (5) A disposal plan for waste generated from the incineration process.
 - (6) The location of points of vehicular access to the site and projected traffic counts for each.
 - (7) A description of the permitting process required for operation of the incinerator.
 - (8) Such other materials as the director may require by regulation pursuant to AMC chapter 3.40.
 - (B) *Analysis of Health Risk Required*
 An analysis of the health risk of the incinerator or thermal desorption unit must be conducted for incinerators that do not meet the separation distances contained in subsection b.i. above. The intent of the analysis is to provide information regarding the health risks of persons living close to the proposed incineration site. The municipality shall select a contractor to

1 conduct the analysis and the cost will be billed to the
2 petitioner. The analysis shall meet the following
3 requirements:

4 (1) The analysis shall utilize an EPA-approved
5 dispersion model appropriate for the type of
6 facility, and the given terrain, to estimate the
7 ambient annual average concentration of
8 contaminants from the facility. The model shall
9 be run according to EPA modeling guidelines;

10 (2) Models shall utilize a full year of local
11 meteorological data (e.g., National Weather
12 Service observations taken at the Anchorage
13 International Airport). If several years worth of
14 meteorological data are obtained, the year
15 providing the highest ambient concentrations
16 shall be used;

17 (3) All emission factors used in conjunction with the
18 model shall be documented. Acceptable
19 emission factors may be obtained from either a
20 source test conducted by the manufacturer of
21 the same or similar model as the one proposed
22 to be used or must reference a published report
23 (e.g., an article in a peer review scientific journal
24 or EPA publication);

25 (4) The report shall describe the modeling results in
26 terms of the annual concentration of each
27 identified toxic compound at the boundary of the
28 adjacent residential zoning districts as well as
29 the location and magnitude of the maximum
30 annual average concentrations found within
31 each adjacent residential district; and

32 (5) The report shall also describe the health risks
33 attributable to these concentration levels based
34 on the latest cancer risk values from the EPA's
35 Integrated Risk Information System (IRIS)
36 database. Cancer risks shall be based on the
37 risk of one additional cancer above the
38 background cancer rate per 100,000 individuals.

39 (C) *Hazardous Waste Prohibited*

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

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(D) *Standards for Facilities Not Meeting Separation Requirements*
The planning and zoning commission may approve a conditional use for an incinerator facility or thermal desorption unit that does not meet the separation distance requirement contained in subsection i. above only if the commission finds that the use meets the following standards:

- (1)** As demonstrated by the submitted health risk analysis, the proposed activity will not pose a lifetime health risk greater than one excess cancer case per 100,000 for individuals living within adjacent residentially zoned areas or attending primary or secondary schools; and
- (2)** The storage plan for the material to be burned and the waste generated by the incineration activity is adequate to prevent any runoff, groundwater contamination, airborne dust or other means for contaminants to migrate off the site.

(E) *Minimum Distance Requirements; Exceptions*
Notwithstanding the requirements of subsection B of this section, no incinerator facility or thermal desorption unit shall be located less than 400 meters from a residentially zoned district, or primary or secondary school. No new incinerator facility or thermal desorption unit may be located less than 400 meters from existing incinerators or thermal desorption units unless:

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

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

Where $I_1 + I_2 + \dots + I_N$ is the sum of the rated capacities of all incinerator facilities, in pounds per hour, within 400 meters of the proposed facility, and $T_1 + T_2 + \dots + T_N$ is the sum of the rated capacities of all thermal desorption units, in tons per hour, within 400 meters of the proposed facility. The proposed incinerator facility or thermal desorption unit shall be included in the calculation of the combined percentage rated capacity, or

- (2)** It can be demonstrated, through the procedure described in subsection ii.(B), that the combined

1 risk of all incinerators and thermal desorption
2 units operating within 400 meters of the
3 proposed facility will not pose a lifetime health
4 risk greater than one excess cancer case per
5 100,000 for individuals living within adjacent
6 residentially zoned areas or attending primary or
7 secondary schools.

8 (F) *Conditions of Approval*

9 The planning and zoning commission shall attach such
10 conditions to the approval of a conditional use for an
11 incinerator as it finds are necessary to conform the use
12 to the standards set forth in subsection B. above. These
13 conditions shall also include the following conditions:

14 (1) All conditional uses granted under this
15 subsection are subject to revocation if the
16 planning and zoning commission determines,
17 based on a recommendation by the municipal
18 department of health and human services, that
19 the operator of the incinerator failed to operate
20 according to the specifications shown in the
21 plans approved by the planning and zoning
22 commission or operate in conformance with the
23 state department of environmental conservation
24 or municipal air quality regulations. In order to
25 determine whether or not this condition is met,
26 the director of the municipal department of
27 health and human services shall have authority
28 to require monitoring for compliance with the
29 conditional use permit and to annually obtain
30 copies of the operator's monitoring or testing
31 records.

32 (2) The petitioner shall obtain all applicable permits
33 from the U.S. Environmental Protection Agency,
34 state department of environmental conservation,
35 and municipal department of health and human
36 services.

37 3. **Junkyard or Salvage Yard**

38 a. **Definition**

39 Any lot, or portion of a lot, that is used for the purpose of the outdoor
40 storage, handling, dismantling, wrecking, keeping, or sale of used,
41 discarded, wrecked, or abandoned airplanes, appliances, vehicles,
42 boats, building and building materials, machinery or equipment, or parts
43 thereof, including but not limited to scrap metals, wood, lumber, plastic,
44 fiber or other tangible materials defined under "junk" (see general
45 definitions in chapter 21.13). Auto wrecking yards and salvage or scrap
46 yards are included in this use. This does not include a composting
47 facility.

- 1 **b. Use-Specific Standards**
 2 Junkyards and salvage yards shall comply with the use-specific
 3 standards applicable to "Storage Yard" set forth above.
- 4 **4. Land Reclamation**
 5 **a. Definition**
 6 An operation engaged primarily in increasing land-use capability by
 7 changing the land's character or environment through fill or regrading.
 8 Land reclamation shall include only operations at a scale involving 5,000
 9 cubic yards or more of fill material. Site preparation as part of the
 10 development of a subdivision under a subdivision agreement is not
 11 included.
- 12 **b. Use-Specific Standards**
 13 i. If the land reclamation operation will be completed within one
 14 year, the review and approval procedure shall be an
 15 administrative site plan review. If the operation will continue for
 16 more than one year, the review and approval procedure shall be
 17 the conditional use process. If an operation was approved under
 18 the administrative site plan review process but is not completed
 19 within one year, the operation must then apply for a conditional
 20 use permit.
- 21 ii. In addition to the submittal requirements in the user's guide, an
 22 applicant for a land reclamation use shall submit the following:
- 23 **(A)** A site plan showing:
- 24 **(1)** Drainage.
- 25 **(2)** Existing and proposed topographical contours
 26 (ten-foot contour).
- 27 **(3)** Water table information.
- 28 **(4)** Points of vehicular access to the site.
- 29 **(B)** An erosion and sediment control plan.
- 30 **(C)** A description of the soil types encountered on the site.
- 31 **(D)** A landscaping plan for the period of land reclamation
 32 operations and for final restoration of the site.
- 33 **(E)** A security plan to prevent casual trespass.
- 34 **(F)** Proposed hours of operation.
- 35 **(G)** A description of land reclamation and processing
 36 operations proposed for the site.
- 37 **(H)** Projected traffic counts for each point of vehicular
 38 access to the site.

-
- 1 (I) An estimate of the quantity of materials to be imported to
2 the site and timetable, with supporting calculations
3 conforming to generally accepted engineering principles.
- 4 (J) A statement of the types of materials that will be
5 accepted at the site.
- 6 (K) Such other materials as the director may require by
7 regulation pursuant to AMC chapter 3.40.
- 8 iii. The site plan and erosion and sediment control plan required in
9 subsection ii. above shall be subject to review and approval for
10 drainage, erosion and sedimentation control; for conformance
11 with the 208 Areawide Water Quality Management Plan; and for
12 compliance with generally accepted sound engineering
13 principles.
- 14 iv. A building or land use permit is required for land reclamation.
- 15 v. In addition to the conditional use standards of approval at
16 21.03.070D., the planning and zoning commission may approve
17 a land reclamation use only if the commission finds that the use
18 also meets the following standards:
- 19 (A) Principal access to the site shall minimize the use of
20 residential streets, and access roads shall be treated in
21 a manner so as to make them dust free. Where access
22 roads intersect arterials, suitable traffic controls shall be
23 established.
- 24 (B) The site will not accept materials that are hazardous or
25 flammable.
- 26 (C) The site will not accept junk as defined in chapter 21.13.
- 27 (D) The site will not accept soils contaminated with
28 petroleum products or byproducts.
- 29 (E) The reclamation operations will not pose a hazard to the
30 public health and safety.
- 31 (F) The reclamation operations will not generate noise, dust,
32 surface water runoff, groundwater pollution, or traffic that
33 will unduly impact surrounding land uses.
- 34 (G) The restoration plan for the site ensures that, after
35 reclamation operations cease, the site will be left in a
36 safe, stable and aesthetically acceptable condition.
- 37 (H) The proposed use meets such additional standards for
38 land reclamation conditional uses as the director may
39 establish by regulation pursuant to AMC chapter 3.40.

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

5 **5. Landfill**

6 **a. Definition**

7 The burial of hazardous or non-hazardous agricultural, residential,
8 institutional, commercial, or industrial waste, including areas for the
9 disposal of building and organic material, solid waste processing, and
10 incinerator facilities. This use does not include land reclamation.

11 **b. Use-Specific Standards**

12 i. Landfills shall be set back at least 660 feet from any non-
13 industrial use, and that required setback shall be planted with L4
14 Screening landscaping.

15 ii. Landfills shall contain and treat on-site all run-off that comes into
16 contact with the waste material, in such manner that the run-off
17 will not contaminate surface or ground water.

18 iii. Landfills shall not be located in any floodway.

19 iv. No landfill shall commence operation until a nuisance control
20 plan, specifying all measures to be taken to control nuisance
21 conditions (such as odor, noise, scattered solid waste, wildlife)
22 has been approved by the director.

23 **6. Snow Disposal Site**

24 **a. Definition**

25 An area used for the concentrated storage and disposal of snow
26 transported to that site from other locations.

27 **b. Use-Specific Standards**

28 **i. Location**

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

32 **ii. Dimensional Standards**

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

36 **(A) Minimum Lot Size**

37 The minimum lot size shall be 36,000 square feet.

38 **(B) Maximum Height of Structures**

39 The maximum height of snow piles shall be 35 feet.

40 **(C) Minimum Setback Requirement**

41 The minimum setback of snow piles shall be 25 feet if
42 adjacent to a public right-of-way or to an industrial

1 zoning district, and 50 feet if adjacent to a non-industrial
2 zoning district.

3 **iii. Snow Storage Area**

4 The snow storage area shall be well defined on-site in order to
5 prevent storage of snow on adjacent properties or landscaped
6 areas. This may be accomplished through location, landscaping,
7 fencing, and/or signs.

8 **iv. Screening Fence or Berm**

9 An earthen berm or a screening structure, either at least six feet
10 high, shall be constructed within every setback adjacent to a
11 public right-of-way or to a non-industrial zoning district. Site
12 enhancement landscaping, or another ground cover acceptable
13 to the planning and zoning commission, shall be planted on the
14 berm and within the area between the berm and the lot line for
15 the site. The planning and zoning commission may require
16 construction of a berm or fence within other setback areas in
17 order to restrict casual access, to confine the operations within
18 the site, to reduce noise and glare and to ensure compatibility of
19 the operation with adjacent uses.

20 **v. Drainage and Water Quality Facilities**

21 The on-site and off-site drainage network shall handle water
22 runoff and snow melt without impacting adjacent properties.
23 Drainage and meltwater disposal shall comply with the municipal
24 *Design Criteria Manual* sections regarding snow disposal sites
25 and drainage.

26 **vi. Noise, Dust and Litter**

27 **(A) Noise**

28 If the level of noise from the activity at the snow disposal
29 site, measured at the property line of any residential or
30 noise-sensitive use such as a public building, academic
31 school, or other place of public assembly within one half
32 mile of the snow disposal site, shall exceed the
33 standards stated in AMC subsection 15.70.080A, then
34 the site plan shall identify mitigation measures.

35 **(B) Dust and Litter Control**

36 A dust control and litter plan shall be established and
37 implemented. Trash collection/removal shall be done in
38 a manner so that there are no dust or litter impacts to
39 adjacent properties or public rights-of-way.

40 **7. Solid Waste Transfer Facility**

41 **a. Definition**

42 An establishment for the processing, transfer and/or disposal of
43 hazardous or non-hazardous solid waste.

44 **b. Use-Specific Standards**

45 All such uses shall comply with the following standards:

46

- 1 i. *Location of Site*
2 A solid waste transfer facility shall not be located within 500 feet
3 of any academic school, hospital, governmental facility (except
4 governmental service), residential subdivision, or place of public
5 assembly.
- 6 ii. *Minimum Lot Size and Width*
7 Notwithstanding the general dimensional standards set forth in
8 chapter 21.06, the minimum lot size for a solid waste transfer
9 facility shall be two acres. The minimum lot width shall be 150
10 feet.
- 11 iii. *Limits on Outdoor Storage*
12 Outdoor storage shall not exceed 35 feet in height. No outdoor
13 storage, operations, or donations shall occur within the required
14 front or side setback as set forth in chapter 21.06.
- 15 iv. *Screening*
16 In addition to any landscaping required under section 21.07.080,
17 *Landscaping, Screening, and Fences*, the facility shall be
18 surrounded by a solid, opaque fence that is at least eight feet
19 high, located no less than 100 feet from any public right-of-way,
20 and located no less than 50 feet from an adjacent property.

21 **21.05.070 ACCESSORY USES AND STRUCTURES**

- 22 **A. Purpose**
- 23 This section authorizes the establishment of accessory uses that are incidental and
24 customarily subordinate to principal uses. An accessory use is “incidental and
25 customarily subordinate” to a principal use if it complies with the standards set forth in
26 this section.
- 27 **B. General Standards**
- 28 All accessory uses shall comply with the general standards in this subsection B.
- 29 **1. Approval of Accessory Uses and Structures**
- 30 a. All principal uses allowed in a zoning district shall be deemed to include
31 the accessory uses, structures, and activities set forth in this section,
32 unless specifically prohibited.
- 33 b. See also sections 21.05.030 through 21.05.060 above, in which
34 incidental or accessory uses are sometimes included in the description of
35 a specific principal use category or use type. When a definition does
36 include permitted accessory or incidental uses, such accessory or
37 incidental uses shall be subject to the general standards set forth in this
38 subsection B., the zoning district limitations in subsection C. below, as
39 well as any use-specific standards set forth in subsections D. and E.
40 below.
- 41 **2. Compliance with Ordinance Requirements**
- 42 a. All accessory uses and structures shall be subject to the standards set
43 forth in this section and the dimensional standards of chapter 21.06. If

1 the case of any conflict between the standards of this section and any
2 other requirement of this title, the standards of this section shall control.

3 b. Any use listed in subsections 21.05.030 through 21.05.060 is allowed as
4 an accessory use to a residential use if the accessory use meets the
5 standards of a "home occupation" at subsection 21.05.070D.14. If the
6 accessory use exceeds the standards of a "home occupation", then the
7 accessory use shall meet the standards of subsections 21.05.010
8 through 21.05.070, which dictate in which districts the use is allowed,
9 and any use-specific standards.

10 c. Accessory uses shall comply with all standards of this title applicable to
11 the principal use with which they are associated. Parking requirements
12 shall be met for both the principal use, as specified in section 21.07.090,
13 and any additional requirements for the accessory use, if applicable and
14 specified in this section.

15 **3. Dimensional Standards for Accessory Buildings and Structures**

16 a. **Same Lot**
17 The accessory use or structure shall be conducted and/or located on the
18 same lot as the principal use.

19 b. **Location of Accessory Structures**
20 No accessory structure shall be erected or maintained in any required
21 setback, except that:

22 i. Buildings accessory to a residential use and allowed by this
23 section 21.05.070 may be erected in a required rear setback that
24 is adjacent to an alley;

25 ii. Two sheds, each 150 square feet or less, a maximum of 12 feet
26 in height, and not attached to a foundation, may be erected in a
27 required side or rear setback; and

28 iii. Dog runs and dog houses not attached to a foundation and
29 allowed by this section 21.05.070 may be erected in a required
30 side or rear setback.

31 **4. Same Ownership Required**
32 The principal use and the accessory use shall be under the same ownership.

33 **5. Temporary Accessory Uses and Structures**
34 Temporary accessory uses and structures shall be governed by the temporary
35 use standards set forth in section 21.05.080 of this title.

36 **C. Table of Allowed Accessory Uses**

37 Tables 21.05-4 and 21.05-5 below list the accessory uses allowed within all base zoning
38 districts. Each of the listed uses is defined in subsection D. below.

39 **1. Explanation of Table Abbreviations**

40 a. **Permitted Uses**
41 "P" in a cell indicates that the accessory use is allowed by right in the
42 respective zoning district. Permitted uses are subject to all other

- 1 applicable regulations of this title, including the use-specific standards in
 2 subsection D. below and the development and design standards set forth
 3 in chapter 21.07.
- 4 **b. Administrative Site Plan Review**
 5 “S” in a cell indicates that the accessory use requires administrative site
 6 plan review in the respective zoning district in accordance with the
 7 procedures of section 21.03.080B, *Administrative Site Plan Review*.
- 8 **c. Conditional Uses**
 9 “C” in a cell indicates that, in the respective zoning district, the accessory
 10 use is allowed only if reviewed and approved as a conditional use in
 11 accordance with the procedures of section 21.03.070, *Conditional Uses*.
- 12 **d. Prohibited Uses**
 13 A blank cell indicates that the accessory use is prohibited in the
 14 respective zoning district.
- 15 **e. Use-Specific Standards**
 16 Regardless of whether an accessory use is allowed by right or subject to
 17 administrative site plan review or conditional use, there may be
 18 additional standards that are applicable to the use. The existence of
 19 these use-specific standards is noted through a section reference in the
 20 last column of the table. References refer to subsection D. below.
 21 These standards apply in all districts unless otherwise specified.
- 22 **f. Unlisted Accessory Uses or Structures**
 23 An accessory use or structure that is not listed in tables 21.05-4 and
 24 21.05-5 shall comply with all standards set forth in subsection B. above.
- 25 **g. Tables of Permitted Accessory Uses and Structures**
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TABLE 21.05-4: TABLE OF ACCESSORY USES – RESIDENTIAL DISTRICTS												
P = Permitted S = Administrative Site Plan Review												
Accessory Uses	R S	R S 2	R T	R M 1	R M 2	R M 3	R M 4	R L 1	R L 2	R L 3	R L 4	Use- Specific Standards
Accessory dwelling unit (ADU)		P	P	P	P	P		P	P	P	P	21.05.070.D.1.
Adult care (up to 8 clients)	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.2.
Bed and breakfast (up to 3 guestrooms)	P	P	P	P	P	P		P	P	P	P	21.05.070.D.3.
Bed and breakfast (4 or 5 guestrooms)	S	S	S	S	S	S		S	S	S	S	21.05.070.D.3.
Beekeeping	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.4.
Child care (up to 8 children)	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.6.
Computer-aided learning center						P	P					21.05.070.D.7.

TABLE 21.05-4: TABLE OF ACCESSORY USES – RESIDENTIAL DISTRICTS												
P = Permitted S = Administrative Site Plan Review												
Accessory Uses	R S	R S 2	R T	R M 1	R M 2	R M 3	R M 4	R L 1	R L 2	R L 3	R L 4	Use- Specific Standards
Dormitory		S				S	S	S	S	S	S	21.05.070.D.8.
Family self-sufficiency Service						P	P					21.05.070.D.10.
Farm, hobby		P						P	P	P		
Garage or carport, private residential	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.12.
Home- and garden-related use	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.13.
Home occupation	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.14.
Outdoor keeping of animals	P	P	P	P	P			P	P	P	P	21.05.070.D.15.
Paddock, stable, or barn	P	P	P	P	P			P	P	P		21.05.070.D.18.
Private outdoor storage of non-commercial equipment accessory to a residential use	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.19.
Residential care (up to 8 clients)	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.20.
Vehicle repair/rebuilding, outdoor, hobby	P	P	P	P	P			P	P	P	P	21.05.070.D.21.

TABLE 21.05-5: TABLE OF ACCESSORY USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS

Accessory Uses	P = Permitted			S = Administrative Site Plan Review					C = Conditional Use Review											Use-Specific Standards	
	N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	I C	I 1	I 2	N M U	C M U	R M U	M M U	A F	D R	P R	P L I	T A		W
Accessory dwelling unit (ADU)																			P		21.05.070.D.1.
Adult care (up to 8 clients)	P		P	P	P		P					P	P	P					P		21.05.070.D.2.
Bed and breakfast (up to 3 guestrooms)	P		P	P	P		P					P	P	P					P		21.05.070.D.3.
Bed and breakfast (4 or 5 guestrooms)	S		S	S	S		P					S	S	S					S		21.05.070.D.3.
Beekeeping																	P	P	P		21.05.070.D.4.
Caretaker's residence							P	P	P	P							P	P	P		
Child care (up to 8 children)	P		P	P	P		P					P	P	P					P		21.05.070.D.6.
Computer-aided learning center											P										21.05.070.D.7.
Dormitory									C			S	S	S			P	P	C		21.05.070.D.8.
Drive-through service	P	P				P	P	P					P	P					P		21.05.070.D.9.
Family self-sufficiency Service											P										21.05.070.D.10.
Farm, hobby																			P		
Garage or carport, private residential							P				P	P	P	P					P		21.05.070.D.12.
Home- and garden-related use	P		P	P	P		P				P	P	P	P			P	P	P		21.05.070.D.13.
Home occupation	P		P	P	P		P				P	P	P	P					P		21.05.070.D.14.

TABLE 21.05-5: TABLE OF ACCESSORY USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS

Accessory Uses	P = Permitted			S = Administrative Site Plan Review							C = Conditional Use Review							Use-Specific Standards			
	N C	A C	C B D 1	C B D 2	C B D 3	O C	R C	I C	I 1	I 2	N M U	C M U	R M U	M M U	A F	D R	P R		P L I	T A	W
Outdoor keeping of animals							P												P		21.05.070.D.15.
Outdoor display accessory to a commercial use		P					P	P	P	P									P		21.05.070.D.16.
Outdoor storage accessory to a commercial use		P					P	P	P	P									P		21.05.070.D.17.
Paddock, stable, or barn							P												P		21.05.070.D.18.
Private outdoor storage of non-commercial equipment accessory to a residential use							P												P		21.05.070.D.19.
Residential care (up to 8 clients)	P		P	P	P		P					P	P	P					P		21.05.070.D.20.
Vehicle repair/rebuilding, outdoor, hobby							P												P		21.05.070.D.21.

D. Definitions and Use-Specific Standards for Allowed Accessory Uses and Structures

This section defines the accessory uses listed in tables 21.05-4 and 21.05-5 and also contains use-specific standards that apply to those uses. Accessory uses shall comply with the applicable use-specific standards in this subsection, in addition to complying with the general standards in subsection B.

1. Accessory Dwelling Unit (ADU)

a. Definition

A subordinate dwelling unit added to, created within, or detached from a single-family residence, which provides basic requirements for living, sleeping, cooking, and sanitation.

b. Use-Specific Standards

i. Purpose and Intent

The purpose and intent of this section is to:

- (A)** Fulfill housing policy #15 of *Anchorage 2020: Anchorage Bowl Comprehensive Plan*, which provides that accessory housing units shall be allowed in certain residential zones;
- (B)** Provide a means for homeowners, particularly the elderly, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services;
- (C)** Allow more efficient and flexible use of existing housing stock and infrastructure;
- (D)** Respond to changing family needs and smaller households by providing a mix of housing;
- (E)** Stabilize homeownership and enhance property values;
- (F)** Provide a broader range of accessible and more affordable housing within the municipality; and
- (G)** Protect neighborhood stability, property values, and single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the provisions of this title.

ii. Application, Review, and Approval Procedures

- (A)** Any landowner operating or seeking to establish an ADU shall obtain a building or land use permit from the building official. The permit shall constitute an ADU permit.
- (B)** With the permit application, the landowner shall submit an affidavit on a form provided by the municipality, affirming that at least one landowner will occupy the principal dwelling or the accessory unit, and that the

- 1 ADU will conform to the requirements of the permit and
2 the requirements of this section.
- 3 (C) The permit and the affidavit shall be filed as a deed
4 restriction with the Anchorage recording district to
5 indicate the presence of the ADU, the requirement of
6 owner-occupancy, and conformity with the requirements
7 of the permit and the requirements of this chapter.
- 8 (D) The department shall receive a fee from the applicant
9 pursuant to the title 21 user's guide.
- 10 (E) For purposes of securing financing, potential landowners
11 may request and receive a letter of pre-approval from
12 the municipality indicating the property is eligible for an
13 ADU permit if the potential landowner completes the
14 application process and construction in accordance with
15 this section.
- 16 iii. *Requirements*
17 All ADUs shall meet the following requirements:
- 18 (A) *Purpose*
19 Requirements for accessory dwelling units address the
20 following purposes:
- 21 (1) Ensure that accessory dwelling units maintain
22 and are compatible with the single-family
23 appearance and character of the principal
24 residence, lot, and neighborhood;
- 25 (2) Ensure that accessory dwelling units are smaller
26 in size than the principal dwelling on the lot, and
27 preserve yards and open space;
- 28 (3) Provide adequate parking while maintaining the
29 single-family residential character of the
30 neighborhood, avoiding negative impacts to on-
31 street parking, and minimizing the amount of
32 paved surface on a site; and
- 33 (4) Provide clear and flexible standards that make it
34 practical and economical to develop accessory
35 dwelling units that are in compliance with this
36 code, and offer an accessible, affordable
37 housing option to the community.
- 38 (B) *Requirements for Developing an ADU*
39 ADUs shall be allowed in all residential zoning districts
40 except RS-1, RM-3 and RM-4.
- 41 (1) One ADU may be added to or created within a
42 detached single family dwelling on a lot, tract, or
43 parcel, but only if the detached single-family

- 1 dwelling is the sole principal structure on that lot,
2 tract, or parcel.
- 3 (2) One ADU detached from a single-family dwelling
4 is permitted on a lot, tract, or parcel, but only if:
- 5 (a) The lot, tract, or parcel is 20,000 square
6 feet or greater and the ADU is attached
7 to or above a garage and the detached
8 single-family dwelling is the only
9 principal structure; or
- 10 (b) The lot, tract, or parcel abuts an alley;
11 the ADU is above a detached garage,
12 the ADU/garage abuts the alley, and the
13 detached single-family dwelling is the
14 only principal structure.
- 15 (3) *Lot Coverage*
16 The lot coverage of the principal dwelling unit
17 and all accessory structures combined, including
18 but not limited to the ADU, shall be less than or
19 equal to the maximum lot coverage allowed by
20 the zoning district.
- 21 (4) *Uses*
22 (a) An ADU shall not be permitted on any
23 lot with a bed and breakfast, day care,
24 adult or child care, or residential care.
- 25 (b) The landowner shall reside in either the
26 principal dwelling unit or the ADU as his
27 or her primary residence for more than
28 six months of each year.
- 29 (c) No more than two persons may reside in
30 an ADU.
- 31 (5) *Building Code Requirements*
32 To ensure that the dwellings meet appropriate
33 health and fire safety standards, the ADU shall
34 be built to the adopted municipal building code
35 standards for two-family dwellings.
- 36 (6) *Size*
37 (a) The gross floor area of the ADU, not
38 including any related garage, shall be no
39 more than 700 square feet, nor less
40 than 300 square feet, nor have more
41 than two bedrooms;
- 42 (b) In no case shall the total gross floor
43 area of an ADU be more than 35
44 percent of the total gross floor area of
45 the principal dwelling unit, excluding the
46 ADU and garages.
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- (7) *Setbacks*
An ADU shall not encroach into any required setback, except that an ADU may encroach into the rear setback abutting an alley.
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- (8) *Parking*
One off-street parking space in addition to the parking spaces required for the principal dwelling unit is required for the accessory dwelling unit; but in no event shall there be fewer than three parking spaces per lot. Notwithstanding the provisions of 21.11, *Nonconformities*, all off-street parking deficiencies shall be corrected.
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- (9) *Design and Appearance*
- (a) All ADUs shall be designed to maintain the appearance of the primary unit as a single family dwelling. The accessory dwelling unit shall maintain the architectural style and character of the single-family residence. Exterior siding, roofing, and trim shall match the appearance of the materials on the principal dwelling unit. Roof style shall match the predominant style of the principal dwelling unit. Exterior window trim, window proportions (width to height), patterns, and orientation (horizontal to vertical) shall match those of the principal dwelling unit.
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- (b) The construction of an additional entry door on the side of a principal structure facing a street for entrance into an accessory dwelling unit is prohibited, unless no other entry door already exists on that side. Entrances are permitted on non-street-facing sides of the principal structure.
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- (10) *Utilities*
To the extent allowed by law and utility tariff, the ADU shall be connected to the water, sewer, gas, and electric utilities of the single family dwelling unit. However, lots with on-site water or septic systems may have a separate water and/or septic system for the ADU.
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- (C) *Additional Requirements for Detached ADUs*
- (1) The ADU shall be at least 60 feet from the primary front lot line, or at least 10 feet behind the primary façade of the principal dwelling unit.

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- (2) The maximum height of a detached ADU shall be 25 feet.
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- (D) *Density*
ADUs are not included in the density calculations for a site.
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- (E) *Expiration of Approval of an ADU*
Approval of an ADU expires when:
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- (1) The ADU is altered and is no longer in conformance with this code;
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- (2) The property ceases to maintain all required off-street parking spaces;
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14
- (3) A landowner of the property does not reside in either the principal or the accessory dwelling unit;
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- (4) The ADU is abandoned by the landowner through written notification to the municipality on a form provided by the municipality; or,
- 18
- (5) The property with an ADU changes ownership.
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- (F) *Transfer*
An ADU permit is not transferable to any other property or any other person. When a property with an ADU is sold or otherwise transferred, the new landowner shall file an affidavit of owner-occupancy with the department within 30 days of the transfer, and pay a processing fee. Failure to file an affidavit by the due date constitutes failure to have a permit, in violation of this section. Transfers from one landowner to another landowner do not require a new affidavit so long as the recipient landowner signed the original affidavit.
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- (G) *Prior Illegal Use*
- (1) All structures which meet the definition of *Accessory Dwelling Unit* which are not recognized as legal nonconforming structures or uses of structures under chapter 21.11 shall comply with this subsection. Such structures may continue in existence provided the following requirements are met:
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- (a) A permit application for an ADU is submitted to the building safety division within six months of September 30, 2003.
- 42
43
- (b) The unit complies with the requirements of this section.

- 1 (2) If the unit does not comply with the requirements
2 of this section at the time the permit application
3 is filed, the building official may grant six months
4 to bring the unit into conformance.
- 5 (3) In addition to any other remedies provided in this
6 code, failure to legalize an existing unit under
7 this subsection shall result in civil penalties as
8 provided at AMC section 14.60.030. All
9 landowners of illegal units shall also be required
10 to either legalize the unit or remove it.
- 11 (4) This subsection does not apply to existing legal
12 nonconforming uses of structures established
13 pursuant to chapter 21.11.
- 14 (H) *Variances*
15 Nothing in this section guarantees any property
16 landowner the right to create an ADU unless it conforms
17 to all provisions in this section. Limitations due to
18 natural features, lot size, lot dimensions, building layout,
19 or other physical or environmental factors shall not be
20 reasons for granting a variance from the standards and
21 provisions of this section. No variances shall be granted
22 from the standards and provisions of this section.
- 23 2. **Adult Care (Up to Eight Clients) [RESERVED awaiting Assembly action on**
24 **AO 2005-124]**
- 25 3. **Bed and Breakfast**
26 a. **Definition**
27 A bed and breakfast is a detached or attached single-family dwelling or
28 two family dwelling, not including a mobile home, that is occupied by the
29 host, owner, or operator of the establishment, and that offers overnight
30 accommodations for which compensation is paid on a daily or weekly
31 basis for no more than 30 consecutive days, and which offers only one
32 daily meal. No more than five guestrooms may exist in such an
33 establishment.
34
- 35 b. **Use-Specific Standards**
36 i. **Restriction on Special Events for All Bed and Breakfasts**
37 No bed and breakfast shall hold, for consideration, weddings,
38 parties, meetings, or other similar events.
- 39 ii. **General Standards**
40 (A) The host-operator of the bed and breakfast enterprise
41 shall establish and maintain the single-family or the bed
42 and breakfast unit of a two-family structure as his or her
43 primary domicile at all times while it is operated as a bed
44 and breakfast.
- 45 (B) The accessory use shall protect and maintain the
46 integrity of the residential neighborhood. A bed and
47 breakfast shall not detract from the principal use in the

- 1 district and shall not place a burden on any private or
2 public infrastructure (i.e., streets or utilities) greater than
3 anticipated from permitted development.
- 4 (C) A bed and breakfast shall not be permitted on any lot
5 with an accessory dwelling unit, child or adult care
6 facility, or residential care facility.
- 7 iii. *Residential District Standards*
8 A bed and breakfast located within a residential district shall
9 conform to the requirements of this section.
- 10 (A) No more than the permitted number of guestrooms shall
11 be offered for use at any one time.
- 12 (B) Every bed and breakfast shall meet the off-street parking
13 requirements stated in section 21.07.090 and in its
14 administrative permit.
- 15 (C) Every bed and breakfast supported by on-site well and
16 wastewater disposal systems shall conform to the
17 requirements of AMC chapter 15.65, pertaining to
18 wastewater disposal regulations, and shall obtain a one-
19 time only health authority certificate.
- 20 iv. *Administrative Permit*
21 A bed and breakfast shall require an administrative permit
22 pursuant to section 21.03.230. An application for a bed and
23 breakfast shall not be complete unless it is accompanied by
24 proof of a current business license, health inspection for 25
25 occupants or more, a health authority approval certificate (for on-
26 site systems only), and a site plan and building floor plans
27 meeting the requirements of this title.
- 28 4. **Beekeeping**
29 a. **Definition**
30 Keeping honey bees, *Apis mellifera*, for the purpose of education and/or
31 producing honey or other products related to bees.
- 32 b. **Use-Specific Standards**
33 i. Colonies of *Apis mellifera* shall be managed in such a manner
34 that their flight path to and from the hive will not bring them into
35 contact with people on adjacent property. To accomplish this,
36 colonies shall be:
- 37 (A) At least 25 feet from any lot line not in common
38 ownership; or
- 39 (B) Oriented with entrances facing away from adjacent
40 property; or
- 41 (C) Placed behind a fence at least six feet in height and
42 extending at least ten feet beyond the hive in all
43 directions.

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- (A) In the RM-3, RM-4, and NMU districts, computer-aided learning centers may be conditionally allowed if they have a maximum gross floor area of 1,000 square feet.
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- (B) In the RM-3, RM-4, and NMU districts, family self-sufficiency service facilities may be conditionally allowed if they have a maximum gross floor area of 1,500 square feet.
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11. **Farm, Hobby**
- 10 a. **Definition**
11 The production of crops for sale on the premises. This may include a temporary stand for sales.
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13
12. **Garage or Carport, Private Residential**
- 14 a. **Definition**
15 A detached accessory or portion of a main building that is used for the
16 parking and storage of vehicles owned and operated by the residents thereof.
- 17 b. **Use-Specific Standards**
- 18 i. Garages may encroach into the rear or side setback when that
19 setback abuts an alley.
- 20 ii. Such accessory uses shall serve only the residents of the
21 property and shall not be used for commercial purposes except
22 as part of a home occupation approved under subsection D.14.
23 below.
- 24 iii. All garages or carports accessory to a single residential use,
25 whether attached or detached to the principal dwelling, shall
26 cumulatively be no larger than 50 percent of the total gross area
27 of the principal dwelling.
- 28
29
13. **Home- and Garden-Related Use**
- 30 a. **Definition**
31 Accessory uses subordinate to the use of a residential dwelling.
32 Examples include, but are not limited to, greenhouses, gardens, storage
33 sheds, garden sheds, tool sheds, private barbeque pits, spas, and hot tubs.
- 34 b. **Use-Specific Standards**
- 35 i. No retail sale, wholesale sale, or other commercial use of a
36 greenhouse is allowed.
- 37 ii. All spas and hot tubs shall be set back a minimum of 10 feet
38 from all property lines, and shall not be counted in calculating lot
39 coverage.
- 40
41
14. **Home Occupation**
- 42 a. **Definition**
43 An activity that results in a product or service, carried out for
44 consideration or not, and conducted as a customary, incidental, and accessory use in a dwelling unit. This use expressly does not include

- 1 bed and breakfasts, hobby farms, small and large residential care, or
2 adult or child care homes.
- 3 **b. Use-Specific Standards**
4 A home occupation may be conducted in a dwelling unit or in a building
5 accessory to a dwelling unit provided that:
- 6 i. A permanent resident of the dwelling unit is engaged in the home
7 occupation on the premises;
- 8 ii. Only one nonresident may be engaged in the home occupation
9 on the premises;
- 10 iii. The use of a dwelling unit for a home occupation shall be clearly
11 incidental and subordinate to its residential use. This standard is
12 met by and limited to one of the following:
- 13 (A) No more than the lesser of 25 percent or 500 square feet
14 of the floor area of the principal dwelling is devoted to
15 any home occupation; or
- 16 (B) No more than 300 square feet of an accessory building
17 is devoted to any home occupation; or
- 18 (C) No more than 250 square feet of the principal dwelling
19 and 250 square feet of the accessory building are
20 devoted to any home occupation.
- 21 iv. Except for as provided in b.vii. below and in chapter 21.10,
22 *Signs*, there shall be no change to the outside of the building or
23 premises, nor shall there be other visible evidence of the conduct
24 of such home occupation;
- 25 v. Vehicles making deliveries shall not be parked at the site for a
26 period exceeding one hour;
- 27 vi. No traffic or deliveries shall be generated by such home
28 occupation in greater volume than would normally be expected in
29 a residential neighborhood;
- 30 vii. All vehicles used in connection with the home occupation shall,
31 except for delivery vehicles allowed above, be of the type
32 commonly used for personal non-commercial transportation.
33 Such vehicles may not include boats, motorcycles or similar
34 motor-driven vehicles, all-terrain vehicles (including snow
35 machines), vehicles with more than two axles, box vans, buses,
36 recreational vehicles, motor homes, hauling vehicles including
37 tractor-trailer tractors, or wreckers (including boom-type or tilt-
38 bed). Only one vehicle bearing visible evidence of the home
39 occupation is permitted per home occupation;
- 40 viii. The peace and quiet of the neighborhood shall not be disturbed.
41 No equipment or process shall be used in such home occupation
42 that creates noise, vibration, glare, fumes, or odors detectable to

1 the normal senses at the property line. No equipment or process
2 shall be used which creates visual or audible interference in any
3 radio or television receivers off the premises, or causes a
4 fluctuation in line voltage off the premises. No hazardous or
5 toxic materials shall be stored on the property as part of the
6 home occupation;

7 ix. The hours of operation during which an employee or co-worker,
8 clients, or customers are allowed to come to the home in
9 connection with the business activity are limited to between 8:00
10 a.m. and 8:00 p.m. Monday through Saturday. Care and feeding
11 of animals is exempted from this provision; and

12 x. A home occupation shall not be permitted on any lot with an
13 accessory dwelling unit, bed and breakfast, adult or child care
14 facility, or residential care facility.

15 c. **Uses Prohibited as Home Occupations**
16 A home occupation shall not include, but is not limited to excluding, the
17 following: veterinary or animal hospital; restaurant; and vehicle repair,
18 unless allowed below under "Vehicle Repair/Rebuilding, Outdoor,
19 Hobby."

20 **15. Outdoor Keeping of Animals**

21 a. **Definition**
22 Restraining or restricting the movement of animals outside of a building,
23 by any means not involving the continued presence and/or participation
24 of a human being.

25 b. **Use-Specific Standards**

26 i. Animals, other than dogs, shall not be kept outdoors in mobile
27 home parks.

28 ii. The following standards apply to the outdoor keeping of all
29 animals except for dogs, domestic cats, and large domestic
30 animals.

31 (A) On lots less than 21,780 square feet, no smell or odor
32 associated with the animals shall be detectible to the
33 normal senses at the property line.

34 (B) On lots of 21,780 square feet or greater, any structures
35 or enclosures for the outdoor keeping of animals shall be
36 located at least 25 feet from any lot line, and no smell or
37 odor associated with the animals shall be detectible to
38 the normal senses at the property line.

39 **16. Outdoor Display Accessory to a Commercial Use**

40 a. **Definition**
41 Outdoor display of goods and/or materials for sale, accessory to a
42 commercial principal use. Merchandise may be directly available to the
43 consumer for purchase.

44

- 1 **b. Use-Specific Standard**
2 The private outdoor storage of noncommercial equipment is permitted in
3 the front setback only in the driveway, but not within five feet of any
4 property line, and is prohibited in any side or rear setback.
- 5 **20. Residential Care (Up to Eight Clients) [RESERVED awaiting Assembly**
6 **action on AO 2005-124]**
- 7
- 8 **21. Vehicle Repair/Rebuilding, Outdoor, Hobby**
9 **a. Definition**
10 The repair or rebuilding of an inoperative motor vehicle as an accessory
11 use, not for commercial purposes.
- 12 **b. Use-Specific Standards**
13 **i.**Only one inoperative vehicle may stored outdoors on the site at
14 any given time.
- 15 **ii.**Any vehicle being rebuilt or repaired shall be the property of the
16 resident of the principal structure.
- 17 **iii.**Repair or rebuilding work shall take place to the rear of the
18 principal structure and shall be screened from view from all
19 property lines and adjacent rights-of-way by an opaque fence
20 between six and eight feet in height, or by opaque landscaping of
21 an equivalent height.
- 22 **E. Prohibited Accessory Uses and Structures**
- 23 **1. Use of an Intermodal Shipping Container (Connex) Trailer**
24 The use of a connex trailer or similar structure is only allowed in industrial and
25 PLI districts, except that loading or unloading, and use during construction is
26 allowed in any district. Self-storage establishments in compliance with the
27 development standards of 21.05.060D.3., *Self-Storage Facility*, are exempt from
28 this restriction.
- 29 **2. Outdoor Storage of Inoperative Vehicles**
30 In all zoning districts, the outdoor storage of any vehicle that meets the definition
31 of “junk vehicle” at AMC section 15.20.010² is prohibited except as provided in
32 section 21.05.070.D.21, *Vehicle Repair/Rebuilding, Outdoor, Hobby*; section
33 21.05.060E.3., *Junkyard*; and section 21.05.050K.9 or K.10., *Vehicle Repair,*
34 *Major and Minor*.
- 35 **3. Use of Mobile Home, Recreational Vehicle, or Travel Trailer as Residence**
36 In all zoning districts, mobile homes, recreational vehicles, and travel trailers may
37 not be used as an accessory use for a permanent or temporary residence.
38 However, an RV or travel trailer may be used as visitor accommodation for not
39 more than 90 days in any calendar year.
- 40 **4. Use of Motor Vehicle for Sales**
41 In all zoning districts, the use of any motor vehicle or trailer as a structure in
42 which, out of which, or from which any goods are sold or stored, any services
43 performed, or other businesses conducted is prohibited. However, the following
44 shall not be prohibited by this subsection:

- 1 a. The sale of food products at a municipal-approved or -sponsored event;
- 2 b. Use of a motor vehicle in connection with an approved recycling
- 3 operation;
- 4 c. Approved food and beverage kiosks that comply with the use-specific
- 5 standards in section 21.05.050G.2., *Food and Beverage Kiosk*; and
- 6 d. Use of a trailer in connection with an approved vehicle sales use.

- 7 **5. Commercial Motor Vehicle Repair**
- 8 Commercial motor vehicle repair, including engine, body, or other repair or
- 9 repainting of more than one vehicle at any one time or owned by a person not
- 10 residing at that address, is prohibited in all residential districts.

- 11 **6. Parking of Business Vehicles, Outdoor**
- 12 The outdoor storage or parking of a vehicle or trailer is prohibited in all residential
- 13 districts, for a period of one or more nights, if the vehicle or trailer is licensed or
- 14 regularly used for business purposes, and is either:

- 15 a. A vehicle for which a commercial driver's license is required by state law;
- 16 b. A vehicle or trailer having more than two axles;
- 17 c. Any trailer bearing commercial signage, logo, or actually then carrying
- 18 commercial or industrial equipment or materials;
- 19 d. A vehicle or trailer having a height in excess of 90 inches; or
- 20 e. A vehicle with a Gross Vehicle Weight Rating (GVWR) of more than
- 21 12,000 lbs.

21.05.080 TEMPORARY USES AND STRUCTURES

- 23 **A. Purpose**
- 24 This section allows for the establishment of certain temporary uses of limited duration,
- 25 provided that such uses do not negatively affect adjacent properties or municipal
- 26 facilities, and provided that such uses are discontinued upon the expiration of a set time
- 27 period. Temporary uses do not involve the construction or alteration of any permanent
- 28 building or structure.

- 29 **B. General Temporary Use Standards**

- 30 **1. Required Permits**
- 31 All temporary uses shall obtain any permits required by other municipal
- 32 departments, such as the clerk's office, the health department or the police
- 33 department.

- 34 **2. Uses Allowed**
- 35 Except as specified below, any use allowed in a district, pursuant to tables 21.05-
- 36 1 and 21.05-2, is allowed on a temporary basis in that district. Such temporary
- 37 uses shall comply with the requirements of subsection D. below. Any such
- 38 temporary use that is established for more than 90 days within one calendar year

1 shall be considered a permanent use and shall make all improvements required
2 by this title.

3 **3. Other Uses and Structures Allowed**

4 The following temporary uses and structures shall be allowed in any zoning
5 district or as specified below, in accordance with the standards of this section.

6 **a. Licensed Commercial Uses**

7 Temporary licensed commercial uses and associated temporary
8 structures are allowed in any non-residential zoning district, for not more
9 than 90 days total (consecutive or intermittent) within a 12 month period.

10 **b. Real Estate Sales Offices**

11 Sales offices are allowed on residential development sites in any zoning
12 district until all lots or houses are sold. Use of the sales office to market
13 sites outside of the project is prohibited, unless specifically approved as
14 part of the temporary use permit.

15 **c. Special Events**

16 Amusement, athletic, charitable, cultural, entertainment, and/or political
17 events or similar temporary and transitory gatherings are allowed in all
18 zoning districts, subject to the standards of this section.

19 **d. Temporary Parking of Construction Equipment During Construction**

20 Temporary use of non-loading areas for tractor trailers, office trailers,
21 construction equipment, or intermodal shipping container (connex)
22 trailers, during construction or renovation.

23 **e. Other Temporary Uses**

24 i. Up to seven one-day garage/yard sales per year per dwelling
25 unit.

26 ii. Gatherings of less than 100 people, such as block parties,
27 nonprofit bazaars, and fundraisers; and

28 iii. Temporary uses that occur wholly within an enclosed permanent
29 building.

30 **C. Prohibited Temporary Uses and Structures**

31 The following temporary uses and structures are prohibited:

32 **1. Cloth Garages**

33 Frame-supported or arch-supported tension fabric or membrane structures,
34 fabricated off-site and assembled on-site, and typically used for garages, sheds,
35 warehouses, or temporary or permanent shelters for automobiles, boats, or other
36 items, shall be prohibited in all residential districts.

37 **D. General Requirements for All Temporary Uses and Structures**

38 All temporary uses or structures shall meet the following general requirements, unless
39 otherwise specified in this title:

