

1 **21.05.080 Temporary Uses and Structures123**
2 A. Purpose 123
3 B. General Temporary Use Standards 123
4 C. Prohibited Temporary Uses and Structures 124
5 D. General Requirements for All Temporary Uses and Structures..... 125
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

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

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 21.03.190B., *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 21.03.190C., *Major Site Plan Review*. The site plan review process is intended to determine compliance with the development standards of this title, not to review the appropriateness of the use itself.

4. Conditional Uses

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

5. Multiple Abbreviations

Where table 21.05-1 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.

1 **7. Definitions and Use-Specific Standards**

2 Each use listed in tables 21.05-1 and 21.05-2 is defined in this chapter. Regardless of
3 whether a use is allowed by right, subject to major or administrative site plan review, or
4 permitted as a conditional use, there may be additional standards that are applicable to
5 the use. The existence of these use-specific standards is noted through a cross-
6 reference in the last column of the table. These standards apply in all districts unless
7 otherwise specified.

8 **B. Table Organization**

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

17 **C. Unlisted Uses**

18 When application is made for a use type that is not specifically listed in tables 21.05-1 and 21.05-
19 2, the procedure in section 21.03.230, *Use Classification Requests*, shall be followed.

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

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

25

1 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	R-1A	R-2A	R-2D-F	R-2EM-1	R-2M-2	RM-3	R-4	RM-4A	R-5 L-1	R-6 L-2	R-7 S-2	R-8	R-9 L-3	R-10 L-4	Definitions and Use-Specific Standards
RESIDENTIAL USES																	
Household Living	Dwelling, mixed-use							P	P	P							21.05.030A.1.
	Dwelling, multifamily					S	P	P	P	P							21.05.030A.2.
	Dwelling, single-family attached			P	P	P	P										21.05.030A.3.
	Dwelling, single-family detached	P	P	P	P	P	P				P	P	P	P	P	P	21.05.030A.4.
	Dwelling, townhouse					S	S	S	S	S							21.05.030A.5.
	Dwelling, two-family			P	P	P	P	P			P	P	P	P	P		21.05.030A.6.
	Dwelling, mobile home										P						21.05.030A.7.
	Manufactured home community					C	C	C	C		C						21.05.030A.8.
Group Living	Assisted living facility Residential care (3-8 or fewer residents)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.030B.1.
	Assisted living facility Residential care (9 or more residents)	C	C	C	C	P	P	P	P	P	P	C	C				21.05.030B.1.
	Habilitative care facility	C	C	C	C	C	C	C	C	C	C	C	C				21.05.030B.3.
	Roominghouse					C	C	P	P	P	C	C	C	C	C		21.05.030B.4.
	Transitional living facility							P	P	P							21.05.030B.5.
PUBLIC / INSTITUTIONAL USES																	
Adult Care	Adult care (3 to 8 9 to 15 persons)	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.040A.
	Adult care (16 or more persons)	C	C	C	C	C	C	C	C	C	C						21.05.040A.
Child Care	Child care center facility (9 or more children)	C	C	C	C	C	S	S	S	S	S	S	S	S	S	S	21.05.040B.1.
	Child care home (up to 8 children)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.040B.2.
Community Service	Community center	C			C	S	S	S	S	S	C	C	C		C		21.05.040C.2.
	Neighborhood recreation center	S	S	S	S	S	S	S	S	S	S	S	S	S	S		21.05.040C.6.

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	R-1A	R-2A	R-2D1	R-2EM-1	R-2M-2	RM-3	R-4	RM-4A	R-5 L-1	R-6 L-2	R-7 S-2	R-8	R-9 L-3	R-10 L-4	Definitions and Use-Specific Standards
	Religious assembly	S	∅	∅	S	S	S	S	∅	S	S	S	S	∅	S	∅	21.05.040C.7.
Cultural Facility	Library Botanical gardens	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	21.05.040D.3.
Educational Facility	Boarding school					M	M	M	M	M							21.05.040E.1.
	College or university									M							21.05.040E.2.
	Elementary school	M	M	M	M	M	M	M	M	M	M	M	M				21.05.040E.3.
	High school or middle school	M	M	M	M	M	M	M	M	M	M	M	M				21.05.040E.4.
	Instructional services	C	C	C	C	C	C				P				C	C	21.05.040E.5.
Health Care Facility	Health services									P							21.05.040F.1.
	Health care facility or nursing facility (17+ patients)							C	C	C							21.05.040F.1.
	Health care facility or nursing facility (1-16 patients)					C	C	C	C	C							21.05.040F.3.
Parks and Open Area	Community garden	P			P	P	P	P	P	P	P	P	P		P	P	21.05.040G.1.
	Park and open space, public or private	S	∅	∅	S	S	S	S	∅	S	S	S	S	∅	S	S	21.05.040G.2.
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	C	C		C	C	21.05.040I.2.
Utility Facility	Utility substation	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	21.05.040J.2.
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	C	C	C	C	21.05.040K.
	Type 3 tower	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	21.05.040K.
	Type 4 tower	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	∅	21.05.040K.
COMMERCIAL USES																	
Agricultural Uses	Farming, animal husbandry										∅	∅		∅	∅		21.05.050A.1.
	Commercial Farming, horticulture	C	C	C	C	C	C				C	C	C	C	C		21.05.050A.1.
Animal Sales, Service & Care	Kennel, commercial										∅	∅		C	C		21.05.050B.2.

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	R-1A	R-2A	R-2DF	R-2EM-1	R-2M-2	RM-3	R-4	RM-4A	R-5 L-1	R-6 L-2	R-7 S-2	R-8	R-9 L-3	R-10 L-4	Definitions and Use-Specific Standards
	Large domestic animal facility, principal use Paddock or stable, commercial										S / M	S / M	S / M	S / M			21.05.050B.3.
	Retail and pet services									T							21.05.050B.4.
	Veterinary clinic													C	C		21.05.050B.5.
Assembly	Club / lodge / meeting hall							C	S	S							21.05.050C.2. 21.05.020A.
Entertainment, Indoor and Recreation	Fitness and recreational sports center								S	P							21.05.050D.3.
Entertainment, Recreation, Outdoor	General outdoor recreation, commercial															C	21.05.050D.4.
	Skiing facility, alpine															C	21.05.050D.10.
Food and Beverage Service	Restaurant								S	T							21.05.050E.3. 21.05.020A.
Office	Financial institution									P							21.05.050F.2.
Financial Institution	Office, business or professional									P				C	C		21.05.050F.3
Retail (Personal Services)	General personal services									P				C	C		21.05.050G.3.
Retail (Sales)	Convenience store							C	S	T							21.05.050H.3.
	General retail									P							21.05.050H.6.
	Grocery or food store								S	S							21.05.050H.7. 21.05.020A
	Nursery, commercial	C			C						C	C					21.07.130
Vehicles and Equipment	Parking lot, principal use							C	C	C	C						21.05.050I.4.
	Parking structure, principal use							C	C	C	C						21.05.050I.5.
Visitor Accommodations	Camper park							C	C								21.05.050J.1.
	Extended-stay lodgings								C	S							21.05.050J.2.
	Hostel					C	C	T	S	T							21.05.050J.3.
	Hotel/motel								C	S							21.05.050J.4.

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	R-1A	R-2A	R-2DF	R-2EM-1	R-2M-2	RM-3	R-4	RM-4A	R-5 L-1	R-6 L-2	R-7 S-2	R-8	R-9 L-3	R-10 L-4	Definitions and Use-Specific Standards
	Inn							P		S							21.05.050J.5. 21.05.020A.
	Recreational and vacation camp										P	C		C	C		21.05.050J.6.
INDUSTRIAL USES																	
Manufacturing and Production	Natural resource extraction, organic and inorganic	C	C	C	C	C	C	C		P	C	C	C	C	C		21.05.060B.5.
Waste and Salvage	Land reclamation	S /	C /	C /	S /	S /	S /	S /	C /	S /	S /	S /	S /	C /	S /	S/ C	21.05.060E.4.
		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Snow disposal site	C	C	C	C	C	C	C			C	C	C				20.05.060E.6.

1

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 TA 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 AND MIXED-USE										INDUSTRIAL				OTHER				Definitions and Use-Specific Standards							
		B-1A NC	B-3 AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO OG	MC	RC	NMU	CMU	RMU	MT-1	MT-2 MMU	IC	I-1	I-2	MI	AF		DR	PR	PLI	TA	W		
RESIDENTIAL USES																											
Household Living	Dwelling, mixed-use	P	P	P	P	P	P	C	P	P	P	P	P												21.05.030A.1.		
	Dwelling, multifamily		P		P	P	P			P	P	P	P													21.05.030A.2.	
	Dwelling, single-family detached								P										P				P			21.05.030A.4.	
	Dwelling, townhouse									S	S	S														21.05.030A.5.	
	Dwelling, two-family																							C			21.05.030A.6.
	Dwelling, mobile home																								C		21.05.030A.7.
Group Living	Assisted living facility Residential care (3-8 or fewer residents)	P	P				P		P	P	P													P		21.05.030B.1.	
	Assisted living facility Residential care (9 or more residents)		P	P	P	P	P		P	P	P													C	C		21.05.030B.1.
	Correctional community residential center		P/C	C	C	C			P		P/C	P/C													P/C		21.05.030B.2.

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 TA 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 AND MIXED-USE											INDUSTRIAL				OTHER					Definitions and Use-Specific Standards				
		B-1A, NC	B-3, AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO, OG	MC	RG	NMU	CMU	RMU	MT-1	MT-2, MMU	IG	I-1	I-2	MI	AF	DR	PR		PLI	TA	W	
	Habilitative care facility		C	C	C	C	C															C			21.05.030B.3.	
	Roominghouse	P	P	P	P	P	P						Ø										C		21.05.030B.4.	
	Transitional living facility		P																						21.05.030B.5.	
PUBLIC / INSTITUTIONAL USES																										
Adult Care	Adult care facility (9 to 15 persons)	P	P	P	P	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 center facility (9 or more children)	P	P	P	P	P	P			P	P	P		P	C							P	C	Ø	21.05.040B.1.	
	Child care home	P	P				P																		21.05.040B.2.	
Community Service	Cemetery or mausoleum																					P	C		21.05.040C.1.	
	Community center		S				S		P	S	S	S		Ø							C	S	S		21.05.040C.2.	
	Crematorium		P						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	IC	P/M	P/M	P/M	P/M		P/M				C			M	P/M	M		21.05.040C.4.	
	Homeless and transient shelter															C						C			21.05.040C.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 TA 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 AND MIXED-USE										INDUSTRIAL				OTHER						Definitions and Use-Specific Standards			
		B-1A, NC	B-3, AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO, OG	MC	RG	NMU	CMU	RMU	MT-1	MT-2, MMU	IG	I-1	I-2	MI	AF	DR	PR		PLI	TA	W
	Neighborhood recreation center	S						P	S	S											S	S		21.05.040C.6.	
	Religious assembly	P	P	P	P	P	P	P	P	P	P		P	P	P							P	S		21.05.040C.7.
Cultural Facility	Aquarium							M			M	M					M			M	C			21.05.040D.1.	
	Botanical gardens																			P/S	S	S		21.05.040D.2.	
	Library	S/M	S/M	S/M	S/M	S/M	S/M	P	S/M	S/M	S/M		S								S/M	S		21.05.040D.3.	
	Museum or cultural center		C	S/M	S/M	S/M		S/M	C	S/M	S/M		S		S/M		S/M			S/M	S/M	C		21.05.040D.4.	
	Zoo																				C	C	C		21.05.040D.5.
Educational Facility	Boarding school		P			M		C		M	M		M									M	C		21.05.040E.1.
	College or university		C/M	M	M	M		M		M	M		M									M	C		21.05.040E.2.
	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	M		21.05.040E.3.
	High school or middle school		M		C	C	M		M		M		M									M	C		21.05.040E.4.
	Instructional services	P	P/C	P/C	P/C	P/C	P		P	P/C	P/C	P/C		P/C	P/C								C	P/C	21.05.040E.5. 24.07.120
	Vocational or trade school		P/C	P	P	P	P	C	P		C	C		S	P	P	P	C				C	M		21.05.040E.6.
Health Care Facility	Health services	P	P	P	P	P	P	P	S	S	S		S									C	C	21.05.040F.1.	

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 TA 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 AND MIXED-USE											INDUSTRIAL				OTHER						Definitions and Use-Specific Standards		
		B-1A, NC	B-3, AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO, OG	MC	RG	NMU	CMU	RMU	MT-1	MT-2, MMU	IG	I-1	I-2	MI	AF	DR	PR	PLI		TA	W
	Hospital/Health care facility or nursing facility (1-16 patients)	Ø	P				P		P	S	S	S		Ø								C	Ø		21.05.040F.2.
	Health care facility or nursing facility (17+ patients)		Ø						P		Ø	Ø		Ø								Ø	Ø		21.05.040F.1.
	Nursing facility		P				C			S	S														21.05.040F.3.
Parks and Open Area	Community garden	P	P	P	P	P			P	P	P		P								P	P	P		21.05.040G.1.
	Park and open space, public or private	S	S	S	S	S	S	S	P	S	S	S		Ø	Ø	S	S	S	S	S	S	S	S	S	21.05.040G.2.
Public Safety Facility	Community or police substation	P	P	P	P	P	P		P	P	P		P	P								P	Ø		21.05.040H.1.
	Correctional institution																					C			21.05.040H.2.
	Fire station	M	M	M	M	M	M	M	P	M	M	M		M	M	M	M					M	Ø		21.05.040H.3.
	Public safety facility		C													P						P			21.05.040H.4.
Transportation Facility	Airport																					C			21.05.040I.1.
	Airstrip, private														Ø	Ø						C	Ø		21.05.040I.2.
	Heliport		Ø	Ø	Ø									Ø	Ø	Ø						C	Ø		21.05.040I.3.

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 TA 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 AND MIXED-USE											INDUSTRIAL				OTHER						Definitions and Use-Specific Standards			
		B-1A, NC	B-3, AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO, OG	MC	RG	NMU	CMU	RMU	MT-1	MT-2, MMU	IG	I-1	I-2	MI	AF	DR	PR	PLI		TA	W	
	Rail yard															C	P	P						C		21.05.040L.4.
	Railroad freight terminal															C	P	P						C		21.05.040L.5.
	Railroad passenger terminal									M	M	M		M		M	M					M		C		21.05.040L.6.
	Bus transit center		S	Ø	Ø	Ø				P	Ø	S	S	Ø								S				21.05.040L.7.
Utility Facility	Utility facility								P						C	C	C	P	P				C	C	21.05.040J.1.	
	Utility substation	S	S	Ø	Ø	Ø	S	Ø	P	S	S	S	Ø	Ø	P	P	P	P	Ø	Ø		S	Ø	S	21.05.040J.2.	
Telecom-munication Facilities	Type 1 tower	S	S	Ø	Ø	Ø	S	P	Ø	S	S	S	Ø	Ø	P	P	P	P	S	S	S	S	Ø	S	21.05.040K.	
	Type 2 tower	S	S	Ø	Ø	Ø	S	P	Ø	C	C	C	Ø	Ø	P	P	P	P	S	S	S	S	Ø	S	21.05.040K.	
	Type 3 tower	S	S	Ø	Ø	Ø	S	P	Ø	C	C	C	Ø	Ø	P	P	P	P	S	S	S	S	Ø	S	21.05.040K.	
	Type 4 tower	S	S	Ø	Ø	Ø	S	P	Ø	S	S	S	Ø	Ø	P	P	P	P	S	S	S	S	Ø	S	21.05.040K.	
COMMERCIAL USES																										
Agricultural Uses	Farming, animal husbandry																									21.05.050A.1.
	Commercial Farming, horticulture		P									C	C			P	P					C	C		21.05.050A.1.	

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 TA 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 AND MIXED-USE										INDUSTRIAL				OTHER					Definitions and Use-Specific Standards				
		B-1A, NC	B-3, AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO, OG	MC	RC	NMU	CMU	RMU	MT-1	MT-2, MMU	IC	I-1	I-2	MI	AF	DR		PR	PLI	TA	W
Animal Sales, Service & Care	Animal control shelter		S/M											M/S	P/S	P					S/M			21.05.050B.1. 24.07.120	
	Kennel, commercial		P/M	P/M	P/M	P/M		P	P/M	C/M	C/M			P/M	P/M	P						M/S		21.05.050B.2. 24.07.120	
	Large domestic animal facility, principal use Paddock or stable, commercial		C					P								P	C				C	C			21.05.050B.3.
	Retail and pet services	P	P/M	P/M	P/M	P/M		P	P	P/M	P/M		P/M			P						C			21.05.050B.4. 24.07.120
	Veterinary clinic	P/M	P/M			P/M	P	P	P/M	P/M	P/M		P/M		P/M	P/M	P					C			21.05.050B.5. 24.07.120
Assembly	Civic / convention center			C	C	C				S	S		S								C			21.05.050C.1. 21.05.020A.	
	Club / lodge / meeting hall	S	P	P	P	P	P	P	S	P	P		P		P							S	C		21.05.050C.2. 21.05.020A.
Entertainment and recreation, Indoor	Amusement establishment		P/M		P/M	P/M		P		P/M	P/M		P/M			P						C			21.05.050D.1. 21.05.020A. 24.07.120
	Entertainment facility, major		C	C	C	C					C		C			C				C	C				21.05.050D.2. 21.05.020A.
	Fitness and recreational sports center	P	P/M	P/M	P/M	P/M	P	P	P/M	P/M	P/M		P/M									S/M			21.05.050D.3. 24.07.120

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 TA 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 AND MIXED-USE										INDUSTRIAL				OTHER					Definitions and Use-Specific Standards					
		B-1A, NC	B-3, AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO, OG	MC	RC	NMU	CMU	RMU	MT-1	MT-2, MMU	IG	I-1	I-2	MI	AF	DR		PR	PLI	TA	W	
Entertainment/ Recreation, Outdoor	General outdoor recreation, commercial		S/P					P		S	S		S		P						M	C			21.05.050D.4.	
	Golf course							C													C	C			21.05.050D.5.	
	Motorized sports facility							C							C	C					C	C			21.05.050D.6. 21.05.020A.	
	Movie theater		C	P/M	P/M	P/M		P		S/M	S/M		S/M									C			21.05.050D.7. 21.05.020A. 24-07-120	
	Nightclub, licensed		P/M	P/M	P/M	P/M		P		P/M	P/M		P/M		P								P/M		21.05.050D.8. 21.05.020A. 24-07-120	
	Nightclub, unlicensed		P/M	P/M	P/M	P/M		P		S/M	S/M		S/M										P/M		21.05.020A. 24-05-050.D.6. 24-07-120	
	Shooting range, outdoor							C													C	C			21.05.050D.9.	
	Skiing facility, alpine																					C	C	C		21.05.050D.10.
	Theater company or dinner theater		C	P/M	P/M	P/M		P		P/M	P/M		P/M										P/M		21.05.050D.11. 21.05.020A. 24-07-120	
Financial Institution																										
Food and Beverage Service	Bar	P	P/M	P/M	P/M	P/M		P	P	P/M	P/M	P/M	P/M	P/M	P							P/M			21.05.050E.1. 21.05.020A. 24-07-120	
	Food and beverage kiosk	P	P	P	P	P	P	P	P	S	S	S	S	P	P	P	P				P	P			21.05.050E.2. 21.05.020A. 24-05-050G.2.	
	Restaurant	P	P/M	P/M	P/M	P/M	P/M	P	P	P/M	P/M	P/M	P/M	P/M	P							P	P/M	C	21.05.050E.3. 21.05.020A. 24-07-120	
Office	Broadcasting facility		P	P	P	P	P	P			S		S	P	P							P	P		21.05.050F.1.	

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 TA 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 AND MIXED-USE											INDUSTRIAL				OTHER						Definitions and Use-Specific Standards			
		B-1A, NC	B-3, AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO, OG	MC	RG	NMU	CMU	RMU	MT-1	MT-2, MMU	IG	I-1	I-2	MI	AF	DR	PR	PLI		TA	W	
	Financial institution	P	P	P	P	P	P		P	P	P		P												21.05.050F.2.	
	Office, business or professional	P	P	P	P	P	P	P	P	P	P		P		P							P	C		21.05.050F.3.	
Retail (Personal Services, Repair, and Rental)	Dry cleaning establishment		P/M											P/M	P/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	P										21.05.050G.1. 21.07.120	
	Funeral services		P/M			P/M	P/M				S/P/M	S/M	S/M												21.05.050G.2. 21.07.120	
	General personal services	P	P	P/M	P/M	P/M	P		P	P/M	P/M	P/M		P/M									P/M		21.05.050G.3. 21.07.120	
	Instructional services (moved)	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										21.07.120
	Small equipment rental		P/M					P	P						P/M	P/M										21.05.050G.4. 21.07.120
Retail (Sales)	Auction house		P/M					P						P/M	P/M	P									21.05.050H.1. 21.07.120	
	Building materials store		P/S/M					P			C			P/M	P/S/M										21.05.050H.2. 21.07.120	
	Convenience store	P	P/M	P/M	P/M	P/M	P		P	P/M	P/M	P/M	P/M												21.05.050H.3. 21.05.020A. 21.07.120	
	Farmers market		P	P	P	P		P		P	P		P									P	P		21.05.050H.4.	

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 TA 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 AND MIXED-USE										INDUSTRIAL				OTHER						Definitions and Use-Specific Standards				
		B-1A, NC	B-3, AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO, OG	MC	RG	NMU	CMU	RMU	MT-1	MT-2, MMU	IG	I-1	I-2	MI	AF	DR	PR		PLI	TA	W	
	Fueling station	C	P/M					C	P	C	S/M	S/M		S/M	P/M	P/M	P	P					C		21.05.050H.5. 21.05.020A. 24.07.120	
	General retail	P	P/M	P/M	P/M	P/M	P	P	P	P/M	P/M	P/M		P/M											21.05.050H.6. 24.07.120	
	Grocery or food store	P	P	P/M	P/M	P/M			P	S/M	S/M	S/M		S/M									C		21.05.050H.7. 21.05.020.A. 24.07.120	
	Liquor store	P	P/M	P/M	P/M	P/M			P	P/M	P/M	P/M		P/M											21.05.050H.8. 21.05.020.A. 24.07.120	
	Meat and seafood processing, storage, and sales		P/M						P						P/M	P/M								C		21.05.050H.9. 24.07.120
	Nursery, commercial		P/M						P			C		C									C	C		21.07.120
	Pawnshop		P/M						P		P	P/M														21.05.050H.9. 24.07.120
Vehicles and Equipment	Aircraft and marine vessel sales		P					P	P					P	P	P	P								21.05.050I.1. 24.07.120	
	Parking lot or structure (50+ spaces)	C	P	M	M	M	P/C	C	P		M	M		M	P	P						C			21.05.050I.2. or I.3. 24.07.120	
	Parking lot or structure (less than 50 spaces)	C	P		S	S	P/C	C	P		S	S		S	P	P						P	S		21.05.050I.2. or I.3. 24.07.120	
	Vehicle parts and supplies		P						P		C	P		P	P	P							C		21.05.050I.4. 24.07.120	
	Vehicle-large, sales and rental		P/M						P			S/M			P/M	P/M									21.05.050I.5. 24.07.120	

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 TA 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 AND MIXED-USE										INDUSTRIAL				OTHER						Definitions and Use-Specific Standards			
		B-1A, NC	B-3, AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO, OG	MC	RG	NMU	CMU	RMU	MT-1	MT-2, MMU	IG	I-1	I-2	MI	AF	DR	PR		PLI	TA	W
	Vehicle-small, sales and rental		P/M					C	P					S/P	P/P										21.05.050I.6. 21.07.420
	Vehicle service and repair, major		P						P						P	P	P						C		21.05.050I.7. 21.07.420
	Vehicle service and repair, minor	C	P						P	C	S	P			P	P	P						C		21.05.050I.8. 21.07.420
Visitor Accommodations	Camper park		C						P													C	C		21.05.050J.1.
	Extended-stay lodgings		C/P		P	P	S		P		P	P		P											21.05.050J.2.
	Hostel		P		P	P	S		P		P	P		P	P										21.05.050J.3.
	Hotel/motel		P	P	P	P	P/S		P		S	S		S											21.05.050J.4. 21.05.020A.
	Inn		P	P	P	P	S		P	P	P		P										C		21.05.050J.5. 21.05.020A.
	Motel		P						P														C		21.05.020A.
	Recreational and vacation camp		P						P														C		21.05.050J.6.
INDUSTRIAL USES																									
Industrial Service	Data processing facility		P				P							P	P	P									21.05.060A.1.
	Dry cleaning establishment		P													P	P								21.05.060A.2.
	General industrial service								P						P	P									21.05.060A.3.
	Governmental Service								P						P	P	P					C			21.05.060A.4.

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 TA 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 AND MIXED-USE										INDUSTRIAL				OTHER						Definitions and Use-Specific Standards			
		B-1A, NC	B-3, AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO, OG	MC	RG	NMU	CMU	RMU	MT-1	MT-2, MMU	IG	I-1	I-2	MI	AF	DR	PR		PLI	TA	W
Manufacturing and Production	Heavy equipment sales and rental							P							P	P									21.05.060A.5.
	Research laboratory						Ø	P			C		Ø	P	P	P	P				C	Ø			21.05.060A.6.
	Commercial Food Production		P	C					P		C		Ø	P	P	P					P				21.05.060B.1.
	Cottage crafts	P	P			P			P	P	P			P	P								P		21.05.060B.2.
	Manufacturing, heavy														C	P		C							21.05.060B.3.
	Manufacturing, light							C	P					P	P	P		C							21.05.060B.4.
	Natural resource extraction, organic and inorganic	C	C	Ø	Ø	Ø	C	C	Ø	C	C	C		Ø	Ø	C	C	C	C	C	C	C	Ø	Ø	21.05.060B.5.
Natural resource extraction, placer mining									Ø							C					C	Ø	C	21.05.060B.6.	
Marine Facility	Aquaculture							C							Ø	C	P					C			21.05.060C.1.
	Facility for combined marine and general construction															P	P								21.05.060C.2.
	Marine operations							P								P	P								21.05.060C.3.

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 TA 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 AND MIXED-USE										INDUSTRIAL				OTHER					Definitions and Use-Specific Standards					
		B-1A, NC	B-3, AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO, OG	MC	RG	NMU	CMU	RMU	MT-1	MT-2, MMU	IG	I-1	I-2	MI	AF	DR		PR	PLI	TA	W	
	Marine wholesaling							P								P	P								21.05.060C.4.	
Warehouse and Storage	Bulk storage of hazardous materials														C	C	C								21.05.060D.1.	
	Impound yard														P	P					C				21.05.060D.2. 21.07.120	
	Motor freight terminal														P	P	P								21.05.060D.3.	
	Self-storage facility		M												P	P	P								21.05.060D.4.	
	Storage yard														P	P	P	P				C				21.05.060D.5.
	Warehouse														P	P	P	P				C				21.05.060D.6.
	Wholesale establishment								C						P	P	P	C								21.05.060D.7.
Waste and Salvage	Composting facility															P						C				21.05.060E.1.
	Incinerator or thermal desorption unit														C	C						C				21.05.060E.2.
	Junkyard or salvage yard															C										21.05.060E.3.
	Land reclamation	S/C	S/C	C/Ø	C/Ø	C/Ø	S/C	C/Ø	C/Ø	S/C	S/C	S/C		C/Ø	C/Ø	S/C	S/C	C/Ø	S/C	S/C	C/Ø	S/C	C/Ø	C/Ø		21.05.060E.4.
	Landfill															C						C				21.05.060E.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 TA 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 AND MIXED-USE											INDUSTRIAL				OTHER					Definitions and Use-Specific Standards			
		B-1A_NC	B-3_AC	CBD-DT-1	CBD-DT-2	CBD-DT-3	RO_0G	MC	RG	NMU	CMU	RMU	MT-1	MT-2_MMU	I0	I-1	I-2	MI	AF	DR	PR		PLI	TA	W
	Snow disposal site		C																			C			21.05.060E.6.
	Solid waste transfer facility																					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 **special land use permit for alcohol** ~~Assembly Alcohol Approval~~ review process in section 21.03.050, **Special Land Use Permit for Alcohol** ~~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 **special land use permit for alcohol** ~~Assembly Alcohol Approval~~ process and the separate process referenced in tables 21.05-1 or 21.05-2. A cross-reference to this section 21.05.020A. in tables 21.05-1 or 21.05-2 is not required for the operator of a use to request approval under section 21.03.050.

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 21.05.020B.

1. Purpose

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

2. Minimum Distance from Certain Uses

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

- a. A **K-12** 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 **Area Comprehensive Plan***;
- f. A **community center**;

- g. ~~A neighborhood recreation center; Public recreational facilities;~~
- h. ~~Child care centers Care facilities; or~~
- i. Public libraries.

3. Compliance with State Standards

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

4. Administrative Permit Required

An administrative permit 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 21.03.030, *Administrative Permits*. This permit shall remain valid so long as the enterprise remains in continuous operation at that location and does not physically expand. In addition, a permit granted under subsection B.3. shall remain valid so long as the enterprise does not engage in an activity **for which a permit is required under subsection B.2.** ~~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 21.14. Tenancy is arranged on a month-to-month or longer basis. Common accessory uses include recreational activities, raising of pets, gardens, personal storage buildings, hobbies, and parking of the occupants' vehicles. Specific use types include:

- 1 1. **Dwelling, Mixed-Use**
2 a. **Definition**
3 A dwelling that is located on the same lot or in the same building as a non-
4 residential use, in a single environment in which both residential and non-
5 residential amenities are provided.
- 6 b. **Use-Specific Standards**
7 Buildings containing mixed-use dwellings in the RM-4A district shall comply with
8 the applicable residential design standards in section 21.07.100, *Residential*
9 *Design Standards*. Buildings containing mixed-use dwellings in the mixed-use
10 districts shall comply with the mixed-use development standards in section
11 21.04.0300.
- 12 2. **Dwelling, Multifamily**
13 a. **Definition**
14 A residential building or multiple residential buildings comprising three or more
15 dwelling units on one lot. The definition includes the terms “apartment” or
16 “apartment building.”
- 17 b. **Use-Specific Standards**
18 i. Multifamily developments that consist of three or more units in one
19 building shall comply with the residential design standards in section
20 21.07.100G.
- 21 ii. Multifamily developments that consist of one or two units in a building
22 shall comply with the residential design standards in section 21.07.100E.
23 ~~Multiple family dwellings shall comply with the applicable residential~~
24 ~~design standards in section 21.07.100, *Residential Design Standards*.~~
- 25 3. **Dwelling, Single-Family Attached**
26 a. **Definition**
27 One dwelling unit in a building on its own lot, with one or more walls abutting the
28 wall or walls of ~~one~~ another single-family dwelling unit on an adjacent lot.
- 29 b. **Use-Specific Standards**
30 i. *Residential Design Standards*
31 Single-family attached dwellings shall comply with the applicable
32 residential design standards in section 21.07.100, *Residential Design*
33 *Standards*.
- 34 ii. *Common Party Wall Agreement*
35 A common party wall agreement shall be recorded. The agreement shall
36 provide for maintenance of the ~~structure and other improvements in good~~
37 ~~condition, and for maintenance of the~~ uniformity and common
38 appearance of the exterior of all structures and landscaping. ~~The paint~~
39 ~~and trim colors for both units of each structure shall be the same and~~
40 ~~landscaping shall be installed and maintained as a common design for~~
41 ~~both units of each structure.~~
- 42 iii. *Access; No Vertical Stacking*
43 Each unit shall have its own access to the outside, and no unit may be
44 located over another unit in whole or in part.
- 45 iv. *Side Setback Requirement*

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

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

5 **a. Definition**

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

9 **b. Use-Specific Standards**

10 Single-family detached dwellings shall comply with the applicable residential
11 design standards in section 21.07.100, *Residential Design Standards*.

12 **5. Dwelling, Townhouse**

13 **a. Definition**

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

16 **b. Use-Specific Standards**

17 *i.* Townhouse dwellings shall comply with the use-specific standards for
18 "Dwelling, Single-Family Attached" above.

19 *ii.* Townhouse dwellings shall comply with the applicable residential design
20 standards in section 21.07.100, *Residential Design Standards*.

21 **6. Dwelling, Two-Family**

22 **a. Definition**

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

25 **b. Use-Specific Standards**

26 Two-family dwellings shall comply with the applicable residential design
27 standards in section 21.07.100, *Residential Design Standards*.

28 **7. Dwelling, Mobile Home**

29 **a. Definition**

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

33 **b. Use-Specific Standards**

34 Only one mobile home is allowed per lot in the R-5L-1 district, unless the lot is
35 within a manufactured home community. A mobile home shall be placed on a
36 permanent foundation unless it is located within a manufactured home
37 community.

38 **8. Manufactured Home Community (MHC)**

39 **a. Definition**

40 Any parcel or adjacent parcels of land in the same ownership that is utilized for
41 occupancy by more than two mobile homes or manufactured homes. This term
42 shall not be construed to mean tourist facilities for parking of travel trailers or
43 campers, which are classified under "camper park."

b. Use-Specific Standards

All MHCs within the municipality shall be constructed, operated, and maintained in accordance with these general standards listed below. No variances shall be granted from the standards and provisions of this section.

i. Compliance with Applicable Regulations

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

ii. Responsibility for Compliance

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

iii. Minimum Site Size

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

iv. Maximum Site Density

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

v. Impermanent Foundations

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

vi. Mobile Home or Manufactured Home Spaces

(A) Occupancy

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

(B) Minimum Size

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

(C) Mobile Home or Manufactured Home Separation

(1) No part of any mobile home, manufactured home, accessory building, or its addition shall be placed closer than 15 feet from any other mobile home, manufactured home, or its addition, or no closer than ten feet if that mobile home, manufactured home, accessory building, or its addition being placed meets NFPA 501A and HUD #24CFR3280 standards.

(2) The requirements of sections 21.06.030A.2., *Projections into Required Setbacks* and 21.05.070, *Accessory Uses and Structures*, shall not apply to MHCs. All mobile

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

- (D) *Access*
Each mobile home or manufactured home space shall have direct access to an internal street. Direct access to exterior public streets is prohibited.

vii. *Streets and Drainage Facilities*

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

- (A) *Street Surface*
All streets shall be surfaced with all-weather materials, such as gravel, asphalt, or concrete, to a minimum surface width of 34 feet.

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

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

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

- (E) *Street Frontage*
Double-frontage spaces are prohibited, except that reverse-frontage spaces may back against streets bordering the MHC.

- (F) *Street Layout*
Streets shall be laid out so that their use by through traffic will be discouraged.

- (G) *Street Grades*
Street grades shall not exceed six percent. Street grades within 100 feet of intersections shall not exceed four percent.

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

- 1 (I) *Crosswalks*
2 Pedestrian crosswalks not less than ten feet in width may be
3 required in blocks longer than 330 feet when deemed essential
4 to provide reasonable circulation or access to schools,
5 playgrounds, shopping centers, convenience establishments,
6 service buildings or other community facilities. Signs approved
7 by the traffic department shall be provided at crossing locations.
- 8 viii. *Water and Sewage Systems*
9 All mobile homes in MHCs shall be connected to water and sewage
10 systems approved by the appropriate governmental body before they
11 may be occupied.
- 12 ix. *Landscaping*
13 (A) L4 screening landscaping shall be planted along each boundary
14 of the MHC, except for vehicular and pedestrian ingress and
15 egress points.
- 16 (B) All areas not devoted to mobile home or manufactured home
17 spaces, structures, drives, walks, off-street parking facilities, or
18 other required landscaping shall be planted with site
19 enhancement landscaping.
- 20 x. *Additions to Mobile Homes or Manufactured Homes; Accessory*
21 *Buildings*
22 (A) *Generally*
23 Additions or other accessory buildings or structures shall not
24 exceed 120 square feet gross floor area. Additions and
25 accessory buildings shall not exceed the height of the mobile
26 home or manufactured home by more than 12 inches. All
27 additions and accessory buildings shall be subject to the spacing
28 and setback requirements for mobile homes and manufactured
29 homes. Any addition or accessory building shall be constructed
30 in accordance with building safety code regulations pertaining to
31 temporary structures, provided that additions will not be required
32 to have a permanent foundation.
- 33 (B) *Exits*
34 The number of exterior exits from additions shall be equal to or
35 greater than the number of exits leading from the mobile home or
36 manufactured home to the addition. When two exterior exits are
37 required from additions, they shall be placed a distance apart
38 equal to one-fifth of the total perimeter of the addition.
- 39 xi. *Refuse Collection*
40 A MHC operator shall provide adequate refuse collection facilities.
41 Refuse collection facilities shall be constructed and maintained in
42 accordance with all municipal health regulations and shall be designed to
43 bar animals from access to refuse. Refuse shall be removed from refuse
44 collection sites at least once a week. Refuse facilities shall be screened
45 pursuant to section 21.07.080H., *Screening*.
- 46 xii. *Fuel Tanks*

- 1 Fuel oil supply tanks shall be placed in compliance with applicable
2 building and fire codes. Liquefied gas containers shall be securely
3 anchored to a permanent and stable holding structure or adequately
4 secured to a mobile home or manufactured home.
- 5 *xiii. Campers and Travel Trailers*
6 Occupied campers and travel trailers are not subject to paragraphs
7 8.b.vi., *Mobile Home or Manufactured Home Spaces*, and 8.b.viii., *Water*
8 *and Sewage Systems*, of this subsection. Any permitted spaces
9 intended for occupied campers and travel trailers shall be placed in an
10 area segregated from permanent mobile home or manufactured home
11 spaces. Any area within a MHC that is occupied by campers and travel
12 trailers shall be served by a service building containing public toilet
13 facilities and water supply.
- 14 *xiv. Animals in MHCs*
15 The outdoor keeping of animals other than dogs is prohibited.
- 16 *xv. Convenience Establishments in MHCs*
17 Convenience establishments of a commercial nature, including stores,
18 coin-operated laundry and dry cleaning establishments and laundry and
19 dry cleaning agencies, beauty shops and barbershops, may be permitted
20 in MHCs subject to the following restrictions. Such establishments and
21 the parking area primarily related to their operations shall not occupy
22 more than ten percent of the area of the community, shall be subordinate
23 to the residential use and character of the park, shall be located,
24 designed and intended to serve frequent trade or service needs of
25 persons residing in the community, and shall present no visible evidence
26 of their commercial character from any portion of any district outside the
27 community. Such convenience areas shall be considered accessory
28 uses to the principal use of mobile homes or manufactured homes, may
29 be permitted without a zoning change, and shall be discontinued if the
30 MHC is discontinued.
- 31 *xvi. Sites in Flood Hazard Overlay District*
32 All MHCs of which all or a portion are within the Flood Hazard Overlay
33 District shall meet the following requirements:
- 34 **(A)** Over-the-top ties shall be provided at each of the four corners of
35 the mobile home or manufactured home and two ties per side at
36 intermediate locations. Mobile homes more than 50 feet long
37 shall require one additional tie per side.
- 38 **(B)** Frame ties shall be provided at each corner of the frame, and
39 five ties per side at intermediate points. Mobile homes or
40 manufactured homes more that 50 feet long shall require four
41 additional ties per side.
- 42 **(C)** All components of the anchorage system shall be capable of
43 carrying a force of 4,800 pounds.
- 44 **(D)** Any additions to the mobile home or manufactured home shall
45 be similarly anchored.

- 1 (E) All applications for a conditional use for a MHC shall include an
 2 evacuation plan indicating alternate vehicular access and escape
 3 routes during times of flooding.
- 4 xvii. *Sites in Floodplain*
 5 No mobile homes or manufactured homes shall be placed within the
 6 regulatory floodplain, except that MHCs existing before September 25,
 7 1979, shall be permitted to place mobile homes or manufactured homes
 8 within existing unit spaces.
- 9 xviii. *Nonconforming MHCs*
 10 (A) Those MHCs situated within the boundaries of the former City of
 11 Anchorage which existed prior to August 30, 1977, are not
 12 subject to paragraphs 8.b.vi., *Mobile Home or Manufactured*
 13 *Home Spaces*, and 8.b.viii., *Water and Sewage Systems*, of this
 14 subsection, provided that such communities meet the standards
 15 set forth in the former City of Anchorage Municipal Code
 16 sections 6.60.010 through 6.60.110.
- 17 (B) Those MHCs situated in any area of the municipality other than
 18 that described in paragraph i. above, which existed prior to 1966,
 19 are not subject to the requirements of paragraphs 8.b.vi., *Mobile*
 20 *Home or Manufactured Home Spaces*, 8.b.vii., *Streets and*
 21 *Drainage Facilities*, and 8.b.x., *Additions to Mobile Homes or*
 22 *Manufactured Homes; Accessory Buildings*, of this subsection,
 23 within the area and to the extent that it was constructed,
 24 operated or maintained prior to that date.
- 25 (C) Any MHC exempt from certain requirements of this subsection
 26 21.05.030A.8., *Manufactured Home Community*, as provided in
 27 paragraphs xviii.(A) and (B) above, shall conform to all
 28 provisions of this subsection 21.05.030A.8. within any area first
 29 constructed, operated, or maintained after the specified date or
 30 within any area that is substantially altered, remodeled,
 31 reconstructed or rebuilt after that date.

32 B. Group Living

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

39 1. **Assisted Living Residential-Care Facility**

40 a. **Definition**

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

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

2 *i. Housekeeping Unit*

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

5 *ii. Administrative Variance Needed*

6 In the R-1, R-1A, R-2A, and R-2D zones, a small assisted living facility
7 serving five or fewer residents is permitted by right. An administrative
8 variance pursuant to section 21.03.250J. is required to serve six to eight
9 residents.

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

11 Large assisted living facilities shall comply with the use-specific standards set
12 forth for "adult care facilities with 9 or more persons" below.

13 **2. Correctional Community Residential Center**

14 **a. Definition**

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

21 **b. Use-Specific Standards**

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

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

25 (A) No new correctional community residential center may be
26 located within one mile of an existing center or within 500 feet of
27 an existing academic school or public park.

28 (B) Program occupancy limits shall be as determined by the state
29 department of corrections.

30 (C) Maximum resident occupancy at a center shall be determined by
31 requiring a minimum of 150 square feet of building area per
32 resident. This measurement shall be calculated by including all
33 bedroom, kitchen, bathroom, living, recreation, and other areas
34 within the facility intended for common use by the residents.

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

37 (E) ~~In the AC, CMU, RMU, and MMU zoning districts, correctional~~
38 ~~community residential centers that house only residents~~
39 ~~convicted of misdemeanors are a permitted use.~~ Centers that
40 house felons are only permitted by a conditional use in the I-1
41 and PLI these districts. Centers allowed in other districts may
42 only house residents convicted of misdemeanors.

43 (F) No additional correctional community residential centers may be
44 located in the DT CBD zoning districts or in a B-3 AC zoning

1 district in the area bounded on the north by Ship Creek, on the
2 south by Chester Creek, on the east by Orca Street extended,
3 and on the west by Cook Inlet.

- 4 ii. *Existing Centers Established Under Quasi-Institutional House Provisions*
5 The three correctional community residential centers that were
6 established under the quasi-institutional house provisions of title 16 and
7 title 21 of this code and that existed as of January 1, 1995, may continue
8 to operate under the terms of their existing conditional use permits and at
9 the occupancy level permitted as of that date. No other beds may be
10 added to these centers.

11 3. **Habilitative Care Facility**

12 a. **Definition**

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

22 4. **Roominghouse**

23 a. **Definition**

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

30 b. **Use-Specific Standards**

31 i. *Administrative Permit*

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

38 ii. *General Standards*

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

41 (B) L2 visual enhancement landscaping is required when abutting
42 residential lots in a residential zone.

43 (C) The number of guestrooms shall be limited to 8 guestrooms or
44 12 pillows.

45 (D) Cooking facilities are prohibited in guestrooms.

- 1 (E) The roominghouse shall be limited to a single structure, and only
2 one roominghouse shall be allowed per lot.
- 3 (F) Public ingress and egress to the roominghouse shall be limited
4 to one primary entrance; guestroom entrances shall be from a
5 shared interior hall rather than individual exterior doors.
- 6 (G) In residential zones, the owner or operator of the roominghouse
7 shall reside on site.

8 **5. Transitional Living Facility**

9 **a. Definition**

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

20 **21.05.040 PUBLIC/INSTITUTIONAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

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

27 **A. Adult Care**

28 **1. Definition**

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

32 **2. Use-Specific Standards for Adult Care Facilities with 1-8 Persons**

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

37 **b.** In all residential districts and in the R-O and B-1A districts, these facilities shall
38 be located only in a single family detached structure, excluding detached
39 condominium units. These facilities shall be prohibited if the only direct street
40 access is from a private street.

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

1 **3. Use-Specific Standards for Adult Care Facilities with 9 or More Persons (also apply**
2 **to “Large Assisted Living Facilities” and “Nursing Facility”)**

3 **a. Access**

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

6 **b. Minimum Lot Size**

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

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

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

11 *ii.* The minimum lot size for adult care facilities with 9 or more persons, and
12 for large assisted living facilities shall be:

13 (A) Nine to sixteen beds: the minimum lot size of the underlying
14 district.

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

16 **c. Vegetated Open Space**

17 A minimum of 15 percent of the lot shall remain as a planted open area,
18 landscaped area, or natural vegetation area, to exclude buildings, driveways,
19 parking areas, sidewalks, etc., unless the director determines that retention of
20 less than 15 percent allows for sufficient buffering of adjacent uses.

21 **d. Adjacent Residential**

22 A facility in a non-residential district that is adjacent to a residential use or district
23 shall provide L3 buffer landscaping along the lot line dividing the two.

24 **e. Ambulance and Delivery Areas**

25 Ambulance and delivery areas shall be screened from adjacent residential areas
26 by L3 buffer landscaping or a fence no less than six feet high.

27 **f. Snow Storage**

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

40 **g. Continuing Conditional Uses**

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

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

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

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

6 **b. Vegetated Open Space**

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

12 **c. Factors for Consideration**

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

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

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

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

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

35 v. Whether the proposed size of the facility is necessary for the financial
36 viability of the facility.

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

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

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

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

B. Child Care Facility

1. Child Care Center

a. Definition

Child care center has the same meaning as set forth in AMC chapter 16.55 for child care and educational center, and may care for nine or more children. Operation of a child care center is not a home occupation.

b. Use-Specific Standards

i. Access

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

ii. Usable Outdoor Space

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

iii. Vegetated Open Space

In all zoning districts except for the R-1, R-1A, R-2A, R-2D, and I-1, a minimum of 15 percent of the lot area shall remain as planted open area, landscaped area, or natural vegetation area, to exclude buildings, driveways, parking areas, sidewalks, etc., unless the director determines that retention of less than 15 percent allows for sufficient buffering of adjacent uses. In the R-1, R-1A, R-2A, R-2D, and I-1, a minimum of 25 percent of the lot shall remain as required above, unless the planning and zoning commission determines that retention of less than 25 percent allows for sufficient buffering of adjacent uses.

iv. Adjacent Residential

L2 visual enhancement landscaping shall be provided along each lot line that abuts a lot within a residential district. A child care center in a nonresidential district, that is adjacent to a residential use or district, shall provide L3 buffer landscaping along the adjacent lot line.

v. Snow Storage

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

vi. Continuing Conditional Uses

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

1 **c. Additional Standards for Conditional Uses**

2 **i. Use-Specific Standards Apply**

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

5 **ii. Additional Standards**

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

10 **iii. Vegetated Open Space**

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

17 **2. Child Care Home**

18 **a. Definition**

19 Child care home has the same meaning as set forth in AMC chapter 16.55 and
20 may care for up to eight children. Operation of a child care home is not a home
21 occupation.

22 **b. Use-Specific Standards**

23 **i. Minor Commercial Activity**

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

28 **ii. Usable Outdoor Space**

29 Child care homes shall provide usable outdoor space as required by
30 section 16.55.450.

31 **iii. Continuing Conditional Uses**

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

34 **C. Community Service**

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

40 **1. Cemetery or Mausoleum**

41 **a. Definition**

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

b. Use-Specific Standards

i. Burial of Human Remains in Other Areas Prohibited

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

Landscaping

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

ii. Platting of Burial Plots

Burial plots shall be platted in accordance with section 21.03.210D., Abbreviated Plat Procedure.

iii. Density of Burial Plots

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

iv. Interment Below Groundwater Table Prohibited

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

v. Traffic Access

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

vi. Dimensional Standards

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

(A) Minimum Site Area

Five acres.

(B) Minimum Setbacks

(1) Front setback: Ten feet.

(2) Side setback: Ten feet.

(3) Rear setback: Ten feet.

(C) Maximum Height of Structures

35 feet.

vii. Location of Burial Plots within Setbacks

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

viii. Parking, Driveways, and Streets

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

1 **2. Community Center**
 2 **a. Definition**
 3 A facility that is intended primarily to serve the meeting, cultural, social services,
 4 administrative, athletic, or entertainment needs of the community as a whole,
 5 operated by the government or as a non-profit facility, and generally open to the
 6 public.

7 **b. Use-Specific Standards (also apply to "Religious Assembly")**
 8 *i. Applicability*
 9 The standards of this subsection shall apply to all community centers
 10 and religious assemblies within a residential zoning district.

11 *ii. Minimum Lot Area and Width*
 12 Notwithstanding the general dimensional standards of chapter 21.06,
 13 community centers and religious assemblies subject to this subsection
 14 shall have a minimum lot area of 14,000 square feet and a minimum lot
 15 width of 100 feet at any point.

16 *iii. Traffic Access*
 17 Community centers and religious assemblies shall have at least one
 18 property line of the site that is at least 50 feet in length, and it shall abut a
 19 street designated as a ~~class 1~~ collector or greater on the OSHP. All
 20 ingress and egress traffic shall be directly onto such street.

21 *iv. Buffering Standards*
 22 L3 buffer landscaping is required along all property lines where the
 23 community center or religious assembly site abuts a residential use in a
 24 residential zone.

25 **3. Crematorium**
 26 **a. Definition**
 27 A furnace or establishment for the cremation of corpses, human and animal. **A**
 28 **crematorium is never an accessory use.**

29 **b. Use-Specific Standard**
 30 All facilities shall be maintained within a completely enclosed building, and shall
 31 be sufficiently insulated so that, to the maximum extent feasible, no noise or odor
 32 can be detected off-premises.

33 **4. Governmental Administration and Civic Buildings**
 34 **a. Definition**
 35 An office of a governmental agency or foreign government that provides
 36 administrative and/or direct services to the public, such as, but not limited to,
 37 employment offices, public assistance offices, or motor vehicle licensing and
 38 registration services.

39 **b. Use-Specific Standards**
 40 **All Government administration and civic buildings or additions to existing**
 41 **government administration and civic buildings shall have the following review**
 42 **process:**

43 *i.* New Construction of **less than 7,000** ~~20,000~~ square feet ~~or less~~ is
 44 permitted.

1 ii. Construction of 7,000 to 25,000 square feet is subject to an
2 administrative site plan review.

3 iii. New C construction over 25,000 ~~20,000~~ square feet is subject to a major
4 site plan review.

5 iv. Lease of existing space is permitted.

6 5. **Homeless and Transient Shelter**

7 a. **Definition**

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

15 6. **Neighborhood Recreation Center**

16 a. **Definition**

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

20 7. **Religious Assembly**

21 a. **Definition**

22 A building or structure, or group of buildings or structures, intended primarily for
23 the conducting of organized religious services. Accessory uses may include,
24 without limitation, parsonages, meeting rooms, and child care provided for
25 persons while they are attending religious functions. Schools associated with
26 religious assemblies are not an accessory use.

27 b. **Use-Specific Standards**

28 i. **Standards**

29 Religious assembly uses shall comply with the use-specific standards set
30 forth above under "community center."

31 ii. **Columbaria**

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

35 iii. **Maximum Height**

36 Except for those elements exempted in subsection 21.06.030D.5., a
37 religious assembly may not exceed the height permitted in the zoning
38 district in which it is located. However, in districts where the maximum
39 height is less than 40 ~~30~~ feet, the maximum height for a religious
40 assembly or a portion thereof may increase to 40 feet, so long as the
41 building is setback from any point on the property line at least twice the
42 maximum actual height.

D. Cultural Facility

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

1. Aquarium**a. Definition**

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

2. Botanical Gardens**a. Definition**

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

3. Library**a. Definition**

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

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

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

5. Zoo**a. Definition**

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

E. Educational Facility

This category includes any public and private school at the elementary, middle, junior high, or high school level. This category also includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree. This category also includes vocational or trade schools. Accessory uses at schools **may** include play areas, meeting areas, cafeterias, recreational and sport facilities, auditoriums, parking, and before- or after-school day care. Accessory uses at colleges 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*.

1 **2. College or University**

2 **a. Definition**

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

8 ~~**Education and Research Center**~~

9 ~~**a. Definition**~~

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

13 **3. Elementary School**

14 **a. Definition**

15 A public, private, parochial, or charter school offering academic instruction for
16 students typically between the kindergarten and sixth grade levels, but not higher
17 than the seventh grade. Pre-school is not included and is categorized in this title
18 as “child care facility.”

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

21 *i. Purpose*

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

25 *ii. Applicability*

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

28 *iii. Public Schools*

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

35 *iv. Minimum Lot Dimensions and Setbacks*

36 All schools are subject to the following standards:

37 **(A)** School buildings in residential districts shall:

38 **(1)** Cover not more than 35 percent of their site area; and

39 **(2)** Provide 50-foot side and rear setbacks.

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

41 **(1)** Elementary: one acre per 100 students;

- 1 (2) Middle, High, and Boarding: one and one-half acres per
2 100 students.
- 3 v. *Vehicle and Pedestrian Access*
- 4 (A) All middle and high schools, and schools without an Anchorage
5 School District attendance boundary shall have at least 100 feet
6 of frontage on a collector Class 1 or greater classification street.
- 7 (B) Paved pedestrian walkways and trails, exclusive of driveways,
8 shall be provided between the principal buildings and each
9 abutting public right-of-way or trail.
- 10 vi. *Temporary Structures for School Expansion Space (Relocatables)*
11 Temporary structures serving as expansion space for schools are
12 allowed in all districts in which schools are allowed, subject to the
13 following standards:
- 14 (A) Temporary structures shall not be placed in traffic circulation
15 routes, in required parking, or in required landscaping areas. To
16 the maximum extent feasible, temporary structures shall not be
17 located between the principal building and a street classified as
18 collector class or greater in the OSHP.
- 19 (B) The temporary structures are exempt from the general
20 requirements for all temporary uses contained in section
21 21.05.080, *Temporary Uses and Structures*.
- 22 vii. *Landscaping*
23 L2 visual enhancement L3 separation landscaping is required along all
24 property lines where the school site abuts a residential use in a
25 residential zone.
- 26 4. **High School or Middle School**
- 27 a. **Definition**
28 A public, private, parochial, or charter school offering academic instruction for
29 students typically in the seventh through twelfth grades, but may include lower
30 grades. This classification includes the terms "middle school" and "junior high
31 school."
- 32 b. **Use-Specific Standards**
33 High schools and middle schools shall comply with the use-specific standards set
34 forth for "elementary school" above.
- 35 5. **Instructional Services (moved from "Retail, Personal Services, Repair, and Rental")**
- 36 a. **Definition**
37 A specialized instructional establishment that provides on-site training of
38 business, artistic, or commercial skills. Examples include, but are not limited to,
39 driving schools for personal vehicles, fine arts schools, dance, music, and
40 computer instructional services. This use does not include establishments that
41 teach skills that prepare students for jobs in a trade (e.g., carpentry), which are
42 classified under "vocational or trade schools."
- 43 6. **Vocational or Trade School**
- 44 a. **Definition**

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

8 **b. Use-Specific Standard**

9 *i.* In the **DT CBD** districts, vocational or trade schools shall be prohibited at
 10 the ground level.

11 *ii.* This use includes business schools but excludes establishments
 12 providing training in an activity that is not otherwise permitted in the
 13 zoning district.

14 **F. Health Care Facility**

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

18 **1. Health Services**

19 **a. Definition**

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

25 **2. Hospital/Health Care Facility**

26 **a. Definition**

27 A facility or institution, whether public or private, principally engaged in providing
 28 inpatient services for medical, surgical, or psychiatric care, and the treatment and
 29 housing of persons under the care of doctors and nurses. Examples include
 30 general or specialty hospitals, but exclude habilitative care facilities, assisted
 31 living facilities, and nursing facilities. Training, rehabilitation services, and health
 32 services may be permitted as accessory uses, if integral to the facility's function.
 33 Central services facilities, such as kitchens and laboratories which serve the
 34 health care facility are permitted accessory uses to a hospital/health care facility.

35 **b. Use-Specific Standards**

36 [RESERVED]
 37

38 **3. Nursing Facility**

39 **a. Definition**

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

43 **b. Use-Specific Standards**

44 *i.* Nursing facilities allowed by right or by site plan review shall comply with
 45 the use-specific standards set forth for "adult care facilities with 9 or
 46 more persons" above. Facilities allowed by conditional use shall comply

1 with the additional standards for conditional uses set forth in “adult care
2 facilities” above.

3 ii. Nursing facilities shall be subject to the multi-family building development
4 and design standards in section 21.07.100.

5 G. Parks and Open Areas

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

10 1. Community Garden

11 a. Definition

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

15 2. Park and Open Space, Public or Private

16 a. Definition

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

20 H. Public Safety Facility

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

24 1. Community or Police Substation

25 a. Definition

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

29 b. Use-Specific Standards

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

34 2. Correctional Institution

35 a. Definition

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

41 b. Use-Specific Standards

42 i. Traffic Access

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

3 ii. *Screening or Buffering*
4 The planning and zoning commission may require fencing and
5 landscaping.

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

9 ~~(B) L3 separation landscaping along the perimeter of the site.~~

10 ~~(C) L4 screening landscaping when adjacent to residential zones.~~

11 **3. Fire Station**

12 a. **Definition**

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

16 **4. Public Safety Facility**

17 a. **Definition**

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

23 **I. Transportation Facility**

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

27 **1. Airport**

28 a. **Definition**

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

31 **2. Airstrip, Private**

32 a. **Definition**

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

34 b. **Use-Specific Standard**

35 Private airstrips are allowed conditionally in residential districts only if approach
36 and noise buffer areas are provided.

37 **3. Heliport**

38 a. **Definition**

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

1 **4. Rail Yard**

2 **a. Definition**

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

10 **5. Railroad Freight Terminal**

11 **a. Definition**

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

14 **6. Railroad Passenger Terminal**

15 **a. Definition**

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

19 **7. Bus Transit Center**

20 **a. Definition**

21 Any premises, located at the confluence of multiple established routes (of the
22 same or different types of transit), for the loading and unloading of passengers
23 on public transit, such as a bus transfer center. Accessory uses may include
24 ticket purchase facilities, food and beverage kiosks, and convenience stores.

25 **J. Utility Facility**

26 This category includes both major utilities, which are infrastructure services providing regional or
27 community-wide service, and minor utilities, which are infrastructure services that need to be
28 located in or near the neighborhood where the service is provided. Services may be publicly or
29 privately provided. Accessory uses may include parking and control, monitoring, or data
30 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 new
34 buildings or structures, and that typically has employees at the site. Examples
35 include water works, water or sewage treatment plants, power or heating plants,
36 or steam generating plants.

37 **2. Utility Substation**

38 **a. Definition**

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

43 **b. Use-Specific Standards**

44 The facility shall be designed and constructed to ensure visual and aesthetic
45 compatibility with the surrounding neighborhood. Compatibility may be achieved

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

3 **K. Telecommunication Facilities**

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

7 **1. Definitions**

8 **a. Type 1 Tower**

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

13 **b. Type 2 Tower**

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

17 **c. Type 3 Tower**

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

21 **d. Type 4 Tower**

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

32 **2. Use-Specific Standards**

33 **a. Setbacks**

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

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

38 **(B)** Type 2: from the street frontage, the setback shall be equal to ~~or~~
39 greater than the distance measured from grade to the first taper
40 transition, or 100 feet, whichever is greater. Setbacks from any
41 side and rear lot lines adjacent to a residential district shall be
42 100 feet. If the tower is in a residential district, the setback shall
43 be 100 feet from all lot lines.

- 1 (C) Type 3: equal to or greater than the distance measured from the
2 tower structure axis to the outermost guy wire anchor. The guy
3 wire levels and anchor radius must match manufacturer's criteria
4 for the proposed application.
- 5 ii. For type 3 towers, that portion of guy wire anchor structure that is above
6 grade shall be set back from any property line in accordance with the
7 following:
- 8 (A) Guy wire with a nominal diameter of 0.25 inches or less--25 feet,
9 provided the setback may be reduced to 0 feet if the anchor
10 structure is enclosed within a sight obscuring fence.
- 11 (B) Guy wire with a nominal diameter greater than 0.25 inches but
12 less than 0.625 inches--25 feet, provided the setback may be
13 reduced to 5 feet if the anchor structure is enclosed within a sight
14 obscuring fence.
- 15 (C) Guy wire with a nominal diameter equal to or greater than 0.625
16 inches--25 feet.
- 17
- 18 b. **Tower Structure Height**
- 19 i. Height for a tower structure directly fixed to the ground shall be
20 determined by measurement from grade to the highest point on the tower
21 structure, including any installed antennas and lighting and supporting
22 structures.
- 23 ii. Base height shall be as set forth below:
- 24 (A) Residential districts--65 feet
- 25 (B) Commercial and Mixed-Use districts--130 feet
- 26 (C) Industrial districts--150 feet
- 27 (D) AF district--200 feet
- 28 (E) All other districts--100 feet
- 29
- 30 iii. ~~Height for a tower structure not directly affixed to the ground shall be~~
31 ~~determined by measurement from the grade of the building to the highest~~
32 ~~point on the tower structure, including any installed antennas and lighting~~
33 ~~and supporting structures.~~ At no time shall the height of a tower installed
34 on a building be more than either two times the height of the existing
35 building, or more than the allowable tower height as set by the zoning
36 district, excluding the building, whichever is greater. The height
37 calculations include any installed antennas and lighting and supporting
38 structures. Tower structures shall not exceed the height limits set forth in
39 subsection 21.04.060C. of this title nor interfere with Federal Aviation
40 Administration Regulations on airport approaches.
- 41
- 42
- 43 iv. Collocation shall grant an additional 15 feet above the base height for
44 each qualifying antenna to a maximum of 30 feet of additional height.
45 Increases in tower structure height by operation of this paragraph shall

- 1 not reclassify a tower structure from a local interest tower to a community
2 interest tower.
- 3 v. If any community interest ~~or local interest~~ tower on a site exceeds 200
4 feet in height, the tower site shall be separated from any other principal
5 or conditional use community interest ~~or local interest~~ tower site with
6 tower(s) exceeding 200 feet in height by at least 5,280 feet **(one mile)**.
- 7 vi. Any tower or antenna seeking to exceed the height limitations of this
8 section may apply for a conditional use permit.
- 9 **c. Residential Zoning Districts**
10 Type 1, 2, and 3 towers in residential districts shall only be located on a lot with
11 an existing non-residential use or a lot with a multifamily residential use. **Type 4**
12 **towers in residential districts are permitted on any residentially zoned lot, subject**
13 **to section 21.05.040K.2.k.**
- 14 **d. Collocation**
- 15 i. The collocation tower structure, pole, monopole or any other similar
16 facility, must be designed to accommodate no less than the following
17 communications equipment: 12 antennas with a flat plate wind loading of
18 not less than 4 square feet per antenna; a standard mounting structure,
19 stand off arms, platform or other similar structure that is sufficient to hold
20 the antennas; cable ports at the base and antenna levels of the tower
21 structure; and, sufficient room within or on the tower structure for 12 runs
22 of 7/8" coaxial cable from the base of the tower structure to the
23 antennas. If the proposed collocation design does not meet the
24 standards for the 12 antennas, but still provides for collocation, the
25 director may apply a lesser collocation standard if it meets the intent of
26 promoting collocation. **The applicant must provide evidence that the**
27 **design will be built to the strength necessary to accommodate potential**
28 **collocating antennas, and must show that the site is large enough for all**
29 **potential equipment, such as equipment sheds, to support the collocating**
30 **antennas.**
- 31
- 32 ii. Applicants for collocation shall provide proof in a form found acceptable
33 to the municipal attorney that more than one service provider can locate
34 in the collocation facility.
- 35 iii. All community and local interest towers shall, for a reasonable
36 compensation, be made available for use by as many other licensed
37 carriers as can be technically collocated thereon when the use will not
38 result in substantial injury to the owner, or in substantial detriment to the
39 service to the customers of the owners. All licensed carriers shall
40 cooperate with each other in collocating additional facilities upon such
41 towers. All licensed carriers shall exercise good faith in collocating with
42 other licensed carriers and in the sharing of towers, including the sharing
43 of technical information to evaluate the feasibility of collocation.
44 Reasonable compensation shall be as indicated in the municipality at the
45 time of the request for collocation, subject to proof by the petitioner.
- 46 iv. Any request by a licensed carrier to a tower owner for collocation shall
47 be either approved or denied within six months of the date of the request.

e. General Standards

i. Parking

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

ii. Security

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

iii. Installation

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

iv. Tower Lighting

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

v. Tower Color

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

vi. Notice and interference

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

vii. Identification Placard

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

- (A)** The name and address of the tower structure owner;
- (B)** The name and address of the tower structure manager, if different from the owner;
- (C)** The date of erection of the tower structure; and

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

3 f. **Administrative Permit Required**

4 An administrative permit shall be obtained from the director. The application shall
5 identify the antenna(s) on the tower, and include the dimensional design of the
6 tower/antenna(s), the legal description of the site, its zoning and its street
7 address, if any, and a site plan with the exact location of the tower and/or
8 antennas marked. This permit shall certify that, when granted, the antenna, or
9 tower structure was in compliance with this section. This permit shall remain valid
10 so long as that antenna or tower structure remains in continuous operation or is
11 revoked according to this title.

12 g. **Tower Permit Revocation**

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

18 h. **Annual Inventory**

19 By January 31 of each year, each tower owner who is regulated by this section
20 shall provide the municipality with an inventory of all additions and deletions of
21 said provider's existing towers or approved sites for such facilities that are either
22 within the municipality or within one mile of the border thereof as of December 31
23 of the previous year, or as a condition of any requested administrative site plan
24 or conditional use. The information to be provided for such facilities shall be to
25 an FAA 2C standard. The first inventory from each provider shall be a
26 comprehensive current list of their existing towers and approved sites.

27 i. **Time Period for Construction**

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

31 j. **Administrative Site Plan Review**

32 i. *Applicability*

33 When an administrative site plan is required by tables 21.05-1 or 21.05-
34 2, this subsection shall apply. A site plan review is required of all such
35 towers since they have aesthetic and visual impacts on their neighbors,
36 and the public interest is best served by allowing these neighbors and
37 the public at large a chance to comment on and provide input concerning
38 the location and design of these towers. All such towers shall conform to
39 the requirements of this section and to the requirements of the zoning
40 district in which the tower is located.

41 ii. *General*

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

- 1 (B) Any information of an engineering nature that the applicant
 2 submits, whether civil, mechanical, or electrical, shall be certified
 3 by a licensed professional engineer.
- 4 iii. *Submittal Information*
 5 Applicants for an administrative site plan review for a tower structure
 6 shall submit the information required in the user's guide.
- 7
 8 iv. *Minimum Separation Distance From Protected Land Uses*
 9 (A) The minimum separation distance between the base of the tower
 10 and any principal structure on PLI or residentially-zoned land, or
 11 any school or licensed **child care center** ~~daycare facility~~, shall be
 12 two times the ~~allowable~~ tower height.
- 13 (B) After giving due consideration to the comments of the applicant,
 14 the property owner, and the local community council, the **director**
 15 **may reduce the** minimum separation distance set forth in the
 16 paragraph iv.(A) above ~~may be reduced~~ by no more than one-
 17 half ~~by the director~~.
- 18 v. *Public Participation Process*
 19 Notwithstanding table 21.03-1, at least **21** ~~35~~ days before acting on a
 20 tower site plan application under this section, the director shall publish
 21 notice of the application in a newspaper of general circulation in the
 22 municipality. The notice shall state the name(s) of the applicant(s), a
 23 clear and concise description of the project, the street address, if any,
 24 and the legal description of the land subject to the application. The
 25 notice, including a map of the vicinity, shall also be provided to any
 26 officially recognized community council whose boundary encompasses
 27 the tower site and to owners of property within 500 feet of the proposed
 28 site. The applicant shall also post the property with a notice pursuant to
 29 subsection 21.03.020H.5. Following notice of the site plan, the
 30 community council has **21** ~~35~~ days from the date of the letter to respond.
- 31
 32 vi. *Approval Period*
 33 The director shall take action on the site plan within **45** ~~60~~ days of the
 34 site plan application submittal.
- 35
 36 vii. *Factors Considered In Granting Site Plan Approval For Tower Structures*
 37 In addition to the general standards for site plan approval at subsection
 38 21.03.190E., the director shall also consider the factors for conditional
 39 uses for tower structures in subsection m.iii. below.
- 40
 41 viii. *Height*
 42 Unless clearly specified by conditions of approval, the approved tower
 43 height is that of the allowed tower height in the district, plus additional
 44 height allowed with collocation, if collocation is provided for. The
 45 petitioner must show that there is capacity for the height and enough
 46 space for equipment cabinets on their ground lease to accommodate the
 47 height and any collocated antennas.
- 48 k. **Qualification of Type 4 Tower Structure and Antenna**
 49 Each type 4 tower structure and antenna shall be subject to design review and
 50 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.

i. 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.

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 21.03.080B, but not the approval criteria of subsection 21.03.080C. Applications for conditional use permits under this section shall comply with the standards contained in this section.

(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 of the proposed tower structure or antenna on adjoining properties.

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

ii. Submittal Information

Applicants for conditional use for a tower structure shall submit the information required in the user's guide.

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

The planning and zoning commission shall consider the following factors in determining whether to issue a conditional use permit, although the ~~planning and zoning~~ commission may waive or reduce the burden on the applicant of one or more of these criteria if the ~~planning and zoning~~ commission concludes that the goals of this ordinance are better served thereby:

(A) Height of the proposed tower structure;

- 1 (B) Proximity of the tower structure to residential structures and
2 residential district boundaries;
- 3 (C) Nature of uses on adjacent and nearby properties;
- 4 (D) Surrounding topography;
- 5 (E) Surrounding tree coverage and foliage;
- 6 (F) Design of the tower structure, with particular reference to design
7 characteristics that have the effect of reducing or eliminating
8 visual obtrusiveness;
- 9 (G) Proposed ingress and egress; and
- 10 (H) Availability of suitable existing tower structures, other structures,
11 or alternative technologies not requiring the use of tower
12 structures or structures, or the availability of said structures or
13 technology to cover the service area gap within the licensed
14 service area.
- 15 iv. *Availability of Suitable Existing Tower Structures, Other Structures, or*
16 *Alternative Technology*
17 No new tower structure shall be permitted unless the applicant
18 demonstrates to the reasonable satisfaction of the planning and zoning
19 commission that no existing tower structure, structure, or alternative
20 technology that does not require the use of tower structures, or
21 alternative technology can accommodate or replace the applicant's
22 proposed antenna. An applicant shall submit any additional information
23 requested by the planning and zoning commission related to the
24 availability of suitable existing tower structures, other structures, or
25 alternative technology. Evidence submitted to demonstrate that no
26 existing tower structure, structure, or alternative technology can
27 accommodate the applicant's proposed antenna, or is not able to cover
28 the service area gap within the licensed service area, will consist of the
29 following:
30
- 31 (A) No existing tower structures or structures are located within the
32 geographic area which meet applicant's engineering
33 requirements.
- 34 (B) Existing tower structures or structures are not of sufficient height
35 to meet applicant's engineering requirements.
- 36 (C) Existing tower structures or structures do not have sufficient
37 structural strength to support applicant's proposed antenna and
38 related equipment.
- 39 (D) The applicant's proposed antenna would cause electromagnetic
40 interference with the antenna on the existing tower structures or
41 structures, or the antenna on the existing tower structures or
42 structures would cause interference with the applicant's
43 proposed antenna.

- 1 (E) The fees, costs, or contractual provisions required by the owner
 2 in order to share an existing tower structure or structure or to
 3 adapt an existing tower structure or structure for sharing are
 4 unreasonable. Costs exceeding new tower structure
 5 development are presumed to be unreasonable.
- 6 (F) The applicant demonstrates that there are other limiting factors
 7 that render existing tower structures and structures unsuitable.
- 8 (G) The applicant demonstrates that an alternative technology that
 9 does not require the use of tower structures or structures, such
 10 as a cable microcell network using multiple low-powered
 11 transmitters/receivers attached to a wireline system, is
 12 unsuitable. Costs of alternative technology that exceed new
 13 tower structure or antenna development shall not be presumed
 14 to render the technology unsuitable.
- 15 v. *Modifications*
 16 Standards for modifications to community interest and local interest
 17 towers allowed as a conditional use are as follows:
- 18 (A) Repairs and maintenance to the tower structure may be
 19 performed consistent with subsection 21.12.040F.
- 20 (B) The replacement, repair or addition of antennas, dishes and
 21 other transmitting or receiving devices to a tower shall not be
 22 considered a modification of final approval as set forth in
 23 subsection 21.03.080D. and shall be considered a use
 24 contemplated within the original approved or de facto conditional
 25 use where the replacement, repair, or addition of antennas,
 26 dishes, and other transmitting or receiving devices:
- 27 (1) Will serve the same user or successor entity under the
 28 original conditional use;
- 29 (2) Will serve the same general purpose as was served
 30 under the original conditional use;
- 31 (3) Is consistent with the original conditional use.
- 32 n. ***Amateur Radio Stations And Receive Only Antennas***
 33 i. Amateur radio stations are exempt from the location, tower type, and
 34 height limitations contained in this title provided:
- 35 (A) The antenna and tower structure are part of a federally-licensed
 36 amateur radio station, and
- 37 (B) In residential zoning districts there is no use of the tower
 38 structure by a third party commercial antenna operator.
- 39 ii. The following are exempt from this title:
- 40 (A) Installation and use of antenna(s) ~~smaller than one meter in any~~
 41 ~~dimension~~ for use by a dwelling unit occupant for personal, home

1 occupation, or utility telemetry purposes, or by an electric or gas
2 utility on an existing power pole or cabinet to monitor or control
3 equipment thereon; and

4 (B) Noncommercial receive only antennas.

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

13 *iv.* Any antenna or tower structure erected under this subsection 2.n. shall
14 not exceed the height limits set forth in chapter 21.06 of this title nor
15 interfere with Federal Aviation Administration Regulations on airport
16 approaches.

17 **21.05.050 COMMERCIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

18 This section defines the general commercial use categories and specific commercial use types listed in
19 tables 21.05-1 and 21.05-2. **The uses may either be commercial or have attributes or impacts common to**
20 **commercial uses.** This section also contains use-specific standards that apply to specific use types. The
21 use-specific standards apply regardless of whether the use type is permitted as a matter of right, subject
22 to a site plan review process, or subject to the conditional use process.

23 **A. Agricultural Uses**

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

28 **Farming, Animal Husbandry**

29 **Definition**

30 Commercial agricultural uses in general and especially dairy, stock, and
31 poultry farming.

32 **Use-Specific Standards**

33 *i.* Notwithstanding the dimensional requirements in chapter 21.06, this use
34 requires a minimum lot size of 15 acres.

35 *ii.* No livestock pens, fenced corrals, or buildings for the keeping of
36 livestock shall be located within 100 feet the property line.

37 *iii.* Waste shall be managed in accordance with AMC title 15.20.020.

38 1. **Farming, Commercial Horticultural**

39 a. **Definition**

40 An establishment engaged in the growth and sale raising of vegetables, produce,
41 fruit crops, vines, shrubs, trees (including Christmas trees), sod production, and
42 nursery plants, conducted within or outside an enclosed building for sale. This

1 use includes, but is not limited to, crop farms, orchards, groves, tree plantations,
 2 commercial greenhouses, nurseries, and ~~or a temporary stand for the sale of~~
 3 ~~products grown on the premises. Customers may visit the site, but~~
 4 ~~establishments engaged primarily in the retail sale of nursery plants are classified~~
 5 ~~as "nursery, commercial" below.~~

6 B. Animal Sales, Service, and Care

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

10 1. Animal ~~Control~~ Shelter

11 a. Definition

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

16 b. Use-Specific Standards (also apply to "Retail and Pet Services", "Kennel, 17 Commercial", and "Veterinary Clinic")

18 i. General Standards when Use is Adjacent to a Residential District

19 All facilities, including all treatment rooms, cages, pens, kennels, training
 20 rooms and exercise runs, shall be maintained within a completely
 21 enclosed, soundproof building, ~~and shall be sufficiently insulated so that,~~
 22 ~~to the maximum extent feasible, no noise or odor can be detected off-~~
 23 ~~premises.~~

24 ii. Additional Standards in the I-1 and PLI District When Not Adjacent to a 25 Residential District

26 Notwithstanding the above provisions, outdoor exercise runs may be
 27 allowed in the I-1 or PLI districts where all parts of the use are located
 28 200 feet or more from any non-industrial district. ~~An outdoor runs~~ shall
 29 be located on site and shall be screened from the view of all adjacent
 30 streets and properties by fencing or vegetation. ~~To the maximum extent~~
 31 ~~feasible, no noise or odor shall be detected off-premises.~~

32 iii. Waste Management

33 Waste shall be managed in accordance with AMC section 15.20.020.
 34

35 2. Kennel, Commercial

36 a. Definition

37 A commercial establishment where small domestic animals, such as dogs and
 38 cats, are boarded.

39 b. Use-Specific Standards

40 Commercial kennels shall comply with the use-specific standards above for
 41 "animal shelter." ~~To the maximum extent feasible, no noise or odor shall be~~
 42 ~~detected off-premises. Waste shall be managed in accordance with AMC section~~
 43 ~~15.20.020.~~

44 3. Large Domestic Animal Facility, Principal Use Paddock or Stable, Commercial

45 a. Definition

1 An ~~commercial~~ establishment for keeping, harboring, riding, boarding, stabling,
 2 training, exercising, breeding, or related use of consisting primarily of a fenced
 3 area or enclosed building in which four or more large domestic animals, and the
 4 associated structure(s) such as a paddock or stable. ~~such as cattle, horses,~~
 5 ~~pigs, and goats, are sheltered and fed. Such facilities have stalls or~~
 6 ~~compartments.~~ Includes riding stable facilities for the care and exercise of
 7 horses and related equestrian activities. Such establishment may be a
 8 commercial establishment or may be in conjunction with a residence but exceed
 9 the incidental and subordinate nature of an accessory use.

10 **b. Use-Specific Standards**

11 *i. Access*

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

14 *ii. Lot Coverage*

15 Lot coverage shall be that of the underlying zoning district except that the
 16 planning and zoning commission may allow up to ten percent (10%)
 17 additional lot coverage above the maximum allowed in the district.

18 *iii. Adjacent Lots*

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

25 *iv. Setbacks*

26 Notwithstanding the setbacks of the underlying zoning district, covered
 27 structures associated with a large domestic animal facility, such as a
 28 stable or barn, shall be set back at least twenty-five (25) feet from any
 29 abutting lot line, not including interior lot lines between lots in common
 30 ownership. Uncovered enclosures shall meet one of the following
 31 setback options:

32 (A) Seventy-five (75) feet from residences existing on February 28,
 33 2006, not including any residence in common ownership with the
 34 large domestic animal facility; or

35 (B) Ten (10) feet from any abutting lot line, not including interior lot
 36 lines between lots in common ownership, if the separation area
 37 is vegetated with level 3 buffer landscaping.

38 *v. Fences*

39 Barbed wire shall not be used for fencing of any large domestic animal
 40 facilities.

41 *vi. Other Requirements*

42 Large domestic animal facilities shall:

43 (A) Meet the requirements of AMC chapter 15.20 regarding animal
 44 waste, AMC subsection 15.55.060B. concerning separation

1 requirements from water supply wells, and section 21.07.020
2 concerning stream protection setbacks;

3 (B) Obtain an animal control facility license;

4 (C) Obtain certification of compliance with a state of Alaska,
5 Anchorage Soil and Water Conservation District conservation
6 plan, or obtain a letter from the District showing demonstrated
7 intent to come into compliance with a conservation plan within
8 one year; and

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

11 vii. Additional Conditions

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

16 4. **Retail and Pet Services**

17 a. **Definition**

18 An establishment primarily engaged in the sale, bathing, and/or grooming of
19 domestic animals, such as dogs, cats, fish, birds, and reptiles, excluding exotic
20 animals and farm animals such as horses, goats, sheep, and poultry. Accessory
21 uses may include overnight stays incidental to the primary use.

22 b. **Use-Specific Standards**

23 Retail and Pet Services shall comply with the use-specific standards above for
24 “animal ~~control~~ shelter.”

25 5. **Veterinary Clinic**

26 a. **Definition**

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

29 b. **Use-Specific Standards**

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

32 C. **Assembly**

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

38 1. **Civic/Convention Center**

39 a. **Definition**

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

- 1 **b. Use-Specific Standard**
2 Any use that involves the retail sale of alcohol is subject to the **land use permit**
3 **for alcohol**, ~~Assembly Alcohol Approval~~ process; see section 21.05.020A.
- 4 **2. Club/Lodge/Meeting Hall**
5 **a. Definition**
6 An establishment owned or operated by a corporation, association, or persons
7 for a social, educational, or recreational purpose, to which membership may be
8 required for participation.
- 9 **b. Use-Specific Standard**
10 Any use that involves the retail sale of alcohol is subject to the **land use permit**
11 **for alcohol**, ~~Assembly Alcohol Approval~~ process; see section 21.05.020A.
- 12 **D. Entertainment and Recreation, Indoor**
- 13 This category includes uses that provide continuous recreation or entertainment activities,
14 **outdoors or primarily** indoors. Accessory uses may include concessions, snack bars, parking,
15 and maintenance facilities. Specific use types include:
- 16 **1. Amusement Establishment**
17 **a. Definition**
18 An establishment offering entertainment, game playing, or similar amusements to
19 the public within a fully enclosed building. This shall include **without limitation**
20 arcades, bowling alleys, billiard parlors, bingo parlors, laser tag parlors, water
21 parks, miniature golf courses, and indoor shooting ranges.
- 22 **b. Use-Specific Standard**
23 Any use that involves the retail sale of alcohol is subject to the **land use permit**
24 **for alcohol**, ~~Assembly Alcohol Approval~~ process; see section 21.05.020A.
- 25 **2. Entertainment Facility, Major**
26 **a. Definition**
27 Major entertainment facilities uses are designed to accommodate activities that
28 generally draw **501 4,000** persons or more to specific events or shows. Activities
29 are generally of a spectator nature. Examples include amphitheaters, performing
30 arts centers, stadiums, sports arenas, coliseums, auditoriums, and fairgrounds.
31 Accessory uses may include restaurants, bars, concessions, parking and
32 maintenance facilities.
- 33 **b. Use-Specific Standard**
34 Any use that involves the retail sale of alcohol is subject to the **land use permit**
35 **for alcohol**, ~~Assembly Alcohol Approval~~ process; see section 21.05.020A.
- 36 **3. Fitness and Recreational Sports Center**
37 **a. Definition**
38 A facility primarily featuring equipment for exercise and other active physical
39 fitness conditioning or recreational sports activities, such as swimming, skating,
40 racquet sports, aerobic dance, gymnasium facilities, yoga, and other kinds of
41 sports and fitness facilities.
- 42 **4. General Outdoor Recreation, Commercial**
43 **a. Definition**

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

b. Use-Specific Standard

L3 buffer landscaping shall be provided wherever this use is adjacent to a residential district.

5. Golf Course

a. Definition

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

6. Motorized Sports Facility

a. Definition

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

b. Use-Specific Standards

i. Special Land Use Permit for Alcohol Assembly Alcohol Approval Process Any use that involves the retail sale of alcohol is subject to the land use permit for alcohol Assembly Alcohol Approval process; see section 21.05.020A.

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

iii. Additional Site Plan Requirements In all districts, as part of the site plan application, the applicant shall comply with the following requirements:

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

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

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

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

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

- 1 (D) The applicant shall identify one or more individuals who shall be
 2 responsible for enforcement of the noise, operation, and dust
 3 and litter control plans developed pursuant to this subsection.
- 4 iv. *Dimensional Standards*
 5 Notwithstanding the general dimensional standards of chapter 21.06:
- 6 (A) The planning and zoning commission may designate minimum
 7 setback areas around the perimeter of the site as it deems
 8 necessary to minimize glare and noise impact on adjacent uses,
 9 to separate incompatible uses, and to restrict casual access to
 10 the site.
- 11 (B) The maximum height of structures shall be 35 feet.
- 12 v. *Site Location, Development, and Operation*
 13 (A) No motorized facility shall be located within 500 feet of any
 14 residential or mixed-use district.
- 15 (B) In order to prevent casual access to and from the site or to
 16 mitigate adverse effects of the motorized sports facility upon
 17 adjacent uses, the planning and zoning commission may require
 18 the enclosure of the entire site by a screening structure and/or
 19 landscaping, as described in section 21.07.080.
- 20 (C) Public sanitation facilities (restrooms) shall be provided on-site
 21 and operated in a manner consistent with AMC section
 22 15.20.020.
- 23 vi. *I-1 District Standards*
 24 Motorized sports facilities are conditionally allowed in the I-1 district on
 25 parcels with a minimum of 20 acres. The maximum engine size allowed
 26 is 250 cc's for wheeled vehicles and 550 cc's for snow machines.
- 27 7. **Movie Theater**
 28 a. **Definition**
 29 An indoor theater for showing motion pictures.
- 30 8. **Nightclub, Licensed**
 31 a. **Definition**
 32 An enterprise, that, for consideration, provides entertainment to its patrons in the
 33 form of floorshows; dance revues; live, recorded, or electronically enhanced
 34 music; patron dancing; or performances by live or recorded professional or
 35 amateur entertainers. Discotheques, nightclubs, bars, lounges, dance halls,
 36 bistros, **teen clubs**, and any facility that meets the terms of this definition are
 37 often, but not exclusively, open during one or more of the hours between 11:00
 38 p.m. and **3:00 7:00** a.m. This definition excludes theaters or auditoriums with
 39 fixed seating, religious assemblies, adult-oriented establishments as defined by
 40 AMC section 10.40.050, publicly owned and operated recreation centers or
 41 parks, and public and private schools. **Nightclubs may be licensed or unlicensed.**
 42 **Unlicensed nightclubs do not offer or sell to patrons either alcoholic beverages,**
 43 **as defined by AS 04.21.080, or adult entertainment, as defined by AMC section**
 44 **10.40.050.**

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

2 i. All facilities adjacent to a residential district shall be maintained within a
3 completely enclosed, soundproof building, and shall be sufficiently
4 insulated so that no unreasonable noise can be detected off-premises.

5 ii. **Licensed nightclubs are** Any use that involves the retail sale of alcohol is
6 subject to the **land use permit for alcohol** Assembly Alcohol Approval
7 process **to allow the retail sale of alcohol**; see section 21.05.020A.

8 **c. Use-Specific Standards for Unlicensed Nightclubs, Unlicensed**
9 **Definition**

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

23 **Use-Specific Standards**

24 i. *Purpose*

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

32 ii. *Minimum Distance from Certain Uses*

33 Except for teen nightclubs and underage dances permitted under AMC
34 chapter 10.55, an unlicensed nightclub shall be located so that all
35 portions of the lot on which the unlicensed nightclub is located shall be
36 300 feet or more from the lot line of property on which is located:

37 **(A)** A **K-12** public, private, or parochial school;

38 **(B)** Property zoned residential; or

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

41 iii. *Administrative Permit Required*

42 An administrative permit for each unlicensed nightclub shall be obtained
43 from the department and be displayed in a prominent place inside the
44 unlicensed nightclub. This permit shall certify that, when granted, the
45 enterprise was in compliance with paragraph ii. of this subsection. This
46 permit shall be obtained from the director, pursuant to section 21.03.030,

1 *Administrative Permits.* This permit shall remain valid so long as that
 2 enterprise remains in continuous operation at that location, and does not
 3 physically expand.

4 **9. Shooting Range, Outdoor**

5 **a. Definition**

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

8 **b. Use-Specific Standards**

9 *i. Intent*

10 The intent of the following ~~conditional use~~ standards for shooting ranges
 11 is primarily safety and buffering for adjacent neighborhoods.

12 *ii. Setbacks*

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

17 *iii. Site Size*

18 The minimum site size shall be 20 acres.

19 *iv. Shooting Area*

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

23 *v. On-site Uses*

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

27 **10. Skiing Facility, Alpine**

28 **a. Definition**

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

32 *i.* Ski and snowboard runs and trails;

33 *ii.* Ski lifts and tows, including towers and structures, related to skiing and
 34 snowboarding patrons;

35 *iii.* Snow-making equipment/facilities;

36 *iv.* Ski patrol facilities;

37 *v.* Ski area administrative and ticketing offices;

38 *vi.* Special events directly associated with ski areas such as ski races,
 39 snowboard races, snow machine races, bicycle races, and concerts;

40 *vii.* Alpine slide;

- 1 *viii.* Nordic ski trails and facilities;
- 2 *ix.* Tubing hills;
- 3 *x.* Ski and equipment rental facilities and ski instruction facilities;
- 4 *xi.* Ice skating rinks;
- 5 *xii.* Ski bridges; and
- 6 *xiii.* Supporting accessory structures.

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

11 **11. Theater Company or Dinner Theater**

12 **a. Definition**

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

18 **b. Use-Specific Standard**

19 Any use that involves the retail sale of alcohol is subject to the **land use permit**
20 **for alcohol** Assembly Alcohol Approval process; see section 21.05.020A.

21 **Entertainment/Recreation, Outdoor**

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

25 **Financial Institution (Moved to Office Category)**

26 **12. Definition**

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

33 **13. Use-Specific Standards**

34 **a.** ~~Financial institutions are permitted in the NC, NMU, and AC districts if they are~~
35 ~~providing primarily retail services to walk-in customers, rather than primarily~~
36 ~~office and support services with few walk-in customers.~~

37 **b.** ~~Financial institutions in the NC and NMU districts shall have a maximum gross~~
38 ~~floor area limit of 3,000 square feet.~~

~~c. Financial institutions in the AC district shall have a maximum gross floor area of 5,000 square feet.~~

E. Food and Beverage Services

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

1. Bar

a. Definition

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

b. Use-Specific Standard

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

2. Food and Beverage Kiosk

a. Definition

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

b. Use-Specific Standards

Kiosks in all districts shall comply with the following standards:

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

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

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

iv. Kiosks shall comply with the “drive-through service” accessory use standards in section 21.05.070D.7.

v. Kiosks that provide outdoor seating shall provide parking for that seating, as required by section 21.07.090, Off-Street Parking and Loading.

vi. All signs shall comply with chapter 21.11, Signs.

3. Restaurant

a. Definition

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

b. Use-Specific Standard

- 1 *i.* Any use that involves the retail sale of alcohol is subject to the **land use**
 2 **permit for alcohol** ~~Assembly Alcohol Approval~~ process; see section
 3 21.05.020A.
 4
 5 *ii.* Any restaurant with drive-through service shall comply with the “drive-
 6 through service” accessory use standards in section 21.05.070D.7.
 7

8 **F. Office**

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

12 **1. Broadcasting Facility**

13 **a. Definition**

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

16 **2. Financial Institution (moved from distinct use category)**

17 **a. Definition**

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

25 **b. Use-Specific Standards**

- 26 *i.* Financial institutions are permitted in the **B-1A NC**, NMU, and **B-3 AC**
 27 districts if they are providing primarily retail services to walk-in
 28 customers, rather than primarily office and support services with few
 29 walk-in customers.

30 ~~Financial institutions in the NC and NMU districts shall have a maximum~~
 31 ~~gross floor area limit of 3,000 square feet.~~

- 32 *ii.* Financial institutions in the **B-3 AC** district shall have a maximum gross
 33 floor area of 5,000 square feet.

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

35 **a. Definition**

36 An establishment that provides executive, management, administrative, or
 37 professional services, but not involving the sale of merchandise, except as
 38 incidental to a permitted use. Typical examples include real estate, insurance,
 39 property management, investment, employment, travel, advertising, law,
 40 architecture, design, engineering, accounting, call centers, and similar offices.
 41 (Government offices are classified under “governmental administration and civic
 42 buildings” above.)

43 **G. Retail (Personal Services, Repair, and Rental)**

44 This category includes ~~retail~~ establishments engaged in the provision of information, instruction,
 45 personal improvement, personal care, repair, lease, or rent of new or used products, or similar

1 services. Accessory uses may include offices, storage of goods, manufacture, or repackaging of
2 goods for on-site sale, and parking. Specific uses include:

3 **1. Business Service Establishment**

4 **a. Definition**

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

8 ~~**Dry-Cleaning Establishment (moved to Industrial)**~~

9 ~~**b. Definition**~~

10 ~~An establishment maintained for on-site laundry and/or dry cleaning, using a~~
11 ~~perchloroethylene process or similar nonflammable, non-aqueous solvent, of~~
12 ~~fabrics, textiles, wearing apparel, or articles of any sort including related~~
13 ~~maintenance or operation of equipment and machinery. This does not include~~
14 ~~large commercial dry cleaning plants, which are classified as "General Industrial~~
15 ~~Service."~~

16 **2. Funeral Services**

17 **a. Definition**

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

21 **3. General Personal Services**

22 **a. Definition**

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

31 ~~**Instructional Services (moved to "Educational Facility")**~~

32 ~~**b. Definition**~~

33 ~~A specialized instructional establishment that provides on-site training of~~
34 ~~business, artistic, or commercial skills. Examples include, but are not limited to,~~
35 ~~driving schools, fine arts schools, dance, music, and computer instructional~~
36 ~~services. This use does not include establishments that teach skills that prepare~~
37 ~~students for jobs in a trade (e.g., carpentry), which are classified under~~
38 ~~"Vocational or Trade Schools."~~

39 ~~**Repair and/or Service (combined with "General Personal Services")**~~

40 ~~**c. Definition**~~

41 ~~An establishment primarily engaged in the provision of repair services to~~
42 ~~individuals and households, rather than to business. Examples include, but are~~
43 ~~not limited to, locksmith, repair of household appliances and office machines.~~
44 ~~This use excludes maintenance and repair of automobiles and industrial~~
45 ~~equipment or machinery.~~

46 **4. Small Equipment Rental**

47 **a. Definition**

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

8 **b. Use-Specific Standard**

9 All maintenance of equipment shall be conducted within an enclosed building.

10 **H. Retail (Sales)**

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

14 **1. Auction House**

15 **a. Definition**

16 A structure or enclosure where goods are sold by auction.

17 **2. Building Materials Store**

18 **a. Definition**

19 An establishment primarily engaged in the storage, distribution, and sale of
 20 lumber and other building materials such as brick, tile, cement, insulation, floor
 21 covering, roofing materials, and other improvement materials and associated
 22 tools; and/or the sale and service of plumbing, heating, and/or electrical
 23 equipment.

24 **3. Convenience Store**

25 **a. Definition**

26 An establishment ~~with a gross floor area of less than 5,000 square feet~~ engaged
 27 primarily in the sale of convenience goods, such as pre-packaged food items,
 28 tobacco, over-the-counter drugs, periodicals, and other household goods.

29 **b. Use-Specific Standards**

30 *i.* Any use that involves the retail sale of alcohol is subject to the **land use**
 31 **permit for alcohol** ~~Assembly Alcohol Approval~~ process; see section
 32 21.05.020A.

33 *ii.* In the **R-4, R-4A, and B-1A** ~~RM-4 and NC~~ districts, a convenience store
 34 shall not sell alcoholic beverages.

35 **4. Farmers Market**

36 **a. Definition**

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

42 **5. Fueling Station**

43 **a. Definition**

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

4 **6. General Retail**

5 **a. Definition**

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

12 **7. Grocery or Food Store**

13 **a. Definition**

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

19 **b. Use-Specific Standard**

20 Any use that involves the retail sale of alcohol is subject to the **land use permit**
 21 **for alcohol** Assembly Alcohol Approval process; see section 21.05.020A.

22 **8. Liquor Store**

23 **a. Definition**

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

26 **b. Use-Specific Standard**

27 Any use that involves the retail sale of alcohol is subject to the **land use permit**
 28 **for alcohol** Assembly Alcohol Approval process; see section 21.05.020A.

29 **Nursery, Commercial**

30 **a. Definition**

31 An establishment primarily engaged in the growth and sale of plants, shrubs,
 32 trees, and materials used in indoor and outdoor planting, conducted within or
 33 outside an enclosed building.

34 **Meat and Seafood Processing, Storage, and Sales**

35 **b. Definition**

36 An establishment primarily engaged in the cold storage and preservation of food
 37 in separate and individual compartments that is offered for sale to the public.

38 **9. Pawnshop**

39 **a. Definition**

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

1 **I. Vehicles and Equipment**

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

6 **1. Aircraft and Marine Vessel Sales**

7 **a. Definition**

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

10 ~~**Heavy Equipment Sales and Rental (moved to "Industrial Service" section of Industrial**~~
11 ~~**Uses)**~~

12 ~~**b. Definition**~~

13 ~~An establishment engaged in the display, sale, leasing, or rental of heavy~~
14 ~~equipment of 12,000 or more pounds gross vehicular weight (GVW). This~~
15 ~~category does not include recreational vehicles or larger trucks that typically are~~
16 ~~sold at automobile dealerships; such vehicles are covered by "Vehicle-Large,~~
17 ~~Sales and Rental" below.~~

18 ~~**Impound Yard (moved to "Warehouse and Storage" section of Industrial Uses)**~~

19 ~~**c. Definition**~~

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

25 **2. Parking Lot, Principal Use**

26 **a. Definition**

27 An off-street, surfaced, ground-level area where motor vehicles are parked for
28 not more than 72 consecutive hours stored for daily, overnight, or temporary
29 parking not to exceed 72 hours.

30 **b. Use-Specific Standard**

31 Principal use parking lots shall be landscaped in accordance with subsection
32 21.07.080F.6., *Parking Lot Landscaping*.

33 **3. Parking Structure, Principal Use**

34 **a. Definition**

35 A structure designed with two or more levels or floors partially or fully
36 enclosed, used primarily for the parking of motor vehicles. The facility may be
37 above, below, or partially below ground, and the levels may be partially or fully
38 enclosed. The structure may include limited retail or office space, particularly on
39 the ground floor. This use does not include private carports or garages.

40 **b. Use-Specific Standard**

41 Parking structures shall comply with the requirements of subsection 21.07.090K.

42 ~~**c. Use-Specific Standards**~~

43 ~~**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 Façade*~~

~~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.~~

~~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.~~

~~(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.~~

~~(C) *Waiver Provision*~~

~~The director may waive the required landscaping for sides of a parking structure that directly abut another building.~~

4. **Vehicle Parts and Supplies**

a. **Definition**

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

b. **Use-Specific Standard**

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

5. **Vehicle-Large, Sales and Rental**

a. **Definition**

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

b. **Use-Specific Standards**

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

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

6. **Vehicle-Small, Sales and Rental**

a. **Definition**

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

b. **Use-Specific Standards**

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

7. **Vehicle Service and Repair, Major**

a. **Definition**

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

1 **8. Vehicle Service and Repair, Minor**

2 **a. Definition**

3 An establishment engaged in light maintenance activities such as engine tune-
4 ups; oil change and lubrication; carburetor cleaning; muffler replacement; brake
5 repair; car washing; seasonal tire shops; and detailing and polishing. Vehicle
6 parts are sold and are ordinarily installed on the premises. **Vehicles served by
7 this type of establishment, except for recreational vehicles, shall have a gross
8 vehicular weight rating (GVWR) of no more than 12,000 lbs.** Major automotive
9 repairs, including but not limited to engine, transmission or differential repair or
10 replacement, or body and fender work, are prohibited except where specifically
11 permitted by this title or by the terms of a conditional use.

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

13 ~~In the RMU district, to the maximum extent feasible, the entrance to a car wash
14 bay or vehicle repair bay shall not face the primary street frontage.~~

15 ~~In the RMU district, notwithstanding the general setback requirements in chapter
16 21.06, a 20-foot setback for vehicle service areas, bays, or canopies is required
17 from any adjacent street. The setback shall be landscaped with L3 Separation
18 landscaping, in order to screen the automotive wash, repair, or maintenance
19 facility from view from adjacent streets.~~

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

24 ii. Outdoor vacuuming facilities **shall be inaudible at the property line of a
25 residential district.** ~~must be screened by a sound mitigating barrier when
26 they are adjacent to residential uses.~~

27 **J. Visitor Accommodations**

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

32 **1. Camper Park**

33 **a. Definition**

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

40 **b. Use-Specific Standards**

41 i. *Location and Access*

42 ~~A camper park shall have a minimum of 40 feet of frontage upon a
43 collector or street of greater capacity.~~ No entrance to, or exit from, a
44 camper park shall be through a residential district or shall provide access
45 to any street other than collector or street of greater capacity.

- 1 ii. *Occupancy and Length of Stay*
 2 Spaces in camper parks may be used by campers, recreational vehicles,
 3 equivalent facilities constructed on automobiles, tents, or short-term
 4 housing or shelter arrangements or devices. The occupants of such
 5 space shall remain in ~~that space the camper park~~ a period not to exceed
 6 30 days.

7 2. **Extended-Stay Lodgings**

8 a. **Definition**

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

13 b. **Use-Specific Standards**

14 i. A kitchen area ~~separate from the living or sleeping area~~ shall be provided
 15 in all units, ~~and cooking may be done only in the kitchen area.~~

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

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

20 iv. ~~Extended-stay lodgings in the RM-3 or RM-4 districts shall be subject to~~
 21 ~~the applicable multi-family building development and design standards in~~
 22 ~~section 21.07.100., and shall be subject to the multi family residential~~
 23 ~~parking standards in section 21.07.090. In the RM-3 or RM-4 districts,~~
 24 ~~extended-stay lodgings shall adhere to the maximum floor area ratio~~
 25 ~~permitted for multi-family dwellings.~~

26 3. **Hostel**

27 a. **Definition**

28 An overnight lodging facility ~~in which beds (pillows), rather than rooms, are~~
 29 ~~rented.~~ ~~containing between six and 19 guest rooms or up to 60 pillows.~~ Sleeping
 30 accommodations ~~are primarily~~ ~~may be~~ dormitory-style and shared kitchen
 31 facilities may be available to the guests.

32 b. **Use-Specific Standards**

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

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

37 4. **Hotel/Motel**

38 a. **Definition**

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

1 **b. Use-Specific Standard**

2 *i.* Any use that involves the retail sale of alcohol is subject to the **land use**
3 **permit for alcohol** ~~Assembly Alcohol Approval~~ process; see section
4 21.05.020A.

5 *ii.* Hotels in mixed-use districts shall have a majority of their guestrooms
6 accessible by means of interior corridors.

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

10 **5. Inn**

11 **a. Definition**

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

16 **b. Use-Specific Standards**

17 *i.* Any use that involves the retail sale of alcohol is subject to the **land use**
18 **permit for alcohol** ~~Assembly Alcohol Approval~~ process; see section
19 21.05.020A.

20 *ii.* Inns in the **R-4A** ~~RM-3 or RM-4~~ districts shall be subject to the applicable
21 multi-family building development and design standards in section
22 21.07.100., and the multi-family building parking standards in section
23 21.07.090. In the **R-4A** ~~RM-3 or RM-4~~ districts, inns shall adhere to the
24 maximum floor area ratio permitted for multi-family dwellings.

25 **Motel**

26 **c. Definition**

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

31 **d. Use-Specific Standards**

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

34 **6. Recreational and Vacation Camp**

35 **a. Definition**

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

40 **21.05.060 INDUSTRIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

41 This section defines the general industrial use categories and specific industrial use types listed in tables
42 21.05-1 and 21.05-2. This section also contains use-specific standards that apply to specific use types.
43 The use-specific standards apply regardless of whether the use type is permitted as a matter of right,
44 subject to a site plan review process, or subject to the conditional use process.

1 **A. Industrial Service**

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

8 **1. Data Processing Facility**

9 **a. Definition**

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

13 **2. Dry-Cleaning Establishment (moved from Retail, Personal Services, Repair, and**
14 **Rental)**

15 **a. Definition**

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

22 **3. General Industrial Service**

23 **a. Definition**

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

33 **b. Use-Specific Standard**

34 L4 screening landscaping is required where adjacent to residential zones.

35 **4. Governmental Service**

36 **a. Definition**

37 A facility housing government shops, maintenance, and repair centers, and
38 equipment storage yards.

39 **b. Use-Specific Standard**

40 L4 screening landscaping is required where adjacent to residential zones.

41 **5. Heavy Equipment Sales and Rental**

42 **a. Definition**

43 An establishment engaged in the display, sale, leasing, or rental of heavy
44 equipment of 12,000 or more pounds gross vehicular weight (GVW). This
45 category does not include recreational vehicles or larger trucks that typically are

1 sold at automobile dealerships; such vehicles are covered by "vehicle-large,
2 sales and rental" ~~above~~ below.

3 **6. Research ~~or Industrial~~ Laboratory**

4 **a. Definition**

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

10 **B. Manufacturing and Production**

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

20 **1. Commercial Food Production**

21 **a. Definition**

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

28 **2. Cottage Crafts**

29 **a. Definition**

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

36 **b. Use-Specific Standards**

37 *i. Production and Sale of Cottage Crafts*

38 Cottage crafts may only be produced within a wholly-enclosed
39 permanent structure. Cottage crafts production may occupy up to 1,500
40 square feet of gross building area, and may include up to an additional
41 300 square feet gross building area on the same lot devoted to the
42 display and retail sale of the crafts produced. The retail/display area
43 shall be located on the ground floor and in the front part of the building
44 facing the primary street on which the lot is located.

45 *ii. Prohibitions*

46 The outdoor storage of materials related to the production and sale of
47 cottage crafts is prohibited. The use of equipment, materials, or

1 processes that create hazards, noise, vibration, glare, fumes, or odors
2 detectable to the normal senses off-site is prohibited.

3 **3. Manufacturing, Heavy**

4 **a. Definition**

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

14 **b. Use-Specific Standard**

15 L4 screening landscaping is required where adjacent to residential zones.

16 **4. Manufacturing, Light**

17 **a. Definition**

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

27 **b. Use-Specific Standard**

28 L4 screening landscaping is required where adjacent to residential zones.

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

30 **a. Definition**

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

40 **b. Use-Specific Standards (also apply to "Natural Resource Extraction, Placer
41 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 extraction is
46 allowed only on sites of five acres or more.

- 1 (B) *Water Discharge Permit*
 2 Placer mining operations are subject to a wastewater discharge
 3 permit issued by the state department of environmental
 4 conservation.
- 5 (C) *Required Submittals*
 6 In addition to the general submittal requirements applicable to all
 7 site plans specified in the title 21 user's guide, additional
 8 submittal requirements are specified in that guide for natural
 9 resource extraction. The site plan shall be subject to review and
 10 approval of the department of project management and
 11 engineering for drainage, erosion, and sedimentation control; for
 12 conformance with the requirements of the National Pollutant
 13 Discharge Elimination System (NPDES) permit and other
 14 applicable EPA guidelines; and for compliance with generally
 15 accepted sound engineering principles.
- 16 (D) *Standards for Approval*
 17 In addition to the conditional use standards of approval at
 18 21.03.080C., the planning and zoning commission may approve
 19 a natural resource extraction conditional use only if the
 20 commission finds that the use also meets the following
 21 standards:
- 22 (1) Principal access to the site shall minimize the use of
 23 residential streets, and access roads shall be treated in
 24 a manner to make them dust free. Where access roads
 25 intersect collectors or arterials, suitable traffic controls
 26 shall be established.
- 27 (2) The extraction operations will not pose a hazard to the
 28 public health and safety.
- 29 (3) The extraction operations will not generate noise, dust,
 30 surface water runoff or traffic that will unduly interfere
 31 with surrounding land uses.
- 32 (4) The restoration plan for the site ensures that, after
 33 extraction operations cease, the site will be left in a safe,
 34 stable, and aesthetically acceptable condition. The site
 35 shall either be restored generally to its pre-excavation
 36 contours, or as appropriate for the future use of the land.
- 37 (5) The proposed use meets such additional standards for
 38 natural resource extraction conditional uses as the
 39 director may establish by regulation pursuant to AMC
 40 chapter 3.40.
- 41 **6. Natural Resource Extraction, Placer Mining**
 42 **a. Definition**
 43 Natural resource extraction by means of the placer mining method that does not
 44 involve the removal of any natural resources other than small quantities of
 45 precious metals, such as gold, silver, and platinum, from the premises. Rock
 46 byproduct is not removed from the premises.

1 **b. Use-Specific Standards**

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

4 **C. Marine Facility**

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

9 **1. Aquaculture**

10 **a. Definition**

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

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

14 **a. Definition**

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

17 **3. Marine Operations**

18 **a. Definition**

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

37 **4. Marine Wholesaling**

38 **a. Definition**

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

41 **D. Warehouse and Storage**

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

- 1 1. **Bulk Storage of Hazardous Materials**
2 a. **Definition**
3 An establishment primarily engaged in the bulk storage and/or distribution of
4 hazardous materials, including liquefied fuel such as petroleum gas, for
5 wholesale sale.
- 6 b. **Use-Specific Standards**
7 Any new facilities for the storage and/or dispersion of hazardous materials, or
8 expansion of existing facilities for the storage and/or dispersing of hazardous
9 materials, shall occur at least 1,000 feet from a residential or mixed-use district,
10 school, hospital, or place of public assembly.
- 11 2. **Impound Yard (moved from “Vehicles and Equipment” section of Commercial**
12 **Uses)**
13 a. **Definition**
14 An area used for the storage of vehicles seized for any reason, including but not
15 limited to traffic accidents, improper parking, and abandonment. No dismantling
16 or disassembly of vehicles is permitted in an impound yard. The vehicle so
17 stored may be sold from the impound yard by auction or otherwise, in
18 accordance with state law.
- 19 b. **Use-Specific Standards**
20 Impound yards shall comply with the use-specific standards set forth for “storage
21 yard” below.
- 22 3. **Motor Freight Terminal**
23 a. **Definition**
24 A facility for freight pick-up, distribution, and storage. This may include
25 intermodal distribution facilities for truck or shipping transport.
- 26 b. **Use-Specific Standards**
27 i. Loading, parking, and maneuvering space shall be entirely on private
28 property.
- 29 ii. No part of any terminal shall be located less than 200 feet from any
30 residential use or property zoned residential.
- 31 4. **Self-Storage Facility**
32 a. **Definition**
33 A completely enclosed structure(s) containing three or more areas or rooms
34 available for lease or rent for the purpose of the general storage of household
35 goods and business or personal property, where the lessee of the unit is
36 provided direct access to deposit or store items. Also known as a “ministorage
37 facility.” A self-storage facility may have associated outdoor vehicle storage, but
38 a stand-alone vehicle storage establishment is classified under “storage yard”.
- 39 b. **Use-Specific Standards**
40 The standards below are applicable to self-storage facilities in all districts.
- 41 i. **Size of Site**
42 The self-storage site shall contain no less than one-half acre and no
43 more than ten acres, ~~and the vehicle storage site shall contain no less~~
44 ~~than one acre and no more than ten acres.~~

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

4 *viii. Prohibited Uses Within Storage Units*

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

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

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

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

19 *ix. Fencing and Landscaping*

20 (A) Except as noted below, ~~a~~All site boundaries shall be fenced with
21 a sight-obscuring fence structure at least eight feet high. No
22 fencing shall be required on the portion of site boundaries where
23 a structure, excluding containerized storage units ~~connexes~~,
24 abuts either side of the lot line. ~~The design of the sight-~~
25 ~~obscuring structure shall be architecturally compatible with the~~
26 ~~surrounding properties and shall be approved by the department.~~

27 (B) The fence shall be constructed of concrete, solid wood, or chain
28 link with a neutral color fabric screening or vinyl covering, and
29 shall be approved by the department for compatibility with
30 surrounding properties. The structure shall be maintained in a
31 safe, sound, and orderly condition, and shall be kept free of any
32 advertising matter other than signs permitted by this title. Only
33 one foot of sSecurity wire, such as concertina, ~~or razor, or wire~~
34 and barbed wire, is permitted to be exposed and visible outside
35 the fence, but only if inverted inside the fence, ~~and not visible~~
36 ~~from outside the fence.~~

37 (C) Where a self storage or vehicle storage facility abuts a
38 commercially zoned district or a street of collector classification
39 or greater on the OSHP, L2 visual enhancement ~~Buffer~~
40 landscaping shall be required external to the sight-obscuring
41 fence. Where lot lines for these facilities abut a residential
42 district, L3 buffer ~~15 feet of~~ landscaping shall be required. No
43 landscaping shall be required on the portion of site boundaries
44 where a structure, excluding containerized storage units
45 ~~connexes~~, abuts either side of the lot line or an industrial district,
46 unless otherwise required by this title.

1 ~~(D) All areas internal to the site not devoted to building structures,~~
2 ~~driveways, landscaping, designated snow storage areas and~~
3 ~~walkways shall be paved to municipal standards as prescribed~~
4 ~~by the traffic engineer. Snow storage areas, as designated on a~~
5 ~~site plan approved by the department of building safety, shall be~~
6 ~~provided in accordance with the requirements of building safety~~
7 ~~and municipal engineering requirements.~~

8 x. *Vehicle Storage Yards*
9 The yard may not be used to display or advertise any merchandise for
10 sale, including vehicles. No salvaging, dismantling, or disassembly of
11 vehicles is permitted in a vehicle storage yard.

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

17 ~~*Containerized Storage Units in Conjunction with Self-Storage Facilities*~~
18 ~~In the AC district, containerized storage shall be prohibited in conjunction~~
19 ~~with vehicle storage yards, and shall only be permitted in conjunction~~
20 ~~with self-storage facilities in accordance with conditional use approval~~
21 ~~under this subsection. The following standards shall apply to the use of~~
22 ~~containerized storage units in conjunction with permitted self-storage~~
23 ~~facilities:~~

24 (A) ~~A containerized storage unit shall be a factory-built shipping~~
25 ~~container, meeting the standards of the U.S. Department of~~
26 ~~Transportation.~~

27 (B) ~~Containerized storage units may be utilized for storage, provided~~
28 ~~they are limited to one unit in height (no stacking), have uniform~~
29 ~~roll up doors or swing doors, uniform exterior façade materials~~
30 ~~and colors.~~

31 (C) ~~A containerized storage unit shall be subject to the requirements~~
32 ~~for any required permitting, as set forth in the Anchorage~~
33 ~~Municipal Code of Ordinances.~~

34 xii. *Existing Self Storage and Vehicle Storage Operations*
35 Self-storage and vehicle storage operations existing on or before
36 **October 26, 2004** the date of adoption of this title shall be deemed to
37 **have** be approved site plans and uses and not **be** nonconforming uses or
38 structures. Notwithstanding the provisions of chapter 21.12,
39 *Nonconformities*, where self-storage and vehicle storage operations exist
40 and have been in continuous existence since **October 26, 2004** the date
41 of adoption of this section, that use may continue provided the owner
42 thereof complies with the following:

43 (A) *Site Enhancement Plan Required*
44 Any self-storage or vehicle storage operation existing prior to
45 **October 26, 2004** the adoption of this section that does not
46 comply with the requirements of this section related to sight-

1 obscuring fencing, required landscaping external to said fencing,
2 and elimination of security razor or concertina security wire at the
3 top of a fence shall obtain approval by the director of, and agree
4 to implement, a site enhancement plan for the property. This site
5 enhancement plan shall be submitted to the director **before April**
6 **26, 2014.** ~~within 10 years of October 26, 2004, or within 24~~
7 ~~months of sale or transfer of ownership of the site, whichever~~
8 ~~comes first.~~ **The plan shall be fully implemented by October 26,**
9 **2014.** The intent of this site enhancement plan is to bring the
10 property as closely as reasonably possible into compliance with
11 the above noted subsection without impeding existing
12 operations.

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

- 36 (C) *Narrative Statement Required*
37 A narrative statement shall also be submitted with the site
38 enhancement plan. The narrative shall be based on existing
39 conditions and shall detail the following information:
- 40 (1) The method of securing the area to prevent casual
41 access.
 - 42 (2) A proposed schedule that specifies the date and
43 methods by which the owner **shall** ~~will~~ come into
44 compliance with the intent of this section.

- 1
2
- (3) A description of current operations and uses that take place on the site.
- 3
4
5
6
7
8
9
- (D) *Implementation of Approved Site Enhancement Plan*
The director shall set a reasonable period of time for implementation of the approved site enhancement plan, but in all cases the implementation shall be complete by October 26, 2014. Adequacy of the site enhancement plan shall be based on evidence presented by the owner, which may include the following:
- 10
11
12
- (1) The location and size of the property and the self-storage and/or vehicle storage use, including topography and related physical constraints of the site.
- 13
14
15
16
17
18
- (2) History of the use of the property as a self-storage and/or vehicle storage use, including information about the length of time it has existed as that use and any relevant permits or other official regulatory documents related to the use of the property as a self-storage and/or vehicle storage use.
- 19
20
21
22
- (3) A map of the subject property indicating the location of all parcels of real property within a distance of 300 feet from the exterior boundary of the subject property, showing the zoning district boundaries.
- 23
24
25
26
- (4) The compatibility of the operation with surrounding neighborhoods, and with prevention of noise, dust, safety hazards, traffic congestion, aesthetic deterioration, and other adverse environmental effects.
- 27
28
- (5) Any other information the property owner may wish to submit in order to make his or her case.
- 29
30
31
32
33
34
- (E) *Decision by Director*
Upon receipt of a site enhancement plan pursuant to subsection xii.(A). above, the director shall make a determination within 60 days of submittal of the site enhancement plan. The decision of the director shall be in writing and sent by certified mail to the address listed in the owner's application.
- 35
36
37
38
39
40
41
- (F) *Appeals*
A decision of the director is final unless appealed within 30 days of its receipt by the owner of the property. Appeal is to the zoning board of examiners and appeals. Only the applicant may appeal the decision of the director. An appeal from a decision of the zoning board of examiners and appeals may be brought in superior court.
- 42
43
44
45
- (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.~~

5. **Storage Yard**

a. **Definition**

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

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

i. *Location of Site*

(A) A storage yard or impound 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. **Containerized Storage Units**

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

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

(B) Containerized storage units may be utilized for storage, provided they are limited to one unit in height (no stacking).

(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.

- 1 v. *Screening*
2 L4 screening landscaping is required where adjacent to residential
3 districts.
- 4 vi. *Drainage; Protection of Water Supply*
5 Provisions shall be made to prevent any contamination of the domestic
6 water supply or excessive surface runoff from the property into adjoining
7 lands or streams. The drainage plan that carries water off the site shall
8 be subject to the approval of the department of project management and
9 engineering. Failure to prevent such contamination of the domestic
10 water supply or to prevent excessive surface runoff from the site onto
11 adjoining lands or streams shall be cause for the conditional use to be
12 rescinded and the junkyard to be removed at the cost of the owner of the
13 land upon which it is located.
- 14 **vii. Existing Vehicle Storage Yards**
15 Storage yards in existence on October 26, 2004 and that fall under the
16 definition of "vehicle storage yard", which means "the outdoor storage of
17 vehicles (under 12,000 lbs. gross vehicle weight rating), boats, and
18 recreational vehicles", may continue to exist pursuant to the
19 requirements of subsection D.4.b.xii. above.

- 20 **6. Warehouse**
21 a. **Definition**
22 A structure containing an area available for the purpose of storing raw materials,
23 goods, or property.
- 24 b. **Use-Specific Standard**
25 L3 buffer landscaping is required where adjacent to residential districts.

- 26 **7. Wholesale Establishment**
27 a. **Definition**
28 An establishment primarily engaged in the sale or distribution of goods and
29 materials in large quantity to retailers or other businesses for resale to individual
30 or business customers. This shall not include heavy manufacturing, resource
31 extraction, scrap operations, bulk storage of hazardous materials, or salvage
32 operations.

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

- 40 **1. Composting Facility**
41 a. **Definition**
42 A facility where organic matter, including leaves, grass, manures, and non-meat,
43 non-biosolids waste, amassed primarily from off-site, is processed by composting
44 and/or processing for commercial purposes. Activities may include management,
45 collection, transportation, staging, composting, curing, storage, marketing, or use
46 of compost. collected

1 **b. Use-Specific Standards**

2 *i.* Composting facilities shall be set back at least 660 feet from any lot line
3 abutting a residential or and mixed-use district and any residential use
4 (except a residential use occupied by the owner, operator or any
5 employee of such composting facility) as such zone districts or
6 residential uses exist at the time of the establishment of the composting
7 facility.

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

11 *iii.* Composting facilities shall not be located in any floodway.

12 *iv.* No composting facility shall commence operation until a nuisance
13 condition control plan, specifying all measures to be taken to control
14 nuisance conditions (such as odor, noise, scattered solid waste, dust)
15 has been approved by the director.

16 **2. Hazardous Waste Treatment Facility**

17 **a. Definition**

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

21 **b. Use-Specific Standards**

22 Hazardous waste treatment facilities shall be located at least 1,000 feet from any
23 residential or mixed-use district.

24 **3. Incinerator or Thermal Desorption Unit**

25 **a. Definition**

26 *i.* Incinerator

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

31 *ii.* Thermal Desorption Unit

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

36 *iii.* Not Accessory Uses

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

39 **b. Use-Specific Standards**

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

42 No incinerator facility or thermal desorption unit shall be located less
43 than 400 meters from a residentially zoned district, a dedicated park, or
44 an elementary, middle, or high school. Incinerator facilities that alter or
45 destroy medical waste may be permitted by conditional use as an

accessory use to research institutes, hospitals, nursing or convalescent facilities, or other uses, for which the applicant shall have the burden of proof to demonstrate that the infectious waste incinerator is an accessory use.

ii. **Standards for Incinerators Separation Requirements**

Incinerator facilities and thermal desorption units shall meet the following separation distances from residential zoning districts and public, private, and parochial academic schools, or meet the supplemental requirements contained in subsection ii.(B). below:

(A) **Hazardous Waste Prohibited Separation Distances for Thermal Desorption Units**

Incinerators covered under this section shall not accept any materials that meet the definition of hazardous waste as defined by the U.S. Environmental Protection Agency (EPA) of the state department of environmental conservation (ADEC). Facilities with a rated capacity of under 100 tons per hour shall be 400 meters from the nearest emission source. Facilities with a rated capacity of 100 tons per hour or more shall meet the supplemental requirements contained in subsection ii.(B). below.

(B) **Separation Distances between for Incinerator Facilities**

Separation distances between for incinerator facilities shall be as follows:

TABLE 21.05-3: MINIMUM SEPARATION DISTANCES BETWEEN 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 unequal capacity: the largest capacity shall determine the minimum distance. Facilities with a rated capacity greater than 2,000 pounds per hour shall perform an analysis of the health risk pursuant to subsection iv.(B). below, and shall meet the standards of subsection iv.(A).(2). below. must meet supplemental requirements contained in subsection ii.(B).

iii. **Standards for Thermal Desorption Units (TDUs) Additional Requirements**

TDUs with a rated capacity of under 100 tons per hour shall be 400 meters from the nearest emission source of another TDU. TDUs with a rated capacity of 100 tons per hour or more shall perform an analysis of the health risk pursuant to subsection iv.(B). below, and meet the standards of subsection iv.(A).(2). below. 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:

iv. **Standards for Both Incinerators and Thermal Desorption Units**

(A) ~~Minimum Distance Requirements; Exceptions~~

All new incinerator facilities shall be located at least 400 meters from an existing TDU, and vice versa, unless one of the following two standards is met: ~~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 an analysis of the health risk described in subsection iv.(B). below, ~~the procedure described in subsection ii.(B)~~, that the combined risk of all incinerators and thermal desorption units operating within 400 meters of the proposed facility will not pose a lifetime health risk greater than one excess cancer case per 100,000 for individuals living within adjacent residentially zoned areas or attending elementary, middle, or high ~~primary or secondary schools.~~

(B) Analysis of Health Risk

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

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

- 1
2
3
4
5
6
- (2) Models shall utilize a full year of local meteorological data (e.g., National Weather Service observations taken at the Anchorage International Airport). If several years worth of meteorological data are obtained, the year providing the highest ambient concentrations shall be used;
- 7
8
9
10
11
12
13
- (3) All emission factors used in conjunction with the model shall be documented. Acceptable emission factors may be obtained from either a source test conducted by the manufacturer of the same or similar model as the one proposed to be used or must reference a published report (e.g., an article in a peer review scientific journal or EPA publication);
- 14
15
16
17
18
19
- (4) The report shall describe the modeling results in terms of the annual concentration of each identified toxic compound at the boundary of the adjacent residential zoning districts as well as the location and magnitude of the maximum annual average concentrations found within each adjacent residential district; and
- 20
21
22
23
24
25
- (5) The report shall also describe the health risks attributable to these concentration levels based on the latest cancer risk values from the EPA's Integrated Risk Information System (IRIS) database. Cancer risks shall be based on the risk of one additional cancer above the background cancer rate per 100,000 individuals.
- 26
27
28
29
30
31
32
33
- (C) *Standards for Facilities Not Meeting Separation Requirements*
The planning and zoning commission may approve a conditional use for an incinerator facility or thermal desorption unit that is less than 400 meters from an existing facility, but meets the standards of either (A).(1). or (A).(2). above, only if the commission finds that the ~~does not meet the separation distance requirement contained in subsection i. above only if the commission finds that the use meets the following standards:~~
- 34
35
36
37
38
- (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~~
- 39
40
41
42
43
- (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.
- 44
45
46
47
- (D) Additional Submittal Requirements for a Conditional use Permit Information Pertaining to Incineration Process
In addition to standard materials required for all conditional use applications, all ~~The~~ applicants for a conditional use for an

1 ~~incinerator facility or TDU shall submit~~ must provide the following
2 information pertaining to the ~~burning~~ proposed incineration
3 process:

- 4 (1) A description of the ~~incineration~~ operation, including
5 equipment to be used.
- 6 (2) The type and quantity of material that will be processed.
- 7 (3) Operating hours and conditions.
- 8 (4) Plans for storing the material to be burned.
- 9 (5) A disposal plan for waste generated from the
10 ~~incineration~~ process.
- 11 (6) The location of points of vehicular access to the site and
12 projected traffic counts for each.
- 13 (7) A description of the ~~federal or state~~ permitting process
14 required for operation of the incinerator ~~or TDU~~.
- 15 (8) Such other materials as the director may require by
16 regulation pursuant to AMC chapter 3.40.

17 ~~Analysis of Health Risk Required~~

- 18 (9) ~~An analysis of the health risk of the incinerator or~~
19 ~~thermal desorption unit must be conducted for~~
20 ~~incinerators that do not meet the separation distances~~
21 ~~contained in subsection b.i. above.~~

22 ~~Hazardous Waste Prohibited~~

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

27 (E) ~~Additional~~ Conditions of Approval

- 28 (1) The planning and zoning commission shall attach such
29 conditions to the approval of a conditional use for an
30 incinerator ~~or TDU~~ as it finds are necessary to conform
31 the use to the standards set forth ~~above~~ in subsection
32 B. above. ~~These conditions shall also include the~~
33 ~~following conditions:~~
- 34 (2) All conditional uses granted under this subsection are
35 subject to revocation if the planning and zoning
36 commission determines, based on a recommendation by
37 the municipal department of health and human services,
38 that the operator of the incinerator ~~or TDU~~ failed to
39 operate according to the specifications shown in the
40 plans approved by the planning and zoning commission,
41 or operate in conformance with the state department of
42 environmental conservation or municipal air quality

regulations. In order to determine whether or not this condition is met, the director of the municipal department of health and human services shall have authority to require monitoring for compliance with the conditional use permit and to annually obtain copies of the operator's monitoring or testing records.

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

4. Junkyard or Salvage Yard

a. Definition

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

b. Use-Specific Standards

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

5. Land Reclamation

a. Definition

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

b. Use-Specific Standards

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

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

(A) A site plan showing:

(1) Drainage.

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

- 1 (D) The site will not accept soils contaminated with petroleum
2 products or byproducts.
- 3 (E) The reclamation operations will not pose a hazard to the public
4 health and safety.
- 5 (F) The reclamation operations will not generate noise, dust, surface
6 water runoff, groundwater pollution, or traffic that will unduly
7 impact surrounding land uses.
- 8 (G) The restoration plan for the site ensures that, after reclamation
9 operations cease, the site will be left in a safe, stable, and
10 aesthetically acceptable condition.
- 11 (H) The proposed use meets such additional standards for land
12 reclamation conditional uses as the director may establish by
13 regulation pursuant to AMC chapter 3.40.
- 14 vi. The planning and zoning commission may attach such conditions to the
15 approval of a land reclamation conditional use as it finds are necessary
16 to mitigate potential negative impacts on adjacent uses.

17 **6. Landfill**

18 **a. Definition**

19 The burial of hazardous or non-hazardous agricultural, residential, institutional,
20 commercial, or industrial waste, including areas for the disposal of building and
21 organic material **and**, solid waste processing, ~~and incinerator facilities~~. This use
22 does not include land reclamation.

23 **b. Use-Specific Standards**

- 24 i. Landfills shall be set back at least 660 feet from any non-industrial use,
25 and that required setback shall be planted with L4 screening
26 landscaping.
- 27 ii. Landfills shall contain and treat on-site all run-off that comes into contact
28 with the waste material, in such manner that the run-off will not
29 contaminate surface or ground water.
- 30 iii. Landfills shall not be located in any floodway.
- 31 iv. No landfill shall commence operation until a nuisance control plan,
32 specifying all measures to be taken to control nuisance conditions (such
33 as odor, noise, scattered solid waste, wildlife) has been approved by the
34 director.

35 **7. Snow Disposal Site**

36 **a. Definition**

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

39 **b. Use-Specific Standards**

40 **i. Location**

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

1 **8. Solid Waste Transfer Facility**

2 **a. Definition**

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

5 **b. Use-Specific Standards**

6 All such uses shall comply with the following standards:

7 *i. Location of Site*

8 A solid waste transfer facility shall not be located within 500 feet of any
9 academic school, hospital, governmental facility (except governmental
10 service), residential subdivision, or place of public assembly.

11 *ii. Minimum Lot Size and Width*

12 Notwithstanding the general dimensional standards set forth in chapter
13 21.06, the minimum lot size for a solid waste transfer facility shall be two
14 acres. The minimum lot width shall be 150 feet.

15 *iii. Limits on Outdoor Storage*

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

19 *iv. Screening*

20 In addition to any landscaping required under section 21.07.080,
21 *Landscaping, Screening, and Fences*, the facility shall be surrounded by
22 a solid, opaque fence that is at least eight feet high, located no less than
23 100 feet from any public right-of-way, and located no less than 50 feet
24 from an adjacent property.

25 **21.05.070 ACCESSORY USES AND STRUCTURES**

26 **A. Purpose**

27 This section authorizes the establishment of accessory uses that are incidental and customarily
28 subordinate to principal uses. An accessory use is "incidental and customarily subordinate" to a
29 principal use if it complies with the standards set forth in this section.

30 **B. General Standards**

31 All accessory uses shall comply with the general standards in this subsection B.

32 **1. Approval of Accessory Uses and Structures**

33 **a.** All principal uses allowed in a zoning district shall be deemed to include the
34 accessory uses, structures, and activities set forth in this section, unless
35 specifically prohibited.

36 **b.** See also sections 21.05.030 through 21.05.060 above, in which incidental or
37 accessory uses are sometimes included in the description of a specific principal
38 use category or use type. When a definition does include permitted accessory or
39 incidental uses, such accessory or incidental uses shall be subject to the general
40 standards set forth in this subsection B., the zoning district limitations in
41 subsection C. below, as well as any use-specific standards set forth in
42 subsections D. and E. below.

1 **2. Compliance with Ordinance Requirements**

2 **a.** All accessory uses and structures shall be subject to the standards set forth in
3 this section and the dimensional standards of chapter 21.06. If the case of any
4 conflict between the standards of this section and any other requirement of this
5 title, the standards of this section shall control.

6 **b.** Any use listed in subsections 21.05.030 through 21.05.060 is allowed as an
7 accessory use to a residential use if the accessory use meets the standards of a
8 "home occupation" at subsection 21.05.070D.12. If the accessory use exceeds
9 the standards of a "home occupation", then the accessory use **is no longer**
10 **considered accessory and** shall meet **any applicable** the standards of
11 subsections 21.05.010 through 21.05.070, which dictate in which districts the use
12 is allowed, and any use-specific standards.

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

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

18 **a. Same Lot**

19 The accessory use or structure shall be conducted and/or located on the same
20 lot as the principal use.

21 **b. Location of Accessory Structures**

22 No accessory structure shall be erected or maintained in any required setback,
23 except that:

24 *i.* Buildings accessory to a residential use and allowed by this section
25 21.05.070 may be erected in a required rear setback that is adjacent to
26 an alley;

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

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

32 **4. Same Ownership Required**

33 The principal use and the accessory use shall be under the same ownership.

34 **5. Temporary Accessory Uses and Structures**

35 Temporary accessory uses and structures shall be governed by the temporary use
36 standards set forth in section 21.05.080 of this title.

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

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

40 **1. Explanation of Table Abbreviations**

41 **a. Permitted Uses**

- 1 “P” in a cell indicates that the accessory use is allowed by right in the respective
 2 zoning district. Permitted uses are subject to all other applicable regulations of
 3 this title, including the use-specific standards in subsection D. below and the
 4 development and design standards set forth in chapter 21.07.
- 5 **b. Administrative Site Plan Review**
 6 “S” in a cell indicates that the accessory use requires administrative site plan
 7 review in the respective zoning district in accordance with the procedures of
 8 section 21.03.190B, *Administrative Site Plan Review*.
- 9 **c. Conditional Uses**
 10 “C” in a cell indicates that, in the respective zoning district, the accessory use is
 11 allowed only if reviewed and approved as a conditional use in accordance with
 12 the procedures of section 21.03.080, *Conditional Uses*.
- 13 **d. Prohibited Uses**
 14 A blank cell indicates that the accessory use is prohibited in the respective
 15 zoning district.
- 16 **e. Use-Specific Standards**
 17 Regardless of whether an accessory use is allowed by right or subject to
 18 administrative site plan review or conditional use, there may be additional
 19 standards that are applicable to the use. The existence of these use-specific
 20 standards is noted through a section reference in the last column of the table.
 21 References refer to subsection D. below. These standards apply in all districts
 22 unless otherwise specified.
- 23 **f. Unlisted Accessory Uses or Structures**
 24 An accessory use or structure that is not listed in tables 21.05-4 and 21.05-5
 25 shall comply with all standards set forth in subsection B. above.
- 26 **g. Tables of Permitted Accessory Uses and Structures**
 27

TABLE 21.05-4: TABLE OF ACCESSORY USES – RESIDENTIAL DISTRICTS																
Accessory Uses	P = Permitted										S = Administrative Site Plan Review				Definitions and Use-Specific Standards	
	R-1S	R-1A	R-2A+	R-2DM4	R-2FM2	R-2M	RM3	RM4	R-4A	R-5L4	R-6L2	R-7S	R-8	R-9L3		R-10L4
Accessory dwelling unit (ADU)			P	P	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	P	P	P	21.05.070.D.2.
Bed and breakfast (4 or 5 guestrooms)	S	S	S	S	S	S	S			S	S	S	S	S	S	21.05.070.D.2.
Beekeeping	P	P	P	P	P	P	P	P		P	P	P	P	P	P	21.05.070.D.3.
Child care (up to 8 children)	P		P	P	P		P	P		P	P	P		P	P	21.05.070.D.6.

TABLE 21.05-4: TABLE OF ACCESSORY USES – RESIDENTIAL DISTRICTS

P = Permitted

S = Administrative Site Plan Review

Accessory Uses	R-1S	R-1A	R-2A†	R-2DM1	R-2FM2	R-2M	RM3	RM4	R-4A	R-5L1	R-6L2	R-7S ₂	R-8	R-9L3	R-10L4	Definitions and Use-Specific Standards
Computer-aided learning center							P	P	P							21.05.070.D.5.
Dormitory							S	S	S	S	S	S	S	S	S	21.05.070.D.6.
Family self-sufficiency Service							P	P	P							21.05.070.D.8.
Farm, hobby										P	P	P	P	P		21.05.070D.9.
Garage or carport, private residential	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.10.
Home- and garden-related use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.11.
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.12.
Large domestic animal facility										P	P	P	P	P	P	21.05.070D.13.
Outdoor keeping of animals	P	P	P	P	P	P	P			P	P	P	P	P	P	21.05.070.D.14.
Paddock, stable, or barn	P		P	P	P					P	P	P		P		21.05.070.D.18.
Parking of business vehicles, outdoors, accessory to a residential use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070D.17.
Private outdoor storage of non-commercial equipment accessory to a residential use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.18.
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	P	P	P	21.05.070.D.19.

TABLE 21.05-5: TABLE OF ACCESSORY USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																											
P = Permitted S = Administrative Site Plan Review C = Conditional Use Review																											
Accessory Uses	B-1ANC	B-3AC	C-BDT-1	C-BDT-2	C-BDT-3	R-OC	MC	RC	NMU	CMU	RMU	MT-1	MT-2	MMUJ	IC	I-1	I-2	MI	AF	DR	PR	PLI	TA	W	Definitions and Use-Specific Standards		
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.2.	
Bed and breakfast (4 or 5 guestrooms)	S		S	S	S			P		S	S		S											S		21.05.070.D.2.	
Beekeeping																								P	P	P	21.05.070.D.3.
Caretaker's residence								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		C									P		21.05.070.D.6.	
Computer-aided learning center									P																		21.05.070.D.5.
Dormitory										S	S		S			C								P	P	C	21.05.070.D.6.
Drive-through service	P	P				P	P	P			P		P		P	P	P	P							P		21.05.070.D.7.
Family self-sufficiency Service									P																		21.05.070.D.8.
Farm, hobby																									P		
Garage or carport, private residential	P	P				P	P	P	P	P	P		P			P		P		P				P	P		21.05.070.D.10.
Home- and garden-related use	P	P	P	P	P	P	P	P	P	P	P		P			P		P		P	P	P	P	P			21.05.070.D.11.
Home occupation	P	P	P	P	P	P	P	P	P	P	P		P			P		P		P				P	P		21.05.070.D.12.

TABLE 21.05-5: TABLE OF ACCESSORY USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																									
P = Permitted S = Administrative Site Plan Review C = Conditional Use Review																									
Accessory Uses	B-1ANC	B-3AC	CBDT-1	CBDT-2	CBDT-3	R-OC	MC	RC	NMU	CMU	RMU	MT-1	MT-2	MMU	IC	I-1	I-2	MI	AF	DR	PR	PLI	TA	W	Definitions and Use-Specific Standards
Outdoor keeping of animals								P												P					21.05.070.D.14.
Outdoor display accessory to a commercial use	P	P					P	P	P	P	P				P	P	P	P							21.05.070.D.15.
Outdoor storage accessory to a commercial use		P					P	P							P	P	P	P							21.05.070.D.16.
Paddock, stable, or barn								P																	21.05.070.D.18.
Private outdoor storage of non-commercial equipment accessory to a residential use								P												P					21.05.070.D.18.
Residential care (up to 8 clients)	P		P	P	P			P		P	P		P												21.05.070.D.20.
Vehicle repair/rebuilding, outdoor, hobby								P												P					21.05.070.D.19.

[1] The B-1A district restricts drive-throughs to lots with frontage on and access to an arterial street.

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 ADU will conform to the requirements of the permit and the requirements of this section.

(C) The permit and the affidavit shall be filed as a deed restriction with the Anchorage recording district to indicate the presence of

1 the ADU, the requirement of owner-occupancy, and conformity
2 with the requirements of the permit and the requirements of this
3 chapter.

4 (D) The department shall receive a fee from the applicant pursuant
5 to the title 21 user's guide.

6 (E) For purposes of securing financing, potential landowners may
7 request and receive a letter of pre-approval from the municipality
8 indicating the property is eligible for an ADU permit if the
9 potential landowner completes the application process and
10 construction in accordance with this section.

11 iii. *Requirements*
12 All ADUs shall meet the following requirements:

13 (A) *Purpose*
14 Requirements for accessory dwelling units address the following
15 purposes:

16 (1) Ensure that accessory dwelling units maintain and are
17 compatible with the single-family appearance and
18 character of the principal residence, lot, and
19 neighborhood;

20 (2) Ensure that accessory dwelling units are smaller in size
21 than the principal dwelling on the lot, and preserve yards
22 and open space;

23 (3) Provide adequate parking while maintaining the single-
24 family residential character of the neighborhood,
25 avoiding negative impacts to on-street parking, and
26 minimizing the amount of paved surface on a site; and

27 (4) Provide clear and flexible standards that make it
28 practical and economical to develop accessory dwelling
29 units that are in compliance with this code, and offer an
30 accessible, affordable housing option to the community.

31 (B) *Requirements for Developing an ADU*
32 ADUs shall be allowed in all residential zoning districts except
33 RS-1, R-1A, RM-3, R-4, and RM-4A.

34 (1) One ADU may be added to or created within a detached
35 single family dwelling on a lot, tract, or parcel, but only if
36 the detached single-family dwelling is the sole principal
37 structure on that lot, tract, or parcel.

38 (2) One ADU detached from a single-family dwelling is
39 permitted on a lot, tract, or parcel, but only if:

40 (a) The lot, tract, or parcel is 20,000 square feet or
41 greater and the ADU is attached to or above a

- 1 garage and the detached single-family dwelling
2 is the only principal structure; or
- 3 (b) The lot, tract, or parcel abuts an alley; the ADU
4 is above a detached garage, the ADU/garage
5 abuts the alley, and the detached single-family
6 dwelling is the only principal structure.
- 7 (3) *Lot Coverage*
8 The lot coverage of the principal dwelling unit and all
9 accessory structures combined, including but not limited
10 to the ADU, shall be less than or equal to the maximum
11 lot coverage allowed by the zoning district.
- 12 (4) *Uses*
13 (a) An ADU shall not be permitted on any lot with a
14 ~~bed and breakfast, day care, adult or~~ child care
15 ~~center, or residential care.~~
- 16 (b) The landowner shall reside in either the principal
17 dwelling unit or the ADU as his or her primary
18 residence for more than six months of each
19 year.
- 20 (c) No more than two persons may reside in an
21 ADU.
- 22 (5) *Building Code Requirements*
23 To ensure that the dwellings meet appropriate health
24 and fire safety standards, the ADU shall be built to the
25 adopted municipal building code standards for two-family
26 dwellings.
- 27 (6) *Size*
28 (a) The gross floor area of the ADU, not including
29 any related garage, shall be no more than 700
30 square feet, nor less than 300 square feet, nor
31 have more than two bedrooms;
- 32 (b) In no case shall the total gross floor area of an
33 ADU be more than 35 percent of the total gross
34 floor area of the principal dwelling unit, excluding
35 the ADU and garages.
- 36 (7) *Setbacks*
37 An ADU shall not encroach into any required setback,
38 except that an ADU may encroach into the rear setback
39 abutting an alley.
- 40 (8) *Parking*
41 One off-street parking space in addition to the parking
42 spaces required for the principal dwelling unit is required
43 for the accessory dwelling unit; but in no event shall
44 there be fewer than three parking spaces per lot.
45 Notwithstanding the provisions of 21.12,
46 *Nonconformities*, all off-street parking deficiencies shall
47 be corrected.

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
- (9) *Design and Appearance*
- (a) All ADUs shall be designed to maintain the appearance of the primary unit as a single family dwelling. The accessory dwelling unit shall maintain the architectural style and character of the single-family residence. Exterior siding, roofing, and trim shall match the appearance of the materials on the principal dwelling unit. Roof style shall match the predominant style of the principal dwelling unit. Exterior window trim, window proportions (width to height), patterns, and orientation (horizontal to vertical) shall match those of the principal dwelling unit.
- (b) The construction of an additional entry door on the side of a principal structure facing a street for entrance into an accessory dwelling unit is prohibited, unless no other entry door already exists on that side. Entrances are permitted on non-street-facing sides of the principal structure.
- (10) *Utilities*
- To the extent allowed by law and utility tariff, the ADU shall be connected to the water, sewer, gas, and electric utilities of the single family dwelling unit. However, lots with on-site water or septic systems may have a separate water and/or septic system for the ADU.
- (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.
- (2) The maximum height of a detached ADU shall be 25 feet.
- (D) *Density*
- ADUs are not included in the density calculations for a site.
- (E) *Expiration of Approval of an ADU*
- Approval of an ADU expires when:
- (1) The ADU is altered and is no longer in conformance with this code;
- (2) The property ceases to maintain all required off-street parking spaces;
- (3) A landowner of the property does not reside in either the principal or the accessory dwelling unit;
- (4) The ADU is abandoned by the landowner through written notification to the municipality on a form provided by the municipality; or,

- 1 (5) The property with an ADU changes ownership.
- 2 (F) *Transfer*
- 3 An ADU permit is not transferable to any other property or any
- 4 other person. When a property with an ADU is sold or otherwise
- 5 transferred, the new landowner shall file an affidavit of owner-
- 6 occupancy with the department within 30 days of the transfer,
- 7 and pay a processing fee. Failure to file an affidavit by the due
- 8 date constitutes failure to have a permit, in violation of this
- 9 section. Transfers from one landowner to another landowner do
- 10 not require a new affidavit so long as the recipient landowner
- 11 signed the original affidavit.
- 12 (G) *Prior Illegal Use*
- 13 (1) All structures which meet the definition of *Accessory*
- 14 *Dwelling Unit* which are not recognized as legal
- 15 nonconforming structures or uses of structures under
- 16 chapter 21.12 shall comply with this subsection. Such
- 17 structures may continue in existence provided the
- 18 following requirements are met:
- 19 (a) A permit application for an ADU is submitted to
- 20 the building safety division within six months of
- 21 September 30, 2003.
- 22 (b) The unit complies with the requirements of this
- 23 section.
- 24 (2) If the unit does not comply with the requirements of this
- 25 section at the time the permit application is filed, the
- 26 building official may grant six months to bring the unit
- 27 into conformance.
- 28 (3) In addition to any other remedies provided in this code,
- 29 failure to legalize an existing unit under this subsection
- 30 shall result in civil penalties as provided at AMC section
- 31 14.60.030. All landowners of illegal units shall also be
- 32 required to either legalize the unit or remove it.
- 33 (4) This subsection does not apply to existing legal
- 34 nonconforming uses of structures established pursuant
- 35 to chapter 21.12.
- 36 (H) *Variances*
- 37 Nothing in this section guarantees any property landowner the
- 38 right to create an ADU unless it conforms to all provisions in this
- 39 section. Limitations due to natural features, lot size, lot
- 40 dimensions, building layout, or other physical or environmental
- 41 factors shall not be reasons for granting a variance from the
- 42 standards and provisions of this section. No variances shall be
- 43 granted from the standards and provisions of this section.

44 **Adult Care (Up to Eight Clients)**

45

2. **Bed and Breakfast**

a. **Definition**

A bed and breakfast is a private residence that offers overnight accommodations and limited food service to overnight guests, for which compensation is paid on a daily or weekly basis. detached or attached single-family dwelling or two family dwelling, not including a mobile home, that is occupied by the host, owner, or operator of the establishment, and that offers overnight accommodations for which compensation is paid on a daily or weekly basis for no more than 30 consecutive days, and which offers only one daily meal. No more than five guestrooms may exist in such an establishment.

b. **Use-Specific Standards**

~~Restriction on Special Events for All Bed and Breakfasts~~

~~No bed and breakfast shall hold, for consideration, weddings, parties, meetings, or other similar events.~~

i. **General Standards**

(A) Bed and breakfast establishments are allowed only in attached or detached single-family and two-family dwellings, not including mobile homes.

(B) The host-operator of the bed and breakfast enterprise shall establish and maintain the single-family or the bed and breakfast unit of a two-family structure as his or her primary domicile at all times while it is operated as a bed and breakfast.

(C) A bed and breakfast may have up to five guestrooms, as allowed by tables 21.05-4 and 21.05-5. If an ADU also exists on the premises, the ADU shall count as one of the allowed guestrooms. No more than the permitted number of guestrooms shall be offered for use at any one time.

(D) Only one daily meal shall be offered to guests at any bed and breakfast establishment.

(E) Individual guests are prohibited from staying at a particular bed and breakfast establishment for more than 30 consecutive days.

(F) A bed and breakfast shall not be permitted concurrently on any lot with an accessory dwelling unit, child or adult care facility, or assisted living residential care facility.

(G) The accessory use shall protect and maintain the integrity of the residential neighborhood. A bed and breakfast shall not detract from the principal use in the district and shall not place a burden on any private or public infrastructure (i.e., streets or utilities) greater than anticipated from permitted development.

~~Residential District Standards~~

~~A bed and breakfast located within a residential district shall conform to the requirements of this section.~~

1 (H) Every bed and breakfast shall meet the off-street parking
2 requirements stated in section 21.07.090 and in its administrative
3 permit.

4 (I) Every bed and breakfast supported by on-site well and
5 wastewater disposal systems shall conform to the requirements
6 of AMC chapter 15.65, pertaining to wastewater disposal
7 regulations, and shall obtain a one-time only health authority
8 certificate.

9 ii. *Administrative Permit*
10 A bed and breakfast shall require an administrative permit pursuant to
11 section 21.03.030. An application for a bed and breakfast **permit** shall
12 not be complete unless it is accompanied by proof of a current business
13 license, ~~health inspection for 25 occupants or more,~~ a health authority
14 approval certificate (for on-site systems only), and a site plan and
15 building floor plans meeting the requirements of this title.

16 **3. Beekeeping**

17 a. *Definition*
18 Keeping honey bees, *Apis mellifera*, for the purpose of education and/or
19 producing honey or other products related to bees.

20 b. *Use-Specific Standards*

21 i. Colonies of *Apis mellifera* shall be managed in such a manner that their
22 flight path to and from the hive will not bring them into contact with
23 people on adjacent property. To accomplish this, colonies shall be:

24 (A) At least 25 feet from any lot line not in common ownership; or

25 (B) Oriented with entrances facing away from adjacent property; or

26 (C) Placed behind a fence at least six feet in height and extending at
27 least ten feet beyond the hive in all directions.

28 ii. No more than four hives shall be placed on lots smaller than 10,000
29 square feet.

30 **4. Caretaker's Residence**

31 a. *Definition*
32 A dwelling unit on the site of a non-residential use and occupied only by a guard
33 or the person who oversees the operation of the non-residential facility (and
34 his/her family).

35 **Child Care**

36
37 **5. Computer-Aided Learning Center**

38 a. *Definition*
39 A facility that provides access to personal computer equipment for use in self-
40 instruction. The use is accessory to housing facilities run by public or non-profit
41 agencies.

42 b. *Use-Specific Standard*

1 Computer-aided learning centers shall comply with the use-specific standards set
2 forth below for “family self-sufficiency service.”

3 **6. Dormitory**

4 **a. Definition**

5 A facility intended or used as group living quarters for students, religious orders,
6 employees, and the like, directly affiliated with **a permitted principal use such as**
7 **a schools, colleges, convents, or similar institutional uses, or directly affiliated**
8 **with a permitted principal use.**

9 **b. Use-Specific Standards**

10 *i.* Dormitories in residential and mixed-use districts shall comply with the
11 applicable multi-family residential design standards in section 21.07.100.

12 *ii.* L2 visual enhancement landscaping is required when dormitories abut
13 residential lots in a residential district.

14 **7. Drive-Through Service**

15 **a. Definition**

16 The physical facilities of an establishment that encourage or permit customers to
17 receive services or obtain goods while remaining in their motor vehicles.

18 **b. Use-Specific Standards**

19 Drive-through services are allowed as accessory uses to the following primary
20 uses: restaurant, pharmacy, financial institution, and food and beverage kiosk.
21 The following standards apply to all drive-through services:

22 *i. Stacking Spaces*

23 Stacking spaces shall be provided pursuant to section 21.07.090I.

24 *ii. Impact on Adjacent Uses*

25 **(A)** A drive-through shall be located, sized, and designed to
26 minimize traffic, noise, air emissions, and glare impacts on
27 surrounding properties.

28 **(B)** No drive-through stacking spaces shall be located between the
29 building and an abutting right-of-way.

30 **(C)** When a drive-through use abuts a residential lot in a residential
31 district, L2 visual enhancement landscaping shall be provided
32 along that lot line.

33 **(D)** The noise generated on the site by talk boxes shall be inaudible
34 at **any residential** the property line.

35 **8. Family Self-Sufficiency Service**

36 **a. Definition**

37 A governmentally operated or sponsored social service agency that provides
38 aide to economically disadvantaged families in finding training, employment, and
39 housing. The use is accessory to housing facilities run by public or non-profit
40 agencies.

41 **b. Use-Specific Standards (also applies to “Computer-Aided Learning**
42 **Center”)**

- 1
2
- i. General Standards*
The following general standards apply to these uses in all districts:
- 3
4
5
6
- (A) *Building*
The structure used to house the facility shall maintain at least twenty residential units and devote at least 85 percent of the building's maximum gross floor area to residential use.
- 7
8
9
10
11
- (B) *Ownership*
The operating agency shall have ownership of the structure. No other entity may rent, lease, buy, or otherwise obtain space in the building for the purposes of operating facilities regulated under this subsection.
- 12
13
14
15
- (C) *Staff*
During the operation hours, there shall be at least one instructor/monitor on-site and responsible to the operating agency.
- 16
17
18
19
20
- (D) *Clients*
Facility users are not required to be residents of the building housing the facility. The facility users shall be restricted to the tenants of the operating agency or beneficiaries of assisted housing from the operating agency.
- 21
22
- ii. District-Specific Standards*
The following specific standards apply to the referenced districts:
- 23
24
25
- (A) In the RM-3, RM-4, R-4A, and NMU districts, computer-aided learning centers may be conditionally allowed if they have a maximum gross floor area of 1,000 square feet.
- 26
27
28
- (B) In the RM-3, RM-4, R-4A, 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.
- 29
9. **Farm, Hobby**
- 30
- a. **Definition**
- 31
32
- The production of crops for sale ~~on the premises~~. This may include a temporary stand for sales on the premises.
- 33
10. **Garage or Carport, Private Residential**
- 34
- a. **Definition**
- 35
36
37
- A detached accessory or portion of a principal structure ~~main building~~ that is used for the parking and storage of vehicles owned and operated by the residents thereof.
- 38
- b. **Use-Specific Standards**
- 39
40
- i.* Garages may encroach into the rear or side setback when that setback abuts an alley.
- 41
42
43
- ii.* Such accessory uses shall serve only the residents of the property and shall not be used for commercial purposes except as part of a home occupation approved under subsection D.12. below.

- 1 (A) No more than the lesser of 25 percent or 500 square feet of the
2 floor area of the principal dwelling is devoted to any home
3 occupation; or
- 4 (B) No more than 300 square feet of an accessory building is
5 devoted to any home occupation; or
- 6 (C) No more than 250 square feet of the principal dwelling and 250
7 square feet of the accessory building are devoted to any home
8 occupation.
- 9 iv. Except for as provided in b.vii. below and in chapter 21.11, *Signs*, there
10 shall be no change to the outside of the building or premises, nor shall
11 there be other visible evidence of the conduct of such home occupation;
- 12 v. Vehicles making deliveries shall not be parked at the site for a period
13 exceeding one hour;
- 14 vi. No traffic or deliveries shall be generated by such home occupation in
15 greater volume than would normally be expected in a residential
16 neighborhood;
- 17 vii. All vehicles used in connection with the home occupation shall, except
18 for delivery vehicles allowed above, be of the type commonly used for
19 personal non-commercial transportation. **Home occupations shall**
20 **comply with the requirements of subsection D.17. below** ~~Such vehicles~~
21 ~~may not include boats, motorcycles or similar motor-driven vehicles, all-~~
22 ~~terrain vehicles (including snow machines), vehicles with more than two~~
23 ~~axles, box vans, buses, recreational vehicles, motor homes, hauling~~
24 ~~vehicles including tractor-trailer tractors, or wreckers (including boom-~~
25 ~~type or tilt bed). Only one vehicle bearing visible evidence of the home~~
26 ~~occupation is permitted per home occupation;~~
- 27 viii. The peace and quiet of the neighborhood shall not be disturbed. No
28 equipment or process shall be used in such home occupation that
29 creates noise, vibration, glare, fumes, or odors detectable to the normal
30 senses at the property line. No equipment or process shall be used
31 which creates visual or audible interference in any radio or television
32 receivers off the premises, or causes a fluctuation in line voltage off the
33 premises. No hazardous or toxic materials shall be stored on the
34 property as part of the home occupation;
- 35 ix. The hours of operation during which an employee or co-worker, clients,
36 or customers are allowed to come to the home in connection with the
37 business activity are limited to between **7:00 a.m. and 10:00 p.m.**
38 Monday through Saturday. Care and feeding of animals is exempted
39 from this provision; and
- 40 x. A home occupation shall not be permitted on any lot with an accessory
41 dwelling unit, ~~bed and breakfast~~, adult or child care facility, or **assisted**
42 **living residential care** facility.
- 43 xi. **Any storage of wholesale or retail stock in trade in conjunction with the**
44 **home occupation shall not exceed ten percent of the area devoted to the**

home occupation, except on lots 40,000 sf or larger in class B districts as defined in 21.08.050B. On lots meeting this exception, storage of stock in trade may equal the area devoted to the home occupation, if the storage is screened from neighboring lots and separated from the neighboring lot line by at least the established district setback.

c. Uses Prohibited as Home Occupations

A home occupation shall not include, but is not limited to excluding, the following: veterinary or animal hospital; restaurant; and vehicle repair, unless allowed below under “vehicle repair/rebuilding, outdoor, hobby.”

13. Large Domestic Animal Facility (4 or more animals)

a. Definition

The keeping, harboring, riding, boarding, stabling, training, exercising, breeding, or related use of four (4) or more large domestic animals regardless of animal ownership, and the associated structure(s) such as a paddock, stable, or barn. Operation of a large domestic animal facility is not a home occupation.

b. Use-Specific Standards

i. Lot Size

The minimum lot size for a large domestic animal facility of four (4) animals is 40,000 square feet. An additional 10,000 square feet is required for each animal over four. Application for an administrative variance from the minimum lot size may be made to the planning department. Through the administrative variance process, the director may approve a deviation of no more than ten percent (10%), with the concurrence of the department of health and human services and the development services department.

ii. Adjacent Lots

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

iii. Setbacks

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

(A) Seventy-five (75) feet from residences existing on February 28, 2006, not including any residence in common ownership with the large domestic animal facility; or

(B) Ten (10) feet from any abutting lot line, not including interior lot lines of lots in common ownership, if the separation area is vegetated with level 3 buffer landscaping.

iv. Structures

1 The square footage of any single large domestic animal facility structure
2 shall not exceed ten percent (10%) of the lot size, up to a maximum of
3 8,000 square feet.

4 v. *Fences*

5 Barbed wire shall not be used for fencing of any large domestic animal
6 facility.

7 vi. *Commercial Activity*

8 Commercial activity associated with large domestic animal facilities, such
9 as boarding or riding lessons, is permitted.

10 vii. *Other Requirements*

11 Large domestic animal facilities shall:

12 (A) Meet the requirements of AMC chapter 15.20 regarding animal
13 waste, AMC subsection 15.55.060B. concerning separation
14 requirements from water supply wells, and section 21.07.020
15 concerning stream protection setbacks;

16 (B) Obtain an animal control facility license;

17 (C) Obtain certification of compliance with a state of Alaska,
18 Anchorage Soil and Water Conservation District conservation
19 plan, or obtain a letter from the District showing demonstrated
20 intent to come into compliance with a conservation plan within
21 one year; and

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

24 c. **Large Domestic Animal Facilities That Do Not Meet These Standards**

25 Large domestic animal facilities that exceed the use-specific standards listed
26 above for site area, structure size, or number of animals, may be allowed by
27 conditional use, pursuant to subsection 21.03.080. In such case, the facility shall
28 be considered a second principal use on the lot and shall comply with subsection
29 21.05.050B.3.

30 **14. Outdoor Keeping of Animals**

31 **a. *Definition***

32 Restraining or restricting the movement of animals outside of a **principal structure**
33 **building**, by any means not involving the continued presence and/or participation
34 of a human being.

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

36 *i.* Animals, other than dogs, shall not be kept outdoors in mobile home
37 parks.

38 *ii.* One to three large domestic animals may be kept outdoors on lots of
39 20,000 square feet or greater, but any structures or enclosures for
40 keeping such animals shall meet the setback standards of subsection
41 21.05.070D.13.b.iii.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

iii. The following standards apply to the outdoor keeping of all animals except for dogs, domestic cats, and large domestic animals:

(A) On lots of one acre or greater, structures or enclosures for the outdoor keeping of animals shall be at least 25 feet from any lot line. On lots less than 21,780 square feet, no smell or odor associated with the animals shall be detectible to the normal senses at the property line.

(B) On lots smaller than one acre, the following shall apply: On lots of 21,780 square feet or greater, any structures or enclosures for the outdoor keeping of animals shall be located at least 25 feet from any lot line, and no smell or odor associated with the animals shall be detectible to the normal senses at the property line.

(1) The outdoor keeping of roosters, turkeys, or geese is prohibited.

(2) Up to three (3) animals may be kept on lots of 10,000 square feet or less, with an additional one (1) animal per additional 3,000 square feet of lot area.

(3) Structures or enclosures for the outdoor keeping of animals shall be at least 10 feet from any lot line.

(4) It shall be unlawful for any owner or custodian of an animal under this section to permit it to make chronic animal noise, as defined in AMC section 17.05.010.

(5) The outdoor keeping of animals requires a biennial administrative permit pursuant to section 21.03.030.

(6) The permit shall specify any restrictions, limitations, conditions, and/or prohibitions which the municipality deems reasonably necessary to protect any person or neighboring use from unsanitary conditions, unreasonable noise or odors, or to protect the public health and safety. Examples of such conditions include limitations on the hours the animals may be kept outdoors, or measures to control animal odors.

(7) Such permit may be modified from time to time or revoked for failure to conform to such restrictions, limitations, conditions, or prohibitions. Such modification or revocation shall be effective from and after ten (10) days following the mailing of written notice thereof by certified mail to the person or persons keeping or maintaining such animals.

15. Outdoor Display Accessory to a Commercial Use
a. Definition

1 Outdoor display of goods and/or materials for sale, accessory to a commercial
2 principal use. Merchandise may be directly available to the consumer for
3 purchase.

4 **b. Use-Specific Standards**

5 No materials may be displayed in areas intended for vehicular or pedestrian
6 circulation, required parking, or required landscaping.

7 **16. Outdoor Storage Accessory to a Commercial Use**

8 **a. Definition**

9 Outdoor storage, but not display for sale, of goods and/or materials accessory to
10 a commercial principal use. Merchandise shall not be directly available to the
11 consumer without the assistance of an employee.

12 **b. Use-Specific Standards**

13 Except in industrial districts and except for outdoor storage associated with a
14 large commercial establishment which is governed by subsection
15 21.07.120E.10, outdoor storage of goods and/or materials accessory to a
16 commercial principal use shall be allowed subject to the following standards:

17 *i.* Each outdoor storage area shall not be located closer to the front
18 property line than the front plane of the principal building.

19 *ii.* Goods stored in an approved outdoor storage area shall be limited to
20 those sold or used on the premises as part of an associated primary use.

21 *iii.* Each outdoor storage area shall be screened from view from all property
22 lines and adjacent rights-of-way by an opaque fence between six and
23 eight feet in height that incorporates at least one of the predominant
24 materials used in the principal structure. The fence may exceed eight
25 feet in height where the difference in grade between the right-of-way and
26 the outdoor storage area makes a taller wall necessary to effectively
27 screen the area. Materials may not be stored higher than the height of
28 the principal structure. The outer perimeter of the fence or wall shall be
29 landscaped with L2 visual enhancement landscaping. A landscaped
30 earth berm may be used instead of or in combination with a required
31 fence or wall, provided it meets the same height requirements.

32 *iv.* If the outdoor storage area is covered, then the covering shall include at
33 least one of the predominant roofing materials and exposed roofing
34 colors on the principal structure.

35 *v.* Flammable liquids or gases in excess of 1,000 gallons shall be stored
36 underground.

37 *vi.* No materials may be stored in areas intended for vehicular or pedestrian
38 circulation or parking.

39 **17. Parking of Business Vehicles, Outdoors, Accessory to a Residential Use Paddock,
40 Stable, or Barn**

41 **a. Definition**

42 The outdoor storage or parking of a vehicle used for and/or bearing visible
43 evidence of a commercial/business purpose, but not regulated by subsection
44 21.05.070E.8.

1 **b. Use-Specific Standard**

2 Only one vehicle bearing visible evidence of a business/commercial purpose is
3 permitted per residence.

4 **18. Private Outdoor Storage of Noncommercial Equipment Accessory to a Residential**
5 **Use**

6 **a. Definition**

7 The private outdoor storage of noncommercial equipment, including
8 noncommercial trucks, boats, aircraft, off-road vehicles, recreational vehicles
9 (RVs), or travel trailers.

10 **b. Use-Specific Standard**

11 The private outdoor storage of noncommercial equipment is permitted in the front
12 setback only in the driveway, but not within five feet of any property line, and is
13 prohibited in any side or rear setback, except in a side or rear setback abutting
14 an alley. In class B districts, the setback shall be 25' from any property line
15 where the adjacent property is not in common ownership.

16 **Residential Care (Up to Eight Clients)**

17
18 **19. Vehicle Repair/Rebuilding, Outdoor, Hobby**

19 **a. Definition**

20 The repair or rebuilding of an inoperative motor vehicle as an accessory use, not
21 for commercial purposes.

22 **b. Use-Specific Standards**

23 *i.* Only one inoperative vehicle may stored outdoors on the site at any
24 given time.

25 *ii.* Any vehicle being rebuilt or repaired shall be the property of the resident
26 of the principal structure.

27 *iii.* Repair or rebuilding work shall take place to the rear of the principal
28 structure and shall be screened from view from all property lines and
29 adjacent rights-of-way by an opaque fence between six and eight feet in
30 height, or by opaque landscaping of an equivalent height.

31 **E. Prohibited Accessory Uses and Structures**

32 **1. Use of an Intermodal Shipping Container (Connex) Trailer**

33 The use of a connex trailer or similar structure is only allowed in industrial and PLI
34 districts, except that loading or unloading, and use during construction is allowed in any
35 district. Self-storage establishments in compliance with the development standards of
36 21.05.060D.4., *Self-Storage Facility*, are exempt from this restriction.

37 **2. Operation of Particle Accelerators, including Cyclotrons**

38 Operation of particle accelerator systems, including cyclotrons, is prohibited in all
39 residential districts, whether or not such system is associated with a home occupation.

40 **3. Cloth Garages**

41 Frame-supported or arch-supported tension fabric or membrane structures, fabricated
42 off-site and assembled on-site, and typically used for garages, sheds, warehouses, or
43 temporary or permanent shelters for automobiles, boats, or other items, are prohibited in
44 all residential districts.

- 1 **4. Outdoor Storage of Inoperative Vehicles**
2 In all zoning districts, the outdoor storage of any vehicle that meets the definition of “junk
3 vehicle” at AMC section 15.20.010² is prohibited except as provided in section
4 21.05.070.D.19, *Vehicle Repair/Rebuilding, Outdoor, Hobby*; section 21.05.060E.4.,
5 *Junkyard or Salvage Yard*; and section 21.05.050I.7. or I.8., *Vehicle Repair, Major and*
6 *Minor*.
- 7 **5. Use of Mobile Home, Recreational Vehicle, or Travel Trailer as Residence**
8 In all zoning districts, mobile homes, recreational vehicles, and travel trailers may not be
9 used as an accessory use for a permanent or temporary residence. However, an RV or
10 travel trailer may be used as visitor accommodation for not more than 90 days in any
11 calendar year.
- 12 **6. Use of Motor Vehicle for Sales**
13 In all zoning districts, the use of any motor vehicle or trailer as a structure in which, out of
14 which, or from which any goods are sold or stored, any services performed, or other
15 businesses conducted is prohibited. However, the following shall not be prohibited by
16 this subsection:
- 17 a. The sale of food products at a municipal-approved or -sponsored event;
- 18 b. Use of a motor vehicle in connection with an approved recycling operation;
- 19 c. Approved food and beverage kiosks that comply with the use-specific standards
20 in section 21.05.050E.2., *Food and Beverage Kiosk*; and
- 21 d. Use of a trailer in connection with an approved vehicle sales use.
- 22 **7. Commercial Motor Vehicle Repair**
23 Commercial motor vehicle repair, including engine, body, or other repair or repainting of
24 more than one vehicle at any one time or owned by a person not residing at that address,
25 is prohibited in all residential districts.
- 26 **8. Parking of Commercial Business Vehicles, Outdoor**
27 The outdoor storage or parking of a vehicle or trailer is prohibited in all residential
28 districts, for a period of one or more nights, if the vehicle or trailer is licensed or regularly
29 used for business purposes, and is either:
- 30 a. A vehicle for which a commercial driver's license is required by state law;
- 31 b. A vehicle or trailer having more than two axles;
- 32 c. Any trailer bearing commercial signage, logo, or actually then carrying
33 commercial or industrial equipment or materials;
- 34 d. A vehicle or trailer having a height in excess of 90 inches; or
- 35 e. A vehicle with a Gross Vehicle Weight Rating (GVWR) of more than 12,000 lbs.

21.05.080 TEMPORARY USES AND STRUCTURES

A. Purpose

This section allows for the establishment of certain temporary uses of limited duration, provided that such uses do not negatively affect adjacent properties or municipal facilities, and provided that such uses are discontinued upon the expiration of a set time period. ~~Temporary uses do not involve the construction or alteration of any permanent building or structure~~ is not considered a temporary use.

B. General Temporary Use Standards

1. Required Permits

All temporary uses shall obtain any permits required by other municipal departments, such as the clerk's office, the health department, the building safety department, or the police department.

2. Uses Allowed

Except as specified below, any use allowed in a district, pursuant to tables 21.05-1 and 21.05-2, is allowed on a temporary basis in that district. Such temporary uses shall comply with the requirements of subsection D. below. Any such temporary use that is established for more than 90 days within one calendar year shall be considered a permanent use and shall make all improvements required by this title.

3. Other Uses and Structures Allowed

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

a. Licensed Commercial Uses

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

b. Real Estate Sales Offices

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

c. Special Events

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

d. Temporary Parking of Construction Equipment During Construction

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

e. Temporary Living in a Motor Home or Other Recreational Vehicle

One motor home or other recreational vehicle with a fully operable self-contained sanitation system may be used on a lot in the R-5, R-6, R-7, R-8, R-9, R-10, and TA districts as temporary living quarters for not more than 18 months while a

1 permanent dwelling is being constructed or repaired, if the following requirements
2 are met:

3 *i.* The property owner or person intending to occupy the temporary living
4 quarters during construction or repair of the permanent dwelling shall
5 secure a permit from the building official before a motor home or other
6 recreational vehicle is used on site as temporary living quarters. A
7 permit issued under this subsection shall not be renewed and only one
8 permit shall be issued for the same parcel within any 10 year period.
9 The permit may be granted only upon the applicant's written certification,
10 with attachments, that:

11 **(A)** The self-contained sanitation system is fully operable and shall
12 be used with zero on-site discharge, including no on-site gray
13 water discharge, except through an approved septic system;

14 **(B)** Site access is sufficient and shall be used to transport refuse and
15 excess waste year-round for proper off-site disposal;

16 **(C)** Electrical utility service is on-site for use during the permit period
17 and no generators shall be used;

18 **(D)** The applicant has a current building or land use permit, a copy of
19 which shall be attached to the certification; and

20 **(E)** If temporary connection to an on-site septic system is to be used,
21 proof is attached that an approved septic system is in place.

22 *ii.* Only one motor home or other recreational vehicle shall be permitted for
23 use as temporary living quarters on any parcel of land during the
24 construction or repair of a permanent dwelling.

25 *iii.* The motor home or recreational vehicle placement on the lot shall
26 comply with the setbacks of the underlying zoning district.

27 **f. Other Temporary Uses**

28 *i.* Up to ~~nine~~ ~~seven~~ one-day garage/yard sales per year per dwelling unit.

29 *ii.* Gatherings of less than 100 people, such as block parties, nonprofit
30 bazaars, and fundraisers; and

31 *iii.* Temporary uses that occur wholly within an enclosed permanent
32 building.

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

34 The following temporary uses and structures are prohibited:

35 **1. Cloth Garages**

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

D. General Requirements for All Temporary Uses and Structures

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

1. The temporary use or structure shall not have substantial adverse or noise impacts on nearby residential neighborhoods.
2. The temporary use shall comply with all applicable general and specific regulations of this section unless otherwise expressly stated.
3. Permanent alterations to the site, including site grading and installation of underground utilities, are prohibited, unless specifically authorized under an approved temporary use permit.
4. Unless otherwise stated in this title, the temporary use shall last no longer than 90 days.
5. All temporary signs associated with the temporary use or structure shall be removed when the activity ends.
6. The temporary use or structure shall not violate any applicable conditions of approval that apply to a principal use on the site.
7. The temporary use regulations of this section do not exempt the applicant or operator from any other required permits, such as health department permits.
8. If the property is undeveloped, it shall contain sufficient land area to allow the temporary use or structure to occur, as well as any parking and traffic movement that may be associated with the temporary use, without disturbing sensitive or protected resources, including required buffers, 100-year floodplains, stream protection setbacks, wetlands, areas of slope greater than 20 percent, and required landscaping.
9. If the property is developed, the temporary use shall be located in an area that is not actively used by an existing approved principal use, and that would support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open space, landscaping, traffic movement, pedestrian circulation, or parking space availability.
10. Tents and other temporary structures shall be located not to interfere with the normal operations of any permanent use located on the property.
11. Off-street parking shall be adequate to accommodate the proposed temporary use.
12. Applications for temporary structures to be located in or near the 100-year floodplain shall be required to submit a plan to the director for the removal of such structure(s) in the event of a flood notification. The plan shall include the following information:
 - a. The name, address, and phone number of the individual responsible for the removal of the temporary structures;
 - b. The time frame prior to the event at which a structure will be removed;
 - c. A copy of the contract or other suitable instrument with a trucking company to insure availability of removal equipment when needed; and

1
2
3
4
5

- d. Designation, accompanied by documentation, of a location outside the floodplain to which the temporary structure will be moved.

¹ 2005 NOTE: Financial institutions in the **B-3 AC** district are intended to be branch facilities. Larger bank facilities are intended for the CBD and mixed-use districts.

² NOTE: 15.20.010: Is not currently registered under AS Ch. 28.10 for operation upon the public roads of the municipality or does not display a valid, current seasonal waiver tab issued by the state division of motor vehicles based on a seasonal use waiver granted under section 15.80.060 pursuant to AS Ch. 46.14; Is stripped, wrecked or otherwise inoperable due to mechanical failure; Has not been repaired because of mechanical difficulties or because the cost of repairs required to make it operable exceeds the fair market value of the vehicle; or Is in a condition which exhibits more than one of the following elements: a. Broken glass; b. Missing wheels or tires; c. Missing body panels or parts; or d. Missing drive train parts.)