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1 **CHAPTER 21.05: USE REGULATIONS**

2 **21.05.010 TABLE OF ALLOWED USES**

3 Table 21.05-1 below lists the uses allowed within all base zoning districts. Each of the listed
4 uses is defined in Sections 21.05.030 through 21.05.060.

5 **A. Explanation of Table Abbreviations**

6 **1. Permitted Uses**

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

11 **2. Administrative Site Plan Review**

12 "S" in a cell indicates that the use requires administrative site plan review in the
13 respective zoning district in accordance with the procedures of Section
14 21.03.080.B, *Administrative Site Plan Review*.

15 **3. Major Site Plan Review**

16 "M" in a cell indicates that the use requires major site plan review in the
17 respective zoning district, in accordance with the procedures of Section
18 21.03.080.C, *Major Site Plan Review*.

19 **4. Conditional Uses**

20 "C" in a cell indicates that, in the respective zoning district, the use is allowed
21 only if reviewed and approved as a conditional use in accordance with the
22 procedures of Section 21.03.070, *Conditional Uses*. Throughout this Title, the
23 term "conditionally allowed" means that approval through the conditional use
24 process is required.

25 **5. Prohibited Uses**

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

27 **6. Use-Specific Standards**

28 Regardless of whether a use is allowed by right, subject to major or
29 administrative site plan review, or permitted as a conditional use, there may be
30 additional standards that are applicable to the use. The existence of these use-
31 specific standards is noted through a cross-reference in the last column of the
32 table. Cross-references refer to Sections 21.05.030 through 21.05.060. These
33 standards apply in all districts unless otherwise specified.

34 **B. Table Organization**

35 In Table 21.05-1, land uses and activities are classified into general "use categories"
36 and specific "use types" based on common functional, product, or physical
37 characteristics, such as the type and amount of activity, the type of customers or
38 residents, how goods or services are sold or delivered, and site conditions. This
39 classification provides a systematic basis for assigning present and future land uses
40 into appropriate zoning districts. This classification does not list every use or activity
41 that may appropriately exist within the categories, and specific uses may be listed in
42 one category when they may reasonably have been listed in one or more other

1 categories. The use categories are intended merely as an indexing tool and are not
2 regulatory.

3 **C. Unlisted Uses**

4 When application is made for a use category or use type that is not specifically listed
5 in Table 21.05-1, the procedure set forth in Section 21.12. [x-ref], *Unlisted Uses*, shall
6 be followed.

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

8 Approval of a use listed in Table 21.05-1, and compliance with the applicable use-
9 specific standards for that use, authorizes that use only. Development or use of a
10 property for any other use not specifically allowed in Table 21.05-1 and approved
11 under the appropriate process is prohibited.

12

E. Table of Allowed Uses

TABLE 21.05-1: TABLE OF ALLOWED USES																												
		<i>P = Permitted Use</i>								<i>S = Administrative Site Plan Review</i>																		
		<i>C = Conditional Use</i>								<i>M = Major Site Plan Review</i>																		
Use Category	Use Type	Residential Districts								Commercial Districts					Industrial Districts			Mixed Use Districts				Other Districts					Use Specific Stds.	
		R 1	R 2	R 3	R 4	R 5	R 6	R 9	R 10	C 1	C 2 A	C 2 B	C 2 C	G C	M C	M I	I 1	I 2	N M U	C C M U	R C M U	R M X	A D	A F	O L	P L I		T A
RESIDENTIAL USES																												
Household Living	Dwelling, mixed use				P					P	P	P	P	P	P				S	S	S	P					S	
	Dwelling, multiple-family			P	P							P	P						S	S	S	P				S		
	Dwelling, single-family attached		P	P																								21.05.030.A.
	Dwelling, single-family detached	P	P	P		P	P	P	P													C			P		P	
	Dwelling, townhouse			S	S														S	S	S	S						21.05.030.A.
	Dwelling, two-family		P	P		P	P	P														C					C	21.05.030.A.
	Dwelling, mobile home					P																					C	21.05.030.A.
	Mobile home park			C	C	C																					C	21.05.030.A.
Group Living	Correctional community residential center										C	C	C	C			C									C	21.05.030.B.	
	Dormitory				S	S	S	S	S																P	C		
	Quasi-institutional house	C	C	C	C	C	C	C	C		C	C	C	C							C				C	C		

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Use Category	Use Type	Residential Districts								Commercial Districts					Industrial Districts			Mixed Use Districts				Other Districts						Use Specific Stds.	
		R1	R2	R3	R4	R5	R6	R9	R10	C1	C2A	C2B	C2C	GC	MC	M1	I1	I2	NMU	CMU	RCMU	RMX	AD	AF	OL	PLI	TA		W
	Residential care (7-10 capacity)	C	C	P	P	C				C	P	P	P	P														C	21.05.030.B.
	Residential care (11+ client capacity)			C	C					C	P	P	P	C														C	21.05.030.B.
	Roominghouse			C	P					P	P	P	P	P					S	S	S	S						C	21.05.030.B.
PUBLIC/INSTITUTIONAL USES																													
Adult Care	Adult care, 1-6 adults	P	P	P	P	P	P	P	P	P	P	P	P	P														P	21.05.040.A.
	Adult care, 7-10 adults	C	C	P	P	P				C	P	P	P	P														C	21.05.040.A.
	Adult care, 11+ adults			C	C					C	P	P	P	C												P	C	21.05.040.A.	
Child Care	Child care, 1-6 children	P	P	P	P	P	P	P	P	P	P	P	P	P														P	21.05.040.B.
	Child care, 7-10 children	C	C	P	P	P				C	P	P	P	P														C	21.05.040.B.
	Child care, 11+ children			C	C					C	P	P	P	C												P	C	21.05.040.B.	
Community Service	Community center	C	C	S	S	C	C	C												S	S	S					S	S	
	Family self-sufficiency service				C					C		P	P	P												P	C	21.05.040.C.	
	Homeless and transient shelter																									C			
	Neighborhood recreation center	S	S	S	S	S	S	S		S									S								S		

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		R1	R2	R3	R4	R5	R6	R9	R10	C1	C2A	C2B	C2C	GC	MC	M1	I1	I2	NMU	CMU	RCMU	RMX	AD	AF	OL	PLI	TA	W		
	Religious assembly	S	S	S	S	S	S			S	S	S	S	S					S	S	S	S					S	S		21.05.040.C.
Cultural Facility	Aquarium														M						M						C			
	Botanical gardens						S	S	S																		S			
	Library									S	S	S	S						S	S	S						S	S		
	Museum or cultural center										S	S	S	C	C					S	S		C				S	C		
	Planetarium																										P			
	Zoo																										P	C		
																												P	C	
Educational Facility	Boarding school			M	M									M						M	M	M					M	C	21.05.040.E.	
	College or university										M	M	M	C						M	M	M	M				M	C		
	Computer-aided learning center				C					C		P	P	P						S	S	P					P	C	21.05.040.E.	
	Elementary school	M	M	M	M	M	M							M						M	M	M					M	M	21.05.040.E.	
	High school or middle school	C	C	M	M	M	M							M						M	M	M					M	C	21.05.040.E.	
	Education and research center										P	P	P		P	P	P			S	S						P	C		
	Vocational or trade school										P	P	P	P	P	P	P			S	S		P				C		21.05.040.E.	

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		R1	R2	R3	R4	R5	R6	R9	R10	C1	C2A	C2B	C2C	GC	MC	M1	I1	I2	NMU	CMU	RCMU	RMX	A	D	A	F	O	L		P	L	I
Government Facility	Community or police substation			P	P					P	P	P	P	P					P	P	P	P	P						P	C		21.05.040.F.
	Correctional institution																												C			21.05.040.F.
	Governmental office										S	S	S	C	P	P			S	S	S		P					M	M			
	Governmental service															P	S / M	P					P					M / C				
	Police/fire station										M	M	M	M						M	M		P					M	C			
Health Care Facility	Health care facility or nursing home, 1-6 patients			C	C					C				P					S	S	S	P							C			
	Health care facility or nursing home, 7-10 patients			C	C					C				P					S	S	S	P							C			
	Health care facility or nursing home, 11+ patients			C	C									C						S	S						C	C				
	Health service establishment									P		P	P	P					S	S	S	P						C	C			
Park and Open Area	Cemetery																											P	C		21.05.040.H.	
	Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P					P	P	P	P						P	P			
	Nursery, public																											P				

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		R 1	R 2	R 3	R 4	R 5	R 6	R 9	R 10	C 1	C 2 A	C 2 B	C 2 C	G C	M C	M I	I 1	I 2	N M U	C C M U	R C M U	R M X	A D	A F	O L	P L I	T A	W	
	Park, public	S	S	S	S	S	S	S	S	S	S	S	S	S					S	S	S	S	S			S	S	S	
Transportation Facility	Airport																						P						21.05.040.I.
	Airstrip, private	C	C			C	C										C	C					P			C	C		21.05.040.I.
	Bus transit center										S	S	S	S	S					S	S		P			S			
	Heliport										C	C		C			C	C					P			C	C		21.05.040.I.
	Railroad freight terminal															P	C	P					P				C		
	Railroad passenger terminal											M	M		M					M	M		P			M	C		
	Taxicab dispatching office													P			P				S		P						
Utility Facility	Utility facility															C	C	C								C		C	
	Utility substation	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	S	S	S	S	P			S	S	S	21.05.040.J.
Telecommunication Facilities	Antenna co-location on existing tower	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.040.K.
	Concealed antennae and towers	C	C	C	C	C	C	C	C	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	21.05.040.K.

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		R 1	R 2	R 3	R 4	R 5	R 6	R 9	R 10	C 1	C 2 A	C 2 B	C 2 C	G C	M C	M I	I 1	I 2	N M U	C C M U	R C M U	R M X	A D	A F	O L	P L I	T A		W
	Non-concealed building-mounted antennae and towers	C	C	C	C	C	C	C	C	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	21.05.040.K.
	Non-concealed freestanding towers	C	C	C	C	C	C	C	C	S / C	S / C	S / C	S / C	S / C	S / C	S / C	S / C	S / C	C	C	C	C	S / C	S / C	S / C	S / C	S / C	S / C	21.05.040.K.
COMMERCIAL USES																													
Agricultural Uses	Farming, animal husbandry					P	P	P																					21.05.050.A.
	Farming, horticultural					P	P	P									P										C		21.05.050.A.
Animal Sales, Service & Care	Animal control shelter													S			S									S			21.05.050.B.
	Animal grooming service					S	S	S		P			P	P					P	P	P	S					S		21.05.050.B.
	Kennel					S	S	S						P			P						P				S		21.05.050.B.
	Paddock or stable					S	S	S																					21.05.050.B.
	Pet shop									P	P	P	P	P					P	P	P						C		
	Veterinary clinic												P	P			P		P	P	P	P					C		21.05.050.B.
	Assembly	Civic/convention center										C	C	C							S	S					C		

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		R1	R2	R3	R4	R5	R6	R9	R10	C1	C2A	C2B	C2C	G	M	C	M	I1	I2	NMU	CMU	RCMU	RMX	A	D	A	F	O		L	P	L	I	T
	Club/lodge/meeting hall				C					C	P	P	P	P						S	S	S					P				S	C		21.05.020.A
	Entertainment event, major										C	C	C	C																C			21.05.020.A	
Entertainment, Indoor	Amusement establishment											P	P	P								S								C			21.05.020.A	
	Fitness and recreational sports center										P	P	P							S	S	S	P											
	Movie theater									P	P	P									S	S							C			21.05.020.A		
	Nightclub, licensed									P	P	P	P								S	S								P			21.05.050.D. 21.05.020.A.	
	Nightclub, unlicensed									P	P	P	P								S	S								P			21.05.050.D.	
	Theater company or dinner theater									P	P	P									S	S								P			21.05.020.A.	
	General outdoor recreation, commercial												P	C							S	S							C					
Entertainment / Recreation, Outdoor	Golf course																													C				
	Golf driving range													C																C				
	Motorized sports facility																C	C											C			21.05.050.E. 21.05.020.A.		
	Shooting range, outdoor																												C					

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Use Category	Use Type	Residential Districts								Commercial Districts						Industrial Districts			Mixed Use Districts				Other Districts						Use Specific Stds.
		R 1	R 2	R 3	R 4	R 5	R 6	R 9	R 10	C 1	C 2 A	C 2 B	C 2 C	G C	M C	M I	I 1	I 2	N M U	C C M U	R C M U	R M X	A D	A F	O L	P L I	T A	W	
	Skiiing facility								C																		C	C	
Financial Institution	Financial institution									P	P	P	P	S						S	S	S	P						21.05.050.F.
Food and Beverage Service	Bar or tavern									P	P	P	P	P					S	S	S		P			A			21.05.020.A.
	Brew pub									P	P	P	P	P					S	S	S								21.05.020.A.
	Food and beverage kiosk									P	P	P	P	P	P		P		S	S	S		P						21.05.050.F.
	Restaurant									P	P	P	P	P					S	S	S	S	P				C		21.05.020.A.
Office	Office, business or professional									P	P	P	P	P	C				S	S	S	P	P				C		
	Broadcasting and recording facility										P	P	P	P			P				S					P	P		
Retail (Personal Service)	Dry cleaning establishment													P			P												
	Dry-cleaning, drop-off site									P	P	P	P	P					P	P	P	P	P				P		
	Funeral services												P	P							S								
	General personal services									P	P	P	P						P	P	P	P	P				P		
	Instructional services									P	P	P	P	P					P	P	P	P					P		

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		R 1	R 2	R 3	R 4	R 5	R 6	R 9	R 10	C 1	C 2 A	C 2 B	C 2 C	G C	M C	M I	I 1	I 2	N M U	C C M U	R C M U	R M X	A D	A F	O L	P L I		T A	W
Retail (Repair and Rental)	Small equipment rental													P			P												
	Repair shop											P	P	P			P			P	P								
Retail (Sales)	Auction house													P			P												
	Business service establishment									P	P	P	P	P					P	P	P		S						
	Convenience store									P	P	P	P	P					P	P	P	P	P						21.05.050.K. 21.05.020.A.
	Farmers market										P	P	P							P	P				P	P			
	Fuel sales with convenience store									C				P			P		C	S	S						C		21.05.050.K. 21.05.020.A.
	Meat and seafood processing, storage, and sales													P			P									C			
	General retail, large										M	M	M	M						M	M								
	General retail, medium										S	S	S	C						S	S					C			
	General retail, small									P	P	P	P	C					P	P	P	P	S			C			
	Grocery or food store									P	P	P	P						S	S	S	S				C / P			21.05.020.A.
Liquor store									P	P	P	P						P	P	P								21.05.020.A.	

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		R 1	R 2	R 3	R 4	R 5	R 6	R 9	R 10	C 1	C 2 A	C 2 B	C 2 C	G C	M C	M I	I 1	I 2	N M U	C C M U	R C M U	R M X	A D	A F	O L	P L I		T A
	Lumber yard/building materials store													S			S				C							
	Nursery, commercial	C	C			C	C							P							C				C	C		
	Pawnshop												C	P														
	Plumbing and heating equipment dealer													P			P				P							
Vehicles and Equipment	Aircraft and marine vessel sales													P	P		P						P					
	Gasoline service station									C			C	P			P		C	S	S						S	21.05.050.L.
	Heavy equipment sales and rental																P	P										
	Impound yard																C	P								C		
	Parking lot or structure (50+ spaces)										M	M	M	S		C	C			M	M		P			C		21.05.050.L.
	Parking lot or structure (less than 50 spaces)											S	S	P	C	C	C			S	S		P			P	S	21.05.050.L.
	Vehicle parts and supplies													P			P			C	P						C	
	Vehicle-large, sales and rental													P			P											

TABLE 21.05-1: TABLE OF ALLOWED USES																													
		<i>P = Permitted Use</i>								<i>S = Administrative Site Plan Review</i>																			
		<i>C = Conditional Use</i>								<i>M = Major Site Plan Review</i>																			
Use Category	Use Type	Residential Districts								Commercial Districts					Industrial Districts			Mixed Use Districts				Other Districts					Use Specific Stds.		
		R 1	R 2	R 3	R 4	R 5	R 6	R 9	R 10	C 1	C 2 A	C 2 B	C 2 C	G C	M C	M I	I 1	I 2	N M U	C C M U	R C M U	R M X	A D	A F	O L	P L I		T A	W
	Vehicle-small, sales and rental													P			P			C	S								
	Vehicle service and repair, major																P	P										C	
	Vehicle service and repair, minor													P			P			C	S							C	21.05.050.L.
	Vehicle storage yard													C			P	P					P			C			21.05.050.L.
Visitor Accommodations	Camper park				C									C												C	C		21.05.050.M.
	Extended-stay lodgings				C							P	P	C						P	P	S							21.05.050.M.
	Hostel											P	P							P	P								
	Hotel										P	P	P	P	C					S	S		P						21.05.020.A.
	Inn				C					P			P						P	P	P	S					C		
	Motel													P									P				C		21.05.020.A.
	Recreational and vacation camp								C																	C			
INDUSTRIAL USES																													
Industrial Service	Data processing facility																P	P											

TABLE 21.05-1: TABLE OF ALLOWED USES																														
		<i>P = Permitted Use</i> <i>C = Conditional Use</i>								<i>S = Administrative Site Plan Review</i> <i>M = Major Site Plan Review</i>																				
Use Category	Use Type	Residential Districts								Commercial Districts						Industrial Districts			Mixed Use Districts				Other Districts						Use Specific Stds.	
		R1	R2	R3	R4	R5	R6	R9	R10	C1	C2A	C2B	C2C	GC	MC	M1	I1	I2	NMU	CCMU	RCMU	RMX	AD	AF	OL	PLI	TA	W		
	General industrial service																													
	Research laboratory																	P	P			C							C	C
Manufacturing and Production	Cottage crafts											P				P				P	P		P						P	21.05.060.B.
	Food service contractor or caterer																P				C		P							
	Manufacturing, heavy																													
	Manufacturing, light																													
	Natural resource extraction, general	C	C	C			C	C	C				C	C	C	C	C	C	C	C	C	C	C				C	C		21.05.060.B.
	Natural resource extraction, placer mining																												C	C
Marine Facility	Aquaculture																													
	Boat storage facility																													
	Cold storage and ice processing for marine products																													

TABLE 21.05-1: TABLE OF ALLOWED USES																													
		<i>P = Permitted Use</i>								<i>S = Administrative Site Plan Review</i>																			
		<i>C = Conditional Use</i>								<i>M = Major Site Plan Review</i>																			
Use Category	Use Type	Residential Districts								Commercial Districts						Industrial Districts			Mixed Use Districts				Other Districts						Use Specific Stds.
		R1	R2	R3	R4	R5	R6	R9	R10	C1	C2A	C2B	C2C	GC	MC	M1	I1	I2	NMU	CMU	RCMU	RMX	AD	AF	OL	PLI	TA	W	
	Facility for combined marine and general construction																	C											
	Marine operations, general																	P											
	Marine operations, limited																	P											
	Marine wholesaling																	P											
Warehouse and Storage	Bulk storage of hazardous materials																	C									C	21.05.060.D.	
	Motor freight terminal																	P								P	21.05.060.D.		
	Self-storage facility													M				P									21.05.060.D.		
	Storage yard																	P	P	P					P	21.05.060.D.			
	Warehouse																	P	P	P					P	C			
	Wholesale establishment																	P	P										
Waste and Salvage	Composting facility																										21.05.060.E.		
	Incinerator or thermal desorption unit																												

TABLE 21.05-1: TABLE OF ALLOWED USES																													
		<i>P = Permitted Use</i> <i>C = Conditional Use</i>								<i>S = Administrative Site Plan Review</i> <i>M = Major Site Plan Review</i>																			
Use Category	Use Type	Residential Districts								Commercial Districts					Industrial Districts			Mixed Use Districts				Other Districts					Use Specific Stds.		
		R 1	R 2	R 3	R 4	R 5	R 6	R 9	R 10	C 1	C 2 A	C 2 B	C 2 C	G C	M C	M I	I 1	I 2	N M U	C C M U	R C M U	R M X	A D	A F	O L	P L I		T A	W
	Junkyard																	C											21.05.060.E.
	Landfill																	C								C			
	Snow disposal site																P	P					P			C	C		21.05.060.E.
	Solid waste transfer facility																S	S								M	C		21.05.060.E.

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1 **21.05.020 GENERALLY APPLICABLE USE STANDARDS**

2 **A. Uses Involving the Retail Sale of Alcoholic Beverages¹**

3 Any use that involves the retail sale of alcoholic beverages is subject to the Assembly
4 Alcohol Approval review process established in **Section 21.03.[x-ref]**. This process
5 shall apply to any such use regardless of whether it is listed in Table 21.05-1 as being
6 permitted as a matter of right or subject to site plan review or the conditional use
7 process. The applicant shall be required to obtain approval through both the
8 Assembly Alcohol Approval process and the separate process referenced in Table
9 21.05-1.

10 **B. Uses Containing Premises Where Children are Not Allowed²**

11 Any use containing premises where children are not allowed, regardless of whether it
12 is listed in Table 21.05-1 as being permitted as a matter of right or subject to site plan
13 review or the conditional use process, shall comply with the requirements of this
14 section. The applicant shall be required to obtain approval through the process
15 referenced in Table 21.05-1 and also to comply with the standards of this section.

16 **1. Purpose**

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

28 **2. Minimum Distance from Certain Uses**

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

- 34 **a.** A school;
- 35 **b.** A public park;
- 36 **c.** A church;
- 37 **d.** Property zoned residential, except in the TA district;

¹ NOTE: A new process will be drafted for Chapter 21.03. It will include the substance of the existing Section 21.05.160: "Conditional Use Standards – Uses Involving Sale of Alcoholic Beverages."

² NOTE: This section carries forward the substance of the existing section 21.45.240, "Location of premises where children are not allowed."

- e. TA-zoned property designated as “residential” in the Turnagain Arm Comprehensive Plan;
- f. Public recreational facilities;
- g. Twenty-four-hour child care facilities or day care; or
- h. Public libraries.

3. Compliance with State Standards

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

4. Administrative Permit Required

An administrative permit shall be on display in a prominent place. This permit shall certify that, when granted, the enterprise was in compliance with subsection 2. or 3. of this section. This permit shall be obtained from the administrative official designated pursuant to **Section 21.03.[x-ref]**. This permit shall remain valid so long as that enterprise remains in continuous operation at that location, and does not physically expand. In addition, a permit granted under subsection 3. of this section shall remain valid so long as the enterprise does not engage in an activity for which a permit is required under subsection 2. of this section.

5. Premises Without Permit

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

21.05.030 RESIDENTIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS

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

A. Household Living

This category is characterized by residential occupancy of a dwelling unit by a “household,” which is defined in Chapter 21.12. Tenancy is arranged on a month-to-month or longer basis. Common accessory uses include recreational activities, raising of pets, gardens, personal storage buildings, hobbies, and parking of the occupants’ vehicles. Specific use types include:

1. Dwelling, Mixed Use

a. Definition

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

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b. **Use-Specific Standards³**
[RESERVED]

2. Dwelling, Multiple-Family

a. **Definition**
A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided. The definition includes the terms “apartment” or “apartment building.”

b. **Use-Specific Standards⁴**
[RESERVED]

3. Dwelling, Single-Family Attached

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

b. **Use-Specific Standards⁵**
i. A common party wall agreement shall be recorded. The agreement shall provide for maintenance of the uniformity and common appearance of the exterior of all structures and landscaping. The paint and trim colors for both units of each structure shall be the same and landscaping shall be installed and maintained as a common design for both units of each structure.

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

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

iv. [RESERVED]⁶

4. Dwelling, Single-Family Detached

a. **Definition**
One detached building on its own lot, erected on a permanent foundation, designed for long-term human habitation exclusively by one family, having complete living facilities, and constituting one dwelling unit. This use type includes, but is not limited to, the following:

i. *Dwelling, Factory-Built*

³ NOTE: A cross-reference will be necessary to any new design standards that are drafted as part of Module 3.
⁴ NOTE: A cross-reference will be necessary to any new design standards that are drafted as part of Module 3.
⁵ NOTE: This standard is based on the existing Section 21.50.110 “Conditional use standards--Townhouses, Row Houses and Office Buildings Built to a Common Wall (R-O district).” Some existing provisions have been removed that cover topics that will be addressed elsewhere in the new Title 21 (e.g., parking).
⁶ NOTE: In Module 3, staff has requested new standards to provide relief from the typical garage-dominated streetscape in Anchorage.

1 A detached single-family dwelling designed for long-term human
2 habitation, and having complete living facilities, being at least
3 900 square feet in size, constructed and fabricated into one or
4 more sections at a factory and designed to be joined at the
5 location of use on a permanent foundation.

6 *ii. Dwelling, Prefabricated*
7 A detached single-family dwelling designed for long-term
8 habitation, and having complete living facilities, fabricated at a
9 factory into component parts that are assembled at the location
10 of use on a permanent foundation.

11 **5. Dwelling, Townhouse**

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

16 **b. Use-Specific Standards**

17 **i.** Townhouse dwellings shall comply with the use-specific
18 standards for “Single-Family Attached Dwellings” above.

19 **ii.** Each dwelling shall be separated from the adjoining unit or units
20 by one-hour fire resistant property line walls, extending from the
21 basement or crawl space floors to 30 inches above the roof (or
22 parapet exception) on each side of the common lot line.⁷

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

24 **a. Definition**
25 One detached building on one lot designed for or occupied exclusively by
26 two families and constituting two dwelling units. The definition includes
27 the term “duplex.”

28 **7. Mobile Home**

29 **a. Definition**
30 A detached, single-family dwelling that is:

31 **i.** Designed for long-term human habitation;

32 **ii.** Constructed and fabricated into a complete unit or units at a
33 factory;

34 **iii.** Designed to be transported, after fabrication, on its own wheels,
35 on flatbeds or other trailers, or on detachable wheels;

36 **iv.** Ready for occupancy except for minor and incidental unpacking
37 and assembly operations and connection to utilities;

38 **v.** Identified by a model number and serial number by its
39 manufacturer;

⁷ NOTE: Need to confirm this existing standard meets current building code requirements.

- 1 vi. (If manufactured before June 15, 1976) designed to meet the
2 Manufactured Home Construction and Safety Standards
3 promulgated by the U.S. Department of Housing and Urban
4 Development under 24 CFR 3280; and
- 5 vii. Designed primarily for placement on an impermanent foundation
6 or otherwise so placed as to permit moving of the unit to another
7 location during its usable life.
- 8 b. **Use-Specific Standards**
9 Only one mobile home is allowed per lot in the R-5 district, unless the lot
10 is within a mobile home park. A mobile home shall be placed on a
11 permanent foundation unless it is located within a mobile home park.
- 12 8. **Mobile Home Park**
- 13 a. **Definition**
14 Any parcel or adjacent parcels of land in the same ownership that is
15 utilized for occupancy by more than two mobile homes. This term shall
16 not be construed to mean tourist facilities for parking of travel trailers or
17 campers, which are classified under “Camper Park.”
- 18 b. **Use-Specific Standards⁸**
19 All mobile home parks within the Municipality shall be constructed,
20 operated, and maintained in accordance with these general standards:
- 21 i. **Compliance with Applicable Regulations**
22 Mobile home parks shall be constructed, operated, and
23 maintained in conformance with all applicable state statutes and
24 regulations and local ordinances; provided, however, that the
25 provisions of Chapter 21.10, *Nonconformities*, of this Title shall
26 not be applied to prohibit the removal and replacement of a
27 mobile home on a space within a mobile home park subject to
28 that chapter.
- 29 ii. **Responsibility for Compliance**
30 Complete responsibility for standards established by this
31 subsection and for construction within a mobile home park shall
32 rest with the owner of such park.
- 33 iii. **Minimum Site Size**
34 Mobile home parks in the R-3, R-4, and R-5 districts shall be on
35 sites of at least five acres.⁹
- 36 iv. **Maximum Site Density**
37 Density for mobile home parks shall not exceed eight units per
38 gross acre.

⁸ NOTE: This section consolidates standards from two locations: the existing Chapter 21.70 “Mobile Home Parks,” and the existing Section 21.50.120 “Conditional use standards--Mobile home parks.” Since all mobile home parks require a conditional use permit, there is no need to maintain a set of “conditional use standards” separate from the general standards. We have reordered all provisions to try and improve the user-friendliness of the section. The “permit” section has been removed since that section of the current Title 21 is proposed to be deleted under P&Z case #2003-037.

⁹ NOTE: Staff recommends increasing the current size threshold from two to five acres.

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- v. *Mobile Home Spaces*
 - (A) *Occupancy*

No mobile home space shall contain more than one mobile home or duplex mobile home. No other dwelling unit shall occupy a mobile home space.
 - (B) *Minimum Size*

All single mobile home spaces shall have a minimum of 3,500 square feet of land area. A duplex mobile home space shall have a minimum of 5,000 square feet of land area.¹⁰
 - (C) *Mobile Home Separation*
 - (1) No part of any mobile home, accessory building, or its addition shall be placed closer than 15 feet from any other mobile home or its addition, or no closer than ten feet if that mobile home, accessory building, or its addition being placed meets NFPA 501A and HUD #24CFR328O standards. An accessory building to a mobile home may be placed closer to that mobile home or its addition.
 - (2) The provisions of Sections 21.06.[x-ref], *Projections into Required Setbacks* and 21.05.07, *Accessory Uses and Structures*, shall not apply to mobile home parks. All mobile 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 space shall have direct access to an internal street. Direct access to exterior public streets shall be discouraged.
- vi. *Streets and Drainage Facilities*
 - (A) *Street Surface*

All streets within a mobile home park shall be surfaced with all-weather materials, such as gravel, cinders, asphalt, or concrete, to a minimum surface width of 34 feet.
 - (B) *Right-of-Way Width*

Any street within a mobile home park 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 within

¹⁰ NOTE: Each of these space minimums has been increased by 500 feet per staff suggestion.

- 1 mobile home parks are not required to be dedicated
2 as public rights-of-way.
- 3 (C) *Cul-De-Sac Streets*
4 No street within a mobile home park shall dead end
5 except for cul-de-sac streets which are no more than
6 650 feet in length and have a minimum turning radius
7 of 50 feet at the termination point of the cul-de-sac.
- 8 (D) *Intersections*
9 No street within a mobile home park shall extend
10 more than 650 feet in length between street
11 intersections. Intersecting streets shall cross at 90-
12 degree angles from an alignment point 100 feet from
13 the point of intersection. No street intersection shall
14 be closer than 125 feet to any other street
15 intersection.
- 16 (E) *Street Frontage*
17 Double-frontage spaces are prohibited, except that
18 reverse-frontage lots may back against streets
19 bordering the mobile home park.
- 20 (F) *Street Layout*
21 Streets shall be laid out so that their use by through
22 traffic will be discouraged.
- 23 (G) *Street Grades*
24 Street grades shall not exceed six percent. Street
25 grades within 100 feet of intersections shall not
26 exceed four percent.
- 27 (H) *Street Curves and Visibility*
28 The radius of street curves (between intersections)
29 shall exceed 100 feet. Streets shall be constructed to
30 provide clear visibility as measured along a centerline
31 of the street for a minimum distance of 150 feet.
- 32 (I) *Crosswalks*
33 Pedestrian crosswalks not less than ten feet in width
34 may be required in blocks longer than 330 feet when
35 deemed essential to provide reasonable circulation or
36 access to schools, playgrounds, shopping centers,
37 convenience establishments, service buildings or
38 other community facilities.
- 39 **vii.** *Water and Sewage Systems*
40 All mobile homes in mobile home parks shall be connected to
41 water and sewage systems approved by the Municipality before
42 they may be occupied.
- 43 **viii.** *Additions to Mobile Homes; Accessory Buildings*
44 (A) *Generally*

1 Additions or other accessory buildings or structures
2 shall not exceed 120 square feet gross floor area.
3 Additions and accessory buildings shall not exceed
4 the height of the mobile home by more than 12
5 inches. All additions and accessory buildings shall
6 be subject to the spacing and setback requirements
7 for mobile homes. Any addition or accessory building
8 shall be constructed in accordance with building
9 safety code regulations pertaining to temporary
10 structures, provided that additions will not be required
11 to have a permanent foundation.

12 (B) *Exits*
13 The number of exterior exits from additions shall be
14 equal to or greater than the number of exits leading
15 from the mobile home to the addition. When two
16 exterior exits are required from additions, they shall
17 be placed a distance apart equal to one-fifth of the
18 total perimeter of the addition.

19 ix. *Refuse Collection*
20 A mobile home park operator shall provide adequate refuse
21 collection facilities. Refuse collection facilities shall be
22 constructed and maintained in accordance with all municipal
23 health regulations and shall be designed to bar animals from
24 access to refuse. Refuse shall be removed from refuse
25 collection sites at least once a week.

26 x. *Fuel Tanks*
27 Fuel oil supply tanks shall be placed underground. Liquefied gas
28 containers shall be securely anchored to a permanent and stable
29 holding structure or adequately secured to a mobile home.

30 xi. *Campers and Travel Trailers*
31 Occupied campers and travel trailers are not subject to
32 paragraphs 8.b.v., *Mobile Home Spaces*, and 8.b.vii., *Water and*
33 *Sewage Systems*, of this subsection. Any permitted spaces
34 intended for occupied campers and travel trailers shall be placed
35 in an area segregated from permanent mobile home spaces.
36 Any area within a mobile home park that is occupied by campers
37 and travel trailers shall be served by a service building
38 containing public toilet facilities and water supply.

39 xii. *Convenience Establishments in Mobile Home Parks*
40 Convenience establishments of a commercial nature, including
41 stores, coin-operated laundry and dry cleaning establishments
42 and laundry and dry cleaning agencies, beauty shops and
43 barbershops, may be permitted in mobile home parks subject to
44 the following restrictions. Such establishments and the parking
45 area primarily related to their operations shall not occupy more
46 than ten percent of the area of the park, shall be subordinate to
47 the residential use and character of the park, shall be located,
48 designed and intended to serve frequent trade or service needs

1 of persons residing in the park, and shall present no visible
2 evidence of their commercial character from any portion of any
3 district outside the park. Such convenience areas shall be
4 considered accessory uses to the principal use of mobile homes,
5 may be permitted without a zoning change, and shall be
6 discontinued if the mobile home park is discontinued.

7 **xiii.** *Sites in Flood Hazard Overlay District*

8 All mobile home parks of which all or a portion are within the
9 Flood Hazard Overlay District shall meet the following
10 requirements:

11 (A) Over-the-top ties shall be provided at each of the four
12 corners of the mobile home and two ties per side at
13 intermediate locations. Mobile homes more than 50
14 feet long shall require one additional tie per side
15 (applicable on mobile homes constructed earlier than
16 1976).

17 (B) Frame ties shall be provided at each corner of the
18 frame, and five ties per side at intermediate points.
19 Mobile homes more that 50 feet long shall require
20 four additional ties per side.

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

23 (D) Any additions to the mobile home shall be similarly
24 anchored.

25 (E) All applications for a conditional use for a mobile
26 home park shall include an evacuation plan indicating
27 alternate vehicular access and escape routes during
28 times of flooding.

29 **xiv.** *Sites in Floodplain*

30 No mobile homes shall be placed within the regulatory floodplain,
31 except that mobile home parks existing before September 25,
32 1979, shall be permitted to place mobile homes within existing
33 unit spaces.

34 **xv.** *Nonconforming Mobile Home Parks*

35 (A) Those mobile home parks situated within the
36 boundaries of the former City of Anchorage which
37 existed prior to August 30, 1977, are not subject to
38 paragraphs 8.b.v., *Mobile Home Spaces*, and 8.b.vii.,
39 *Water and Sewage Systems*, of this subsection,
40 provided that such parks meet the standards set forth
41 in the former City of Anchorage Municipal Code
42 Sections 6.60.010 through 6.60.110.

43 (B) Those mobile home parks situated in any area of the
44 Municipality other than that described in paragraph i.

1 above, which existed prior to 1966, are not subject to
 2 the requirements of paragraphs 8.b.v., *Mobile Home*
 3 *Spaces*, 8.b.vi., *Streets and Drainage Facilities*, and
 4 8.b.viii., *Additions to Mobile Homes, Accessory*
 5 *Buildings*, of this subsection, within the area and to
 6 the extent that it was constructed, operated or
 7 maintained prior to that date.

8 (C) Any mobile home park exempt from certain sections
 9 of this Section as provided in paragraphs a. and b.
 10 above, shall conform to all provisions of this Section
 11 within any area first constructed, operated, or
 12 maintained after the specified date or within any area
 13 that is substantially altered, remodeled, reconstructed
 14 or rebuilt after that date.

15 **B. Group Living**

16 This category is characterized by residential occupancy of a structure by a group of
 17 people who do not meet the definition of “Household Living.” Tenancy is generally
 18 arranged on a monthly or longer basis, and the size of the group may be larger than a
 19 family. Generally, structures have a common eating area for residents. The residents
 20 may receive care, training, or treatment, and caregivers may or may not also reside at
 21 the site. Accessory uses commonly include recreational facilities and vehicle parking
 22 for occupants and staff. Specific use types include:

23 **1. Correctional Community Residential Center**

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

32 **b. Use-Specific Standards¹¹**

33 **i. General Standards**
 34 The following standards apply to all correctional community
 35 residential centers established after January 1, 1995:

36 (A) No new correctional community residential center
 37 may be located within one mile of an existing center
 38 or within 500 feet of an existing school or park.

39 (B) Program occupancy limits shall be as determined by
 40 the State Department of Corrections.

¹¹ NOTE: This carries forward the existing 21.50.035 “Standards for Correctional Community Residential Centers.” Changes include changes adding two new criteria addressing separation from schools and parks, and requiring a minimum amount of outdoor recreation space. We deleted provisions that will be addressed in other parts of Title 21 (e.g., parking requirements, screening for dumpsters).

- 1 (C) Maximum resident occupancy at a center shall be
2 determined by requiring a minimum of 150 square
3 feet of building area per resident. This measurement
4 shall be calculated by including all bedroom, kitchen,
5 bathroom, living, recreation, and other areas within
6 the facility intended for common use by the residents.

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

- 10 (E) In the GC zoning district, correctional community
11 residential centers may house only residents
12 convicted of misdemeanors.

- 13 (F) No additional correctional community residential
14 centers may be located in the C-2A, C-2B, or C-2C
15 zoning districts or in a GC zoning district in the area
16 bounded on the north by Ship Creek, on the south by
17 Chester Creek, on the east by Orca Street extended,
18 and on the west by Cook Inlet.

19 ii. *Existing Centers Established Under Quasi-Institutional House*
20 *Provisions*
21 The three correctional community residential centers that were
22 established under the quasi-institutional house provisions of Title
23 16 and Title 21 of this Code and that existed as of January 1,
24 1995, may continue to operate under the terms of their existing
25 conditional use permits and at the occupancy level permitted as
26 of that date. No other beds may be added to these centers.

27 2. **Dormitory**
28 a. **Definition**
29 A facility intended or used principally for sleeping accommodations for a
30 group of people who do not meet the definition of "household," and that
31 provides shared kitchen and bathroom facilities. The use may be related
32 to an educational, public, or religious institution. This use includes
33 convents and monasteries.

34 3. **Quasi-Institutional House**
35 a. **Definition**
36 i. *Definition for Uses Established On or After August 8, 1995*
37 A residential facility located in a structure or residence or any
38 living unit thereof designed, used or intended for use as a human
39 habitation, the principal use or goal of which is to serve as a
40 place for persons seeking rehabilitation or recovery from any
41 physical, mental, or emotional infirmity, or any combination
42 thereof, in a family setting as part of a group rehabilitation and/or
43 recovery program utilizing counseling, self-help, or other
44 treatment or assistance.

45 ii. *Definition for Uses Established Prior to August 8, 1995*

1 A residential facility located in a structure or residence or any
2 living unit thereof designed, used or intended for use as a human
3 habitation, the principal use or goal of which is to serve as a
4 place for persons seeking rehabilitation or recovery from any
5 physical, mental, emotional, or legal infirmity, or any combination
6 thereof, in a family setting as part of a group rehabilitation and/or
7 recovery program utilizing counseling, self-health, or other
8 treatment or assistance.

9 **b. Use-Specific Standard**
10 The following standard applies to quasi-institutional houses established
11 prior to August 8, 1995:

12 i. A quasi-institutional house that establishes or maintains a
13 contractual relationship with an adult corrections agency to
14 accept persons in correctional custody and for which the
15 contractual relationship did not exist at the same location and at
16 the same or higher number of beds before June 2, 1992, shall
17 not:

- 18 (A) Be located in a residential use district; and
- 19 (B) House residents convicted of a felony as set forth in
20 A.S. 11.41, offenses against the person, in this state
21 or of an offense with the same or substantially similar
22 elements in another jurisdiction, unless that person
23 has successfully completed all conditions of parole
24 and probation and is no longer under supervision of
25 any federal, state or local authority.

26 **4. Residential Care¹²**

27 **a. Definition**
28 A dwelling unit that provides a supervised residential environment for
29 persons with a mental or physical disability, without regard to age or
30 relationship to the owner, for a duration of at least 30 consecutive days
31 for each client. Facilities under this definition include, but are not limited
32 to, assisted living, adult foster care, and family respite care. Facilities
33 under this definition do not include child care, adult care, quasi-
34 institutional houses, community correctional residential centers, or
35 nursing homes.

36 **b. Use-Specific Standards**
37 All residential care facilities shall comply with the following standards:

- 38 i. **Exterior Appearance**
39 The structure and grounds shall have the exterior appearance of
40 a residence keeping in character with residential structures in the
41 neighborhood.
- 42 ii. **Required Services**
43 The owner or agent shall provide:

¹² NOTE: From the new Assisted Living ordinance prepared by the Municipality.

- 1 (A) Janitorial/housekeeping services;
- 2 (B) 24 hour on-site staffing; and
- 3 (C) Assistance with the activities of daily living such as
- 4 bathing, feeding, and clothing.

5 *iii. Compensation Paid*
6 The clients, or private or public agencies on their behalf, shall
7 pay compensation to the owner or agent, in exchange for the
8 right of occupancy.

9 *iv. Optional Accessory Services*
10 Residential care may allow for rehabilitation or maintenance
11 services to assist clients with therapy such as physical therapy or
12 speech therapy, but such rehabilitation or maintenance services
13 shall be clearly accessory to the residential care. If otherwise
14 allowed by law, the owner or agent may also provide skilled
15 nursing care and assistance with medication.

16 *v. Residency by Staff*
17 No more than two staff per five clients may reside in the facility.
18 The first two resident staff shall not count towards the maximum
19 number of clients established under this title.

20 *vi. Other Use-Specific Standards Apply*
21 In addition to complying with the use-specific standards above,
22 all residential care facilities shall comply with the additional use-
23 specific standards referenced below:

24 (A) *Up to Six Clients*
25 Residential care facilities with up to six clients may be
26 allowed an accessory use; see Section 21.05.070,
27 *Accessory Uses and Structures*.

28 (B) *Seven Clients or More*
29 Residential care facilities with seven clients or more
30 shall comply with the use-specific standards set forth
31 below for "Adult Care, Child Care, Health Care, or
32 Residential Care (Seven Clients or More)."

33 **5. Roominghouse**

34 a. **Definition**
35 Any dwelling or establishment in which four or more guestrooms are
36 available for compensation that is paid on a daily, weekly, or monthly
37 basis. A roominghouse may offer dining services only to its tenants and
38 their guests.

b. Use-Specific Standards

i. Administrative Permit

Roominghouses shall be subject to the requirements of the annual administrative permit issued in accordance with Section [21.03.x-ref].¹³

ii. General Standards¹⁴

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

(B) Cooking facilities are prohibited in guestrooms.

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

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

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

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

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

A. Adult Care¹⁵

1. Definition

A service providing for the supervision or care of adults who require assistance due to physical, emotional, or cognitive impairments, but who do not require continuous nursing care. These facilities may offer other appropriate social, indoor or outdoor recreational, physical, medical, or psychological services in a protective setting, so long as these uses are clearly accessory to the supervision or care of adults. Hours of operation are not limited, but care is intended to be less than 24-hour care for any one client.

2. Use-Specific Standards

a. Adult Care (Up to Six Clients)

Adult care facilities with up to six clients may be allowed an accessory use; see Section 21.05.070, *Accessory Uses and Structures*.

¹³ NOTE: The public review draft of Chapter 21.03 had removed the annual administrative permit provisions, under the assumption that such a requirement probably could be folded into the new land use permit provisions. However, it now appears that some uses, such as this one, might still require a separate annual administrative permit, and so that permit should be added back into the next draft of Chapter 21.03.

¹⁴ NOTE: New standards in response to staff comments.

¹⁵ NOTE: From the new Assisted Living ordinance prepared by the Municipality.

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- b. Adult Care, Child Care, Health Care, or Residential Care (Seven or More Clients)¹⁶**
 - i. Applicability**

The standards in this subsection shall apply to adult care, child care, health care, and residential care facilities that serve, or are designed or proposed to serve, seven or more clients.
 - ii. Traffic Access**

The site shall provide for direct access from a street constructed to urban standards.
 - iii. Minimum Lot Size**

In addition to the general dimensional standards of Chapter 21.06, the following standards apply:

 - (A) Minimum Lot Size for a Hospital or Psychiatric Institution**

Unless otherwise authorized by the Planning and Zoning Commission, the minimum lot size for a hospital or psychiatric institution shall be as follows:

 - (1)** Seven to ten beds: One-half acre (21,780 square feet).
 - (2)** Eleven to 20 beds: One acre (43,560 square feet).
 - (3)** For each additional ten beds or fraction thereof: One-half acre.
 - (B) Minimum Lot Size for Nursing Home, Convalescent Center, Rest Home, Residential Care, Adult Care, Rehabilitation Center or Sanitarium**

Unless otherwise authorized by the Planning and Zoning Commission, the minimum lot size for a nursing home, convalescent center, rest home, rehabilitation center, or sanitarium shall be as follows:

 - (1)** Seven to ten beds: 15,000 square feet.
 - (2)** More than 11 beds: 20,000 square feet.
 - (C) Minimum Lot Size for Child Care Service or Adult Care Service**
 - (1)** Seven to ten persons in care at any given time: 15,000 square feet.
 - (2)** More than 11 persons in care at any give time: 20,000 square feet.

¹⁶ NOTE: These new standards come from the Assisted Living ordinance. We have removed provisions that merely repeat standards of general applicability (e.g., uses shall comply with general height standards and general parking requirements).

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iv. Maximum Lot Coverage
The maximum lot coverage by all structures shall be in accordance with the zoning district in which the institution is established. However, regardless of the maximum underlying lot coverage, a minimum of 25 percent of the lot shall remain as a planted open area, landscaped area, natural vegetation area or useable yard, to exclude buildings, driveways, parking areas, sidewalks, etc., unless the Planning Director determines that retention of less than 25 percent of the lot as open area, etc., will allow for sufficient buffering of adjacent uses.

v. Screening or Buffering¹⁷
The Planning and Zoning Commission may require:

(A) Enclosure of the entire site by a fence of a minimum of four feet in height in order to prevent casual access to and from the site.

(B) Screening or buffering landscaping as described in section 21.45.125.C.2 or .3 along the length of a lot line.

(C) A bond for the installation of landscaping at the time of implementation of the Commission approval. This landscape bond, payable to the Municipality of Anchorage, shall be in the amount of a 120% itemized cost estimate prepared by a professional landscape architect of the planting material, topsoil, plus labor for installation. Further, this bond shall remain in effect for a 2-year growing period to assure survivability of all trees and shrubs and replacement of dead or stunted landscape materials.

vi. On-site Systems
Every health care facility, child care service or adult day service with seven or more clients, supported by on-site well and wastewater disposal systems, shall conform to the requirements of chapter 15.65, pertaining to wastewater disposal regulations, and shall provide a one-time only health authority certificate.

vii. Pedestrian Circulation
Paved walkways for residents must be provided from parking areas, and from abutting public street and trail frontages, to individual units or to common building entries.

viii. Permit Required
A biennial administrative permit for every health care facility or adult day service shall be obtained from the administrative official designated pursuant to Section 21.03.[x-ref], unless a site plan review or conditional use is required. The application shall identify the legal description of the site, zoning, street address,

¹⁷ NOTE: This subsection probably can be deleted after the new landscaping and screening provisions are drafted in Module 3.

1 occupancy, copy of the permittee’s State and/or Municipal
2 license, and list of staff and professional certifications. The
3 applicant shall certify on the permit that, when granted, the use is
4 in compliance with this Title. The permit shall remain valid until
5 the use ceases operation, or until the permit expires or is
6 revoked according to this title. Before the permit is issued:

7 (A) The applicant shall obtain from the building official or
8 his designee a determination of (1) the occupancy
9 classification of the facility under the building code;
10 and (2) the need for a change of use permit. A copy
11 of this determination shall be provided to the
12 inspectors noted in subsection 2 below, and a copy
13 shall be submitted with the administrative permit
14 application.

15 (B) A code compliance inspection shall be performed by
16 municipal code abatement, structural, electrical, and
17 fire inspectors to verify compliance with minimum life-
18 safety requirements established by the Building
19 Safety Division. The inspections are not required if a
20 code compliance inspection has been performed, or
21 a certificate of occupancy has been issued, within the
22 previous 10 years and the permit applicant certifies
23 that no alterations requiring a permit have been made
24 since the code compliance inspection or certificate of
25 occupancy was issued. A copy of all inspection
26 reports shall be submitted with the administrative
27 permit application.

28 (C) If supported by on-site well and wastewater disposal
29 systems, the property shall conform to the
30 requirements of Chapter 15.65, pertaining to
31 wastewater disposal regulations, and the
32 owner/operator shall provide a one-time only health
33 authority certificate.

34 **B. Child Care¹⁸**

35 **1. Definition**

36 A service providing for the supervision or care of children. Such service may
37 include educational and social programs so long as these uses are clearly
38 accessory to the supervision or care of children. Services providing supervision
39 or care of one or more adults, along with any number of children, shall be treated
40 as “Adult Care” under this Title.

¹⁸ NOTE: The child care classification comes from the draft assisted living ordinance (Planning & Zoning Commission Case #2003-143 – to be heard on December 1, 2003). Planning, Law and DHHS departments all worked on this definition and ensured that it matches applicable federal regulations and the recently changed state regulations, as well as Title 16.

1 **2. Use-Specific Standards**

2 **a. Up to Six Clients**

3 Child care facilities with up to six clients may be allowed an accessory
4 use; see Section 21.05.070, *Accessory Uses and Structures*.

5 **b. Seven or More Clients**

6 Child care facilities with seven clients or more shall comply with the use-
7 specific standards set forth above for “Adult Care, Child Care, Health
8 Care, or Residential Care (Seven Clients or More).”

9 **C. Community Service**

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

16 **1. Community Center**

17 **a. Definition**

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

22 **b. Use-Specific Standards**

23 Community centers shall comply with the use-specific standards set forth
24 below for “Religious Assembly.”

25 **2. Family Self-Sufficiency Service**

26 **a. Definition**

27 A governmentally operated or sponsored social service agency that
28 provides aide to economically disadvantaged families in finding training,
29 employment, and housing.

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

32 **i. General Standards¹⁹**

33 The following general standards apply to these uses in all
34 districts:

35 **(A) Building**

36 The structure used to house the facility shall maintain
37 at least twenty residential units and devote at least 85
38 percent of the building’s maximum gross floor area to
39 residential use.

40 **(B) Ownership**

41 The operating agency shall have ownership of the
42 structure. No other entity may rent, lease, buy, or

¹⁹ NOTE: Existing standard; no major substantive changes.

1 otherwise obtain space in the building for the
 2 purposes of operating facilities regulated under this
 3 subsection.

4 (C) *Staff*
 5 During the operation hours, there shall be at least
 6 one instructor/monitor on-site and responsible to the
 7 operating agency.

8 (D) *Clients*
 9 Facility users are not required to be residents of the
 10 building housing the facility. The facility users shall
 11 be restricted to the tenants of the operating agency or
 12 beneficiaries of assisted housing from the operating
 13 agency.

14 ii. *District-Specific Standards*
 15 The following specific standards apply to the referenced districts:

16 (A) In the R-4 and C-1 districts, computer-aided learning
 17 centers may be conditionally allowed if they have a
 18 maximum gross floor area of 1,000 square feet.

19 (B) In the R-4 and C-1 districts, family self-sufficiency
 20 service facilities may be conditionally allowed if they
 21 have a maximum gross floor area of 1,500 square
 22 feet.

23 **3. Homeless and Transient Shelter**

24 a. *Definition*
 25 A facility designed to provide minimum necessities of life on a limited,
 26 short-term basis for individuals and families during periods of dislocation
 27 or emergency pending formulation of longer-term planning. Facility
 28 elements may include providing the physical care required, including
 29 shelter, food, necessary medical and clothing needs, directly or by
 30 referral to appropriate agency; and planning for more permanent solution
 31 to the problem, including contact with community resources for housing
 32 and employment in the case of transients.

33 **4. Neighborhood Recreation Center**

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

38 **5. Religious Assembly²⁰**

39 a. *Definition*
 40 A building or structure, or group of buildings or structures, intended
 41 primarily for the conducting of organized religious services. Accessory
 42 uses may include, without limitation, parsonages, meeting rooms, and

²⁰ NOTE: New definition based on existing definition of term in Title 21 and permitted accessory uses allowed by districts.

1 child care provided for persons while they are attending religious
2 functions.

3 **b. Use-Specific Standards**

4 *i. Applicability*

5 Religious assemblies within a residential zoning district shall
6 conform to the requirements of this section. Religious
7 assemblies in all other zoning districts shall comply with the
8 requirements of this Title exclusive of the provisions of this
9 subsection.

10 *ii. Dimensional Standards*

11 In addition to the general dimensional standards of Chapter
12 21.06, the following specific dimensional standards apply to
13 religious assemblies.

14 **(A) Lot Area and Width**

15 A religious assembly site shall have a minimum area
16 of 14,000 square feet and a minimum width of 100
17 feet at any point.

18 **(B) Maximum Height**

19 A religious assembly may not exceed the height
20 permitted in the zoning district in which it is located.
21 However, in districts where the maximum height is 30
22 feet, the maximum height for a religious assembly or
23 a portion thereof may increase to 40 feet, so long as
24 the setback from any point on the property line is at
25 least twice the maximum actual height.

26 *iii. Traffic Access*

27 At least one property line of the religious assembly site which is
28 at least 50 feet in length must abut a street designated as a class
29 I collector or greater.

30 **D. Cultural Facility**

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

35 **1. Aquarium**

36 **a. Definition**

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

39 **2. Botanical Gardens**

40 **a. Definition**

41 Facilities for the demonstration and observation of the cultivation of
42 flowers, fruits, vegetables, native, or ornamental plants.

1 3. **Library**
 2 a. **Definition**
 3 A public facility for the use of literary, musical, artistic, or reference
 4 materials.

5 4. **Museum or Cultural Center**
 6 a. **Definition**
 7 A building or place having public significance by reason of its
 8 architecture or former use or occupancy; or a building serving as a
 9 repository for a collection of natural, scientific, cultural, historic, or literary
 10 curiosities or objects of interest, or works of art, or sites and buildings,
 11 and arranged, intended, and designed to be used by members of the
 12 public for viewing, and which may include performances,
 13 demonstrations, and teaching.

14 5. **Planetarium**
 15 a. **Definition**
 16 A building housing an instrument for projecting images of celestial bodies
 17 and other astronomical phenomena onto a domed ceiling, or for
 18 presenting shows or exhibitions about astronomy and the night sky.

19 6. **Zoo**
 20 a. **Definition**
 21 An area, building, or structures that contain wild animals on exhibition for
 22 viewing by the public.

23 E. **Educational Facility**

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

33 1. **Boarding School**
 34 a. **Definition**
 35 A school where students are provided with meals and lodging.

36 b. **Use-Specific Standards**
 37 Boarding schools shall comply with the use-specific standards set forth
 38 below for "Elementary School."

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

- 1 **3. Computer-Aided Learning Center**
- 2 a. **Definition**
- 3 A facility that provides access to personal computer equipment for use in
- 4 self-instruction.
- 5 b. **Use-Specific Standards**
- 6 Computer-aided learning centers shall comply with the use-specific
- 7 standards set forth above for "Family Self-Sufficiency Service."
- 8 **4. Elementary School**
- 9 a. **Definition**
- 10 A public, private, or parochial school offering academic instruction for
- 11 students typically between the kindergarten and sixth grade levels.
- 12 b. **Use-Specific Standards (also apply to "Middle and High School"**
- 13 **and "Boarding School")²¹**
- 14 i. **Purpose**
- 15 The standards of this subsection are intended to ensure the
- 16 compatibility of schools with surrounding neighborhoods and to
- 17 minimize the impacts of school uses on adjacent properties.
- 18 ii. **Public Schools**
- 19 Public schools are subject to the standards of the Anchorage
- 20 School District school facility design and construction manual.
- 21 For issues in which the Anchorage School District site
- 22 development and design criteria are more stringent than the
- 23 standards of this section, the School District standards shall
- 24 control.
- 25 iii. **Minimum Lot Dimensions and Setbacks**
- 26 All schools are subject to the following standards:
- 27 **(A)** School buildings in residential districts shall: 1) cover
- 28 not more than 35 percent of their site area; and 2)
- 29 provide 50-foot side and rear setbacks.
- 30 **(B)** Minimum lot requirements in all districts shall be as
- 31 follows:
- 32 **(1)** Elementary: one acre per 100 students;
- 33 **(2)** Middle: one and one-half acres per 100
- 34 students; and
- 35 **(3)** High or Boarding: two acres per 100
- 36 students.
- 37 iv. **Vehicle and Pedestrian Access**
- 38 **(A)** All middle and high schools, and schools without a
- 39 municipally designated attendance boundary
- 40 designated by the Anchorage School District, shall

²¹ NOTE: Suggested new standards.

1 have at least 100 [?] feet of frontage on a Class I or
2 greater classification street.

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

7 v. *Temporary Structures for School Expansion Space*
8 Temporary structures serving as expansion space for schools
9 are allowed in all districts in which schools are allowed, subject
10 to the following standards:

11 (A) The temporary structure shall not be located between
12 the principal building and any abutting right-of-way.

13 (B) The temporary structure shall comply with the general
14 requirements for all temporary uses contained in
15 Section 21.05.080, *Temporary Uses and Structures*.

16 **5. High School or Middle School**

17 a. **Definition**
18 A public, private, or parochial school offering academic instruction for
19 students typically in the seventh through twelfth grades. This
20 classification includes the terms “middle school” and “junior high school.”

21 b. **Use-Specific Standards**
22 High schools and middle schools shall comply with the use-specific
23 standards set forth for “Elementary School” above.

24 **6. Education and Research Center**

25 a. **Definition**
26 Educational facilities, research centers, and laboratories operated by a
27 government or educational institution and devoted to the study of
28 physical or biological characteristics of the environment.

29 **7. Vocational or Trade School**

30 a. **Definition**
31 A secondary or higher education facility teaching skills that prepare
32 students for jobs in a trade to be pursued as an occupation, such as
33 carpentry, welding, heavy equipment operation, piloting boats or aircraft,
34 repair and service of appliances, motor vehicles, boats, aircraft, light or
35 heavy equipment, accounting, data processing, and computer repair.
36 Incidental instruction services in conjunction with another primary use
37 shall not be considered a vocational or trade school.

38 b. **Use-Specific Standard²²**
39 i. In the C-2A, C-2B, and C-2C zoning districts, vocational or trade
40 schools shall be prohibited at the ground level.

²² NOTE: Existing standard; no substantive changes.

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

F. Government Facility

This category includes buildings, storage areas, and other facilities for the operation of local, state, or federal government. Accessory uses include maintenance, storage, fueling facilities, satellite offices; holding cells, and parking areas. Specific uses include:

1. Community or Police Substation

a. Definition

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

b. Use-Specific Standards

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

2. Correctional Institution

a. Definition

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

b. Use-Specific Standards²³

i. Traffic Access

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

ii. Dimensional Standards

Notwithstanding the general dimensional standards in Chapter 21.06, the following specific standards apply to these uses:

(A) Minimum Lot Size for Rural Correctional Institutions

Unless otherwise authorized by the Planning and Zoning Commission, the minimum lot size for rural correctional institutions shall be as follows:

(1) One to ten beds: One-half acre (21,780 square feet).

(2) Eleven to 20 beds: One acre (43,560 square feet).

²³ NOTE: Suggested new standards.

1 (3) For each additional ten beds or fraction
2 thereof: One-half acre.

3 (B) *Minimum Lot Size for Urban Correctional Institutions*
4 Unless otherwise authorized by the Planning and
5 Zoning Commission, the minimum lot size for urban
6 correctional institutions shall be as follows:

7 (1) Less than five beds: 6,000 square feet.

8 (2) Five to ten beds: 15,000 square feet.

9 (3) More than 11 beds: 20,000 square feet

10 *iii. Maximum Lot Coverage*

11 The maximum lot coverage by all structures shall be in
12 accordance with the zoning district in which the institution is
13 established. However, regardless of the maximum underlying lot
14 coverage, a minimum of 25% of the lot shall remain as a planted
15 open area, landscaped area, natural vegetation area or useable
16 yard, to exclude buildings, driveways, parking areas, sidewalks,
17 etc., unless the Planning Director determines that retention of
18 less than 25% of the lot as open area, etc., will allow for
19 sufficient buffering of adjacent uses.

20 *iv. Screening or Buffering²⁴*

21 The Planning and Zoning Commission may require:

22 (A) Enclosure of the entire site by a fence, or screening
23 landscaping as described in Section [x-ref.
24 "Landscaping"] or both, in order to prevent casual
25 access to and from the site.

26 (B) Screening or buffering landscaping as described in
27 Section [x-ref. "Landscaping"] along the perimeter of
28 the site.

29 **3. Governmental Office**

30 **a. Definition**

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

35 **4. Governmental Service**

36 **a. Definition**

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

²⁴ NOTE: This provision probably will unnecessary following drafting of the general landscaping provisions in Chapter 21.07.

1 **5. Police/Fire Station**

2 **a. Definition**

3 A station housing a police or fire department, including indoor and
4 outdoor space for administrative offices, storage of equipment,
5 temporary detention facilities, and associated vehicles, equipment, and
6 servicing facilities. Police stations provide services to multiple precincts.

7 **G. Health Care Facility²⁵**

8 This category includes uses that provide medical or surgical care to patients.
9 Hospitals offer overnight care, while other medical facilities provide outpatient care
10 only. Accessory uses include offices, laboratories, teaching facilities, meeting areas,
11 cafeterias, parking, maintenance facilities, and housing for staff or trainees. Specific
12 uses types include:

13 **1. Health Care Facility**

14 **a. Definition**

15 A facility or institution, whether public or private, principally engaged in
16 providing services for health maintenance, diagnosis, or treatment of
17 human disease, pain, injury, deformity or physical condition, including but
18 not limited to, a general hospital, special hospital, mental hospital, public
19 health center, diagnostic center, treatment center, rehabilitation center,
20 extended care facility, skilled nursing home, nursing home, intermediate
21 care facility, tuberculosis hospital, chronic disease hospital, or maternity
22 hospital, but excluding quasi-institutional houses and residential care.
23 Training and rehabilitation services and health services may be permitted
24 as accessory uses, if integral to the facility's function. Central services
25 facilities, such as kitchens and laboratories that serve the health care
26 facility, are permitted accessory uses to a health care facility.

27 **2. Health Service Establishment**

28 **a. Definition**

29 An establishment primarily engaged in furnishing on an outpatient basis
30 chiropractic, dental, medical, surgical, or other services to individuals,
31 including the offices of chiropractors, physicians, osteopaths, dentists
32 and other health practitioners, medical and dental laboratories, outpatient
33 care and outpatient care facilities, dispensaries, home health care
34 agencies, blood banks and pharmacies.

35 **3. Nursing Home**

36 **a. Definition**

37 A health care facility that is not an acute care hospital and that provides
38 skilled nursing care, as defined in AS 08.70.180, and related
39 convalescent or chronic care, or both, for a period in excess of 24
40 consecutive hours for two or more patients not related by blood, adoption
41 or marriage to the operator, who by reason of illness or infirmity, are
42 unable properly to care for themselves. Convalescent and chronic care
43 may include but not be limited to any or all procedures commonly
44 employed in waiting on the sick, such as administration of medicines,
45 preparation of special diets, giving of bedside nursing care, application of
46 dressings and bandages, and carrying out of treatment prescribed by a

²⁵ NOTE: Definitions from the new Assisted Living ordinance prepared by the Municipality.

1 duly licensed practitioner of the healing arts. It may also include care of
 2 mentally incompetent persons. Such facility provides nursing services,
 3 and may provide pharmaceutical services, physical or occupational
 4 therapy, social work services, therapeutic recreational activities, dietetic,
 5 central supply, laundry, housekeeping, laboratory and radiological
 6 services. Child care, adult care, residential care, quasi-institutional
 7 houses, and correctional community residential centers are excluded.

8 H. Parks and Open Areas

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

14 1. Cemetery

15 a. Definition

16 A graveyard, burial ground, or other place of interment, entombment, or
 17 sepulture of one or more human bodies or remains. Columbaria,
 18 crematories, mausoleums, and mortuaries are not permitted unless
 19 specifically allowed under this Title.

20 b. Use-Specific Standards²⁶

21 i. Burial of Human Remains in Other Areas Prohibited

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

25 ii. Minimum Site Area

26 The minimum area for a cemetery shall be five acres.

27 iii. Screening²⁷

28 The site shall contain a ten-foot-wide buffer planted with
 29 screening landscaping immediately within and along the entire
 30 length of its periphery, except at access points to the cemetery,
 31 which shall be maintained by the property owner.

32 iv. Platting of Burial Plots

33 Burial plots shall be platting in accordance with Section
 34 21.03.060.D., *Abbreviated Plat Procedure*.

35 v. Density of Burial Plots

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

38 vi. Interment Below Groundwater Table Prohibited

²⁶ NOTE: This standard is based on the existing Section 21.50.140 "Conditional use standards—Cemeteries."

²⁷ NOTE: Revisit this provision following drafting of the general landscaping provisions in Chapter 21.07 (Module 3). Staff notes that there is a need for landscaping plans for cemeteries, though not necessarily screening landscaping. However, if landscaping plans are required, then this might need to be a site plan approval, rather than a by-right use.

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

3 **vii. Traffic Access**
4 A cemetery shall have access to a street designated as a
5 collector or greater capacity.

6 **viii. Dimensional Standards**
7 Notwithstanding the general dimensional standards in Chapter
8 21.06, the following standards shall apply to all cemeteries.

9 (A) **Minimum Setbacks**
10 (1) Front setback: Ten feet.

11 (2) Side setback: Ten feet.

12 (3) Rear setback: Ten feet.

13 (B) **Maximum Height of Structures**
14 35 feet.

15 **ix. Location of Burial Plots within Setbacks**
16 Graves and burial plots shall not be allowed within setback
17 areas.

18 **x. Parking, Driveways and Streets**
19 Parking shall be provided according to Section 21.07.020, *Off-*
20 *Street Parking and Loading*, except that the Traffic Engineer may
21 authorize a pavement surface of gravel for drives and streets
22 that provide direct access to graves and burial plots. Internal
23 driveways and streets providing direct access to a public right-of-
24 way or connecting to principal structures shall be paved with
25 asphalt or concrete.

26 **2. Community Garden**
27 **a. Definition**
28 A private or public facility for the cultivation of fruits, flowers, vegetables,
29 or ornamental plants by more than one individual or family.

30 **3. Nursery, Public**
31 **a. Definition**
32 A non-commercial establishment for the growth and/or display of plants,
33 shrubs, trees, and materials used in indoor and outdoor planting,
34 conducted within or without an enclosed building.

35 **4. Park, Public²⁸**
36 **a. Definition**
37 A non-commercial, not-for-profit facility designed to serve the recreation
38 needs of the residents of the community. Such facilities include, but are
39 not limited to, playfields, playgrounds, and open space, but do not
40 include larger public recreational facilities.

²⁸ NOTE: Need to ensure that all parks-related definitions match the new parks plan. Draft of parks plan not yet available.

1 **I. Transportation Facility**

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

5 **1. Airport**

6 **a. Definition**

7 An area of land or water with a control tower that is used or intended for
8 use for the landing and take-off of aircraft, and any appurtenant areas
9 that are used or intended for use for airport buildings or other airport
10 facilities or rights-of-way, together with airport buildings and facilities
11 located thereon.

12 **b. Use-Specific Standards²⁹**

13 This use is expressly limited to the following activities and structures:

- 14 i. Airport runway, taxiway, apron, water land, helipad, aircraft
15 parking and fueling areas, runway approach and protection zone;
- 16 ii. Aviation facilities, including control towers, navigation equipment,
17 airline, helicopter, air taxi, float plane facilities and administrative
18 offices, maintenance training facilities, waterfront aircraft docks,
19 meteorological equipment, military aviation, general aviation,
20 fixed base operators and private aircraft tie-down facilities;
- 21 iii. Air freight facilities for air cargo and mail facilities, air freight
22 forwarding, including facilities for loading/unloading, sorting,
23 storage, receiving, delivering, dispersal of such freight or cargo
24 and mail;
- 25 iv. Aircraft ground handling and all uses associated with ground
26 handling of aircraft;
- 27 v. Federal, state and local law enforcement, regulatory agencies,
28 and emergency services;
- 29 vi. Storage facilities in excess of 25,000 gallons for the storage and
30 dispersing of bulk aviation fuel, bulk general fuel and bulk
31 heating oil;
- 32 vii. Hangars and facilities for maintenance, service, storage, repair,
33 cleaning, sale and manufacture of aircraft and aircraft parts, and
34 ground equipment;
- 35 viii. Other airport-related uses compatible with airport development,³⁰
- 36 ix. Catering and other aircraft service facilities;

²⁹ NOTE: This list is from the permitted uses of MOA's draft proposal for a new AD district.

³⁰ NOTE: Too vague; needs clarification.

- 1 x. Passenger terminals and related passenger support services
 2 such as baggage handling facilities, ticketing counter, cafes,
 3 restaurants, cocktail lounges, gift shops, car rental facilities,
 4 taxicab services, barbershops, reservations, newsstands,
 5 insurance sales, arcades, liquor stores, ground transportation
 6 facilities for vehicle rental, bus, limousines, and other passenger
 7 terminal-related sales and service;
- 8 xi. Aerial services for guiding, touring, aerial photography and
 9 advertising;
- 10 xii. Service facilities for airport and tenant employees including day
 11 care and 24-hour child care facilities, parking facilities,
 12 restaurants, convenience stores, recreation; and
- 13 xiii. Railroad cargo/passenger loading facilities.
- 14 **2. Airstrip, Private**
- 15 a. **Definition**
 16 Land or water maintained as a runway without a control tower.
- 17 b. **Use-Specific Standard³¹**
 18 Private airstrips are allowed conditionally in residential districts only if
 19 adequate approach and noise buffer areas are provided.
- 20 **3. Bus Transit Center**
- 21 a. **Definition**
 22 Any premises for the parking of motor-driven buses and the loading and
 23 unloading of passengers, but not including transit vehicle repair.
 24 Accessory uses may include ticket purchase facilities, restaurants, and
 25 stores.
- 26 **4. Heliport**
- 27 a. **Definition**
 28 An area designed to be used for the landing or takeoff of helicopters,
 29 which may include all necessary passenger and cargo facilities, fueling,
 30 and emergency service facilities.
- 31 **5. Railroad Freight Terminal**
- 32 a. **Definition**
 33 A rail facility for the loading and unloading of goods, merchandise,
 34 substances, materials, and commodities.
- 35 **6. Railroad Passenger Terminal**
- 36 a. **Definition**
 37 A railroad facility for the boarding of passengers, but not including freight
 38 terminal operations. Accessory uses may include ticketing sales and
 39 offices, restaurants and stores.

³¹ NOTE: Existing standard. The language is vague, and additional discussions are necessary to define "adequate" for these purposes.

1 **7. Taxicab Dispatching Office**

2 **a. Definition**

3 An office for the dispatching of taxis.

4 **J. Utility Facility**

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

11 **1. Utility Facility³²**

12 **a. Definition**

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

17 **2. Utility Substation**

18 **a. Definition**

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

24 **b. Use-Specific Standards**

25 i. The facility shall be designed and constructed to ensure visual
26 and aesthetic compatibility with the surrounding neighborhood.
27 Compatibility may be achieved either by using similar
28 architectural design and materials as building(s) in the
29 surrounding neighborhood, or by screening the facility with an
30 opaque screening wall or fence of at least six feet in height.

31 ii. [Additional research necessary regarding potential controls for
32 noise impacts of transmission lines.]

33 **K. Telecommunication Facilities³³**

34 Telecommunications facilities transmit analog or digital voice or communications
35 information between or among points using electromagnetic signals via antennas,
36 microwave dishes, and similar structures. Supporting equipment includes buildings,

³² NOTE: The current code lists out a variety of specific types of utility uses (e.g., water treatment plant). However, many communities find that it's unnecessary to try and identify every type of utility facility for zoning purposes, since so many of them have the same land use impacts. This draft simply identifies "utility facilities" and "utility substations," and then lists examples of which types of facilities fall into those two categories.

³³ NOTE: This is a completely new set of standards for the Municipality's consideration. Though no comments were made regarding communication towers during the Diagnosis and Annotated Outline phases of this project, staff has recently indicated that the existing standards are much too complex and difficult to enforce. This new, simpler set of suggested standards focuses on a handful of key issues, including encouraging concealed (stealth) towers, encouraging collocation, requiring appropriate setbacks, and requiring compatibility in appearance for support structures. Reviewers should advise if any provisions from the existing ordinance should be carried forward in this new section.

shelters, cabinets, towers, electrical equipment, parking areas, and other accessory development. Specific use types include:

1. Definitions

a. **Antenna Co-Location on Existing Tower**

Any structure or device used to collect, receive, transmit, or radiate electromagnetic waves, including both directional antennas (such as panels, microwave dishes, satellite earth station antennas over two meters in diameter) and omni-directional antennas (such as whips) that is placed upon an existing telecommunications tower or projection. This term does not include antennas two meters or less in diameter.

b. **Concealed Antennae and Towers**

Any man-made trees, clock towers, bell steeples, light poles, water towers and similar alternative design mounting structures that camouflage or conceal the presence of antennas or towers.

c. **Non-Concealed Building-Mounted Antennae and Towers**

Any tower, pole, or similar structure attached to a building that supports telecommunications antennae.

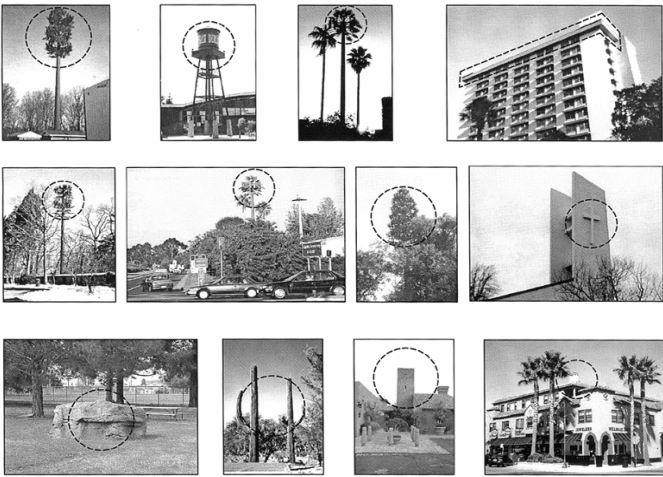
d. **Non-Concealed Freestanding Towers**

Any structure that is designed and constructed primarily for the purpose of supporting one or more antennae, including self supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and the like.

2. Use-Specific Standards for all Telecommunication Facilities

a. **Concealed Antennae and Towers**

Concealed antennae and towers, whether building-mounted or freestanding, may be allowed through the conditional use approval



Examples of Concealed (Stealth) Antennae and Towers

process in residential zoning districts. Concealed towers shall comply with height and setback requirements set forth in subsections b. and c. below.

b. Non-Concealed Building-Mounted Antennae and Towers

Non-concealed, building-mounted antennae and towers may be located on non-residential buildings at the heights set forth in the following table. Height for a building-mounted tower shall be measured from the grade of the building to the highest point on the tower structure, including any installed antennae and lighting and supporting structures. Tower structures shall not exceed the height limits set forth in Section 21.04.070.B., *Airport Height Overlay District*.

TABLE 21.05-2: MAXIMUM TOWER HEIGHT, NON-RESIDENTIAL BUILDINGS	
Building Height	Maximum Tower Height (including antennae)
Over 150 feet	15 percent of building height
75 to 149 feet	25 percent of building height
Less than 75 feet	40 percent of building height

c. Non-Concealed Freestanding Towers

A conditional use permit is required to erect any non-concealed, freestanding tower in or within 200 feet of an existing residential and/or mixed use district. Non-concealed freestanding towers located more than 200 feet from an existing residential and/or mixed use district may be permitted subject to an administrative site plan. Regardless of location, all non-concealed, freestanding towers shall comply with the standards of this section.

i. Height

(A) The base height for all freestanding towers without the bonus height allowed for co-location (see subsection ii. below) is 75 feet. The maximum permitted height for freestanding towers using the bonus height allowed for co-location (see subsection ii. below) is 250 feet.

(B) Height for a freestanding tower shall be measured from grade to the highest point on the tower structure, including any installed antennae and lighting and supporting structures.

(C) Tower structures shall not exceed the height limits set forth in Section 21.04.070.B., *Airport Height Overlay District*.

ii. Co-Location Required

(A) Each new tower shall be designed to accommodate one additional user's equipment for every 25 feet of tower height above 75 feet.

1 (B) Applicants seeking to erect a tower greater than 75
2 feet in height, and proposed to be located within
3 3,000 feet of any communication tower greater than
4 75 feet in height, shall provide evidence that
5 reasonable efforts have been made to lease space
6 on an existing planned or constructed tower(s) or that
7 no existing tower(s) will technically satisfy the
8 applicant's needs.

9 *iii. Setbacks*
10 All freestanding towers shall be set back from the property
11 boundary a distance equal to the height of the proposed tower.
12 In addition, all freestanding towers shall be set back from all
13 existing dwellings and property zoned residential or mixed use
14 by a minimum of 200 feet, or at least two times the height of the
15 proposed tower, whichever is greater.

16 *iv. General Development Standards*
17 (A) *Design and Neighborhood Compatibility*
18 (1) The exterior appearance of all support
19 structures and buildings shall be similar to
20 the other buildings in the surrounding area in
21 terms of predominant building materials,
22 building scale and massing, and building
23 setbacks.

24 (2) The Municipality may require the applicant to
25 apply to the Federal Aviation Administration
26 (FAA) for compliance with FAA standards for
27 a dual lighting system rather than a red and
28 white marking pattern, when the Municipality
29 determines that such a marking pattern
30 would cause aesthetic blight due to the
31 visibility of the tower.

32 (3) Support buildings located in any residential
33 district may not be used as an employment
34 center for any worker. This provision does
35 not prohibit the periodic maintenance or
36 periodic monitoring of equipment and
37 instruments.

38 (4) No advertising sign or logo shall be permitted
39 on any telecommunications facility.

40 (5) The Municipality may require any other
41 conditions to mitigate the impact of the tower
42 on adjacent properties and uses.

43 (B) *Buffering and Screening*
44 (1) All fences and walls shall be screened with
45 approved buffering materials (see Section
46 21.07[x-ref]).

- 1 (2) The base of the tower and each guy anchor
2 shall be surrounded by a fence or wall at
3 least eight feet in height.
- 4 (3) The Municipality may require all antenna(ae)
5 be screened to safeguard surrounding
6 property, provided that such screening shall
7 not interfere with the transmission and/or
8 reception capabilities of any antennae
9 located on the tower.
- 10 (C) *Technological Requirements*
- 11 (1) Output power levels from the tower and/or all
12 associated antennae shall not exceed the
13 current federally approved levels for the
14 tower as a whole for exposure to
15 electromagnetic radiation.
- 16 (2) Radio, television, or other electromagnetic
17 transmission(s) or reception on other
18 properties shall not be disturbed or
19 diminished.
- 20 (D) *Existing Towers*
- 21 New antennae may be co-located upon towers that
22 exist on the effective date of this Title. However,
23 such existing towers may not be increased in height
24 without obtaining a conditional use permit.
- 25 d. ***Outside Experts and Disputes***
- 26 i. Siting of telecommunications facilities may involve complex
27 technical issues that require review and input by outside experts.
28 Staff may require the applicant to pay the reasonable costs of a
29 third-party technical study of a proposed facility. Selection of
30 expert(s) to review the proposal shall be at the sole discretion of
31 the decision-making body.
- 32 ii. If an applicant for a telecommunications facility claims that one
33 or more standards of this Title are inconsistent with federal law
34 as applied to a particular property, or would prohibit the effective
35 provision of wireless communications within the relevant market
36 area, the decision-making body may require that the application
37 be reviewed by a qualified engineer for a determination of the
38 accuracy of such claims. Any costs shall be charged to the
39 applicant.
- 40 e. ***Abandoned Antennas or Tower Structures***
- 41 Any antenna or tower structure that is not operated for a continuous
42 period of 12 months shall be considered abandoned, and the owner of
43 such antenna or tower structure shall remove the same within 180 days
44 of receipt of notice from the administrative official notifying the owner of
45 such abandonment. Failure to remove an abandoned antenna or tower
46 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.

f. Exemption From Standards for Amateur Radio Stations³⁴

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

- i. The antenna and tower structure are part of a federally licensed amateur radio station, and
- ii. In residential zoning districts there is no use of the tower structure by a third-party commercial antenna operator.

21.05.050 COMMERCIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS

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

A. Agricultural Uses

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

1. Farming, Animal Husbandry³⁵

a. Definition

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

b. Use-Specific Standards³⁶

- i. Notwithstanding the dimensional requirements in Chapter 21.06, this use requires a minimum lot size of 15 acres.
- ii. No livestock pens, fenced corrals, or buildings for the keeping of livestock shall be located within 100 feet of dwellings existing on adjacent lots or parcels of land. No new dwellings shall be constructed within 100 feet of livestock pens, fenced corrals, or buildings for the keeping livestock.

³⁴ NOTE: Based on the existing 21.45.263 "Amateur radio stations and receive only antennas." Staff reports that they are currently working on an ordinance to clarify this section and to broaden its applicability.

³⁵ NOTE: For discussion purposes, this draft proposes two distinct types of farming. The current code distinguishes between commercial farming of 10 acres or more, and other farming that seems to be on a smaller scale but its size is not defined. The existing commercial farming use is allowed only in D-2 and D-3 districts, which are not being carried forward.

³⁶ NOTE: Suggested new standards. Should there also be a restriction on the unit number of animals allowed per acre of land? Such an approach is common in communities with agricultural operations, but would require a new table to be included here defining specific animal units (e.g., goats versus cows).

1 **2. Farming, Horticultural**

2 **a. Definition**

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

10 **B. Animal Sales and Services**

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

14 **1. Animal Control Shelter**

15 **a. Definition**

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

20 **b. Use-Specific Standards (also apply to “Animal Grooming Service”
21 and “Veterinary Clinic”)**

22 **i. General Standards**

23 All facilities, including all treatment rooms, cages, pens, kennels,
24 training rooms and exercise runs, shall be maintained within a
25 completely enclosed, soundproof building, and shall be
26 sufficiently insulated so that no unreasonable noise or odor can
27 be detected off-premises.

28 **ii. Additional Standards in the I-1 and PLI District**

29 Notwithstanding the above provisions, outdoor exercise runs
30 may be allowed in the I-1 or PLI districts where all parts of the
31 use are located 200 feet or more from any non-industrial district.
32 An outdoor run shall be located on site and shall be screened
33 from the view of all adjacent streets and properties by fencing or
34 vegetation. No unreasonable noise or odor shall be detected off-
35 premises.

36 **2. Animal Grooming Service**

37 **a. Definition**

38 An establishment where animals are bathed, clipped, or combed for the
39 purpose of enhancing their aesthetic value, odor, health, and hygiene.
40 Accessory uses may include animal boarding for no more than 48 hours.

41 **b. Use-Specific Standards**

42 Animal grooming services shall comply with the use-specific standards
43 set forth above for “Animal Control Shelter.”

3. Kennel**a. Definition**

An establishment where small domestic animals, such as dogs and cats, are boarded.

b. Use-Specific Standards (also apply to “Paddock or Stable”)³⁷

i. A kennel, paddock, or stable shall be set back at least 100 feet from any residential use or property zoned residential.

ii. No unreasonable noise or odor shall be detected off-premises.

iii. In the R-5, R-6, and R-9 districts, the minimum lot size for a kennel, paddock, or stable shall be five acres.

4. Paddock or Stable**a. Definition**

A fenced area or enclosed building in which four or more large domestic animals, such as cattle, horses, pigs, and goats, are sheltered and fed. Such facilities have stalls or compartments. Includes riding stable facilities for the care and exercise of horses and related equestrian activities.

b. Use-Specific Standards

Paddocks or stables shall comply with the use-specific standards set forth above for “Kennel.”

5. Pet Shop**a. Definition**

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

6. Veterinary Clinic**a. Definition**

An establishment for the medical care and treatment by a licensed veterinarian of small animals, including household pets.

b. Use-Specific Standards

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

C. Assembly

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

³⁷ NOTE: Additional standards may be necessary to address environmental runoff issues (e.g., liquid and solid waste). Revisit this issue following drafting of general environmental protection standards in Chapter 21.07 in Module 3.

- 1 **1. Civic/Convention Center**
 2 **a. Definition**
 3 An establishment designed to accommodate 500 or more persons and
 4 used for conventions, conferences, seminars, product displays, and
 5 entertainment functions. Accessory uses may include temporary outdoor
 6 displays, parking, and food and beverage preparation and service for on-
 7 site consumption.
- 8 **2. Club/Lodge/Meeting Hall**
 9 **a. Definition**
 10 An establishment owned or operated by a corporation, association, or
 11 persons for a social, educational, or recreational purpose, to which
 12 membership may be required for participation. Such establishments
 13 typically offer services to the public.
- 14 **b. Use-Specific Standard**
 15 Any use that involves the retail sale of alcohol is subject to the Assembly
 16 Alcohol Approval process; see Section 21.05.020.
- 17 **3. Entertainment Event, Major**
 18 **a. Definition**
 19 Major entertainment event uses are characterized by activities and
 20 structures that draw large numbers of people to specific events or shows.
 21 Activities are generally of a spectator nature. Examples include
 22 amphitheaters, performing arts centers, stadiums, sports arenas,
 23 coliseums, auditoriums, and fairgrounds. Accessory uses may include
 24 restaurants, bars, concessions, parking and maintenance facilities.
- 25 **b. Use-Specific Standard**
 26 Any use that involves the retail sale of alcohol is subject to the Assembly
 27 Alcohol Approval process; see Section 21.05.020.
- 28 **D. Entertainment, Indoor**
- 29 This category includes uses that provide continuous recreation or entertainment
 30 activities, primarily indoors. Accessory uses may include concessions, snack bars,
 31 parking, and maintenance facilities. Specific use types include:
- 32 **1. Amusement Establishment**
 33 **a. Definition**
 34 An establishment offering entertainment, game playing, or similar
 35 amusements to the public within a fully enclosed building. This shall
 36 include arcades, bowling alleys, billiard parlors, bingo parlors, laser tag
 37 parlors, water parks, miniature golf courses, and indoor shooting ranges.
- 38 **b. Use-Specific Standard**
 39 Any use that involves the retail sale of alcohol is subject to the Assembly
 40 Alcohol Approval process; see Section 21.05.020.
- 41 **2. Fitness and Recreational Sports Center**
 42 **a. Definition**
 43 An establishment primarily engaged in operating facilities featuring
 44 exercise and other active physical fitness conditioning or recreational

1 sports activities, such as swimming, skating, racquet sports, aerobic
 2 dance, gymnasium facilities, and other kinds of sports and fitness
 3 facilities.

4 **3. Movie Theater**

5 **a. Definition**

6 An indoor theater for showing motion pictures.

7 **4. Nightclub, Licensed**

8 **a. Definition**

9 An enterprise, that, for consideration, provides entertainment to its
 10 patrons in the form of floorshows; dance revues; live, recorded, or
 11 electronically enhanced music; patron dancing; or performances by live
 12 or recorded professional or amateur entertainers. Discotheques,
 13 nightclubs, bars, lounges, dance halls, bistros, and any facility that meets
 14 the terms of this definition are often, but not exclusively, open during one
 15 or more of the hours between 11:00 p.m. and 7:00 a.m. This definition
 16 excludes theaters or auditoriums with fixed seating, facilities used
 17 exclusively for nonprofit charitable or nonprofit educational purposes,
 18 religious assemblies, adult-oriented establishments as defined by AMC
 19 10.40.050, publicly owned and operated recreation centers or parks, and
 20 public and private schools.

21 **b. Use-Specific Standards³⁸**

22 **i.** All facilities shall be maintained within a completely enclosed,
 23 soundproof building, and shall be sufficiently insulated so that no
 24 unreasonable noise can be detected off-premises.

25 **ii.** Notwithstanding the general dimensional standards in Chapter
 26 21.06, the minimum setback requirement shall be 25 feet if
 27 adjacent to a public right-of-way or to an industrial zoning district,
 28 and 50 feet if adjacent to a non-industrial zoning district.

29 **iii.** Any use that involves the retail sale of alcohol is subject to the
 30 Assembly Alcohol Approval process; see Section 21.05.020.

31 **5. Nightclub, Unlicensed**

32 **a. Definition**

33 An enterprise, that, for consideration, provides entertainment to its
 34 patrons in the form of floorshows; dance revues; live, recorded, or
 35 electronically enhanced music; patron dancing; or performances by live
 36 or recorded professional or amateur entertainers, but does not offer or
 37 sell to its patrons either alcoholic beverages, as defined by A.S.
 38 04.21.080 or adult entertainment as defined by AMC 10.40.050. Teen
 39 clubs and cultural performance venues as set forth in AMC 10.55,
 40 discotheques, nightclubs, bars, lounges, dance halls, bistros, and any
 41 facility that meets the terms of this definition are often, but not
 42 exclusively, open during one or more of the hours between 11:00 p.m.
 43 and 7:00 a.m. This definition excludes theaters or auditoriums with fixed
 44 seating, facilities used exclusively for nonprofit charitable or nonprofit
 45 educational purposes, religious assemblies, adult-oriented

³⁸ NOTE: Suggested new standards.

1 establishments as defined by AMC 10.40.050, publicly owned and
2 operated recreation centers or parks, and public and private schools.

3 **b. Use-Specific Standards³⁹**

4 *i. Purpose*

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

13 *ii. Minimum Distance from Certain Uses*

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

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

20 (B) Property zoned residential; or

21 (C) TA zoned property designated as residential in the
22 comprehensive plan.

23 *iii. Administrative Permit Required*

24 An administrative permit for each unlicensed nightclub shall be
25 obtained from the Planning Department and be displayed in a
26 prominent place inside the unlicensed nightclub. This permit
27 shall certify that, when granted, the enterprise was in compliance
28 with paragraph 14.b. of this subsection, or that the unlicensed
29 nightclub fits within the exemption set forth in paragraph 14.e. of
30 this Section. This permit shall be obtained from the
31 administrative official designated pursuant to Section [x-ref.
32 existing 21.10.005]. This permit shall remain valid so long as
33 that enterprise remains in continuous operation at that location,
34 and does not physically expand.

35 **6. Theater Company or Dinner Theater**

36 **a. Definition⁴⁰**

37 An establishment for live dramatic, operatic, or dance presentations open
38 to the public, without membership requirements, whose seating capacity
39 does not exceed [300] seats and seating area does not exceed [3,000]
40 square feet, or any area for the rehearsal of such live performances.

³⁹ NOTE: This standard is carried forward from the existing 21.45.245 "Standards--Nightclub, unlicensed," with no major substantive changes. The exemption section was obsolete and was removed. The Anchorage Municipal Attorney's Office currently is working on broad revisions to this and similar uses (e.g., teen nightclubs). Revisions are anticipated to include new use names, revisions to Title 10 and other parts of the Anchorage code, and possibly some new land-use standards that should be included in the new Title 21. We will continue to monitor that project, with staff's assistance, and will fold in new material as it becomes available.

⁴⁰ NOTE: Need feedback on size thresholds for this use.

1 These establishments may also provide food and beverages for
2 consumption on the premises.

3 **b. Use-Specific Standard**

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

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

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

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

11 **a. Definition**

12 Intensely developed recreational uses such as amusement parks,
13 miniature golf courses, batting cages, skateboard or skate parks or
14 courses, bicycle motocross courses, water parks or slides, drive-in movie
15 theaters, courses for paramilitary games, and archery facilities.

16 **2. Golf Course**

17 **a. Definition**

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

25 **3. Golf Driving Range**

26 **a. Definition**

27 An establishment equipped with tee areas, distance markers, and related
28 features for practicing golf, and that may include a pro shop and snack
29 bar, but that does not include miniature golf courses.

30 **4. Motorized Sports Facility**

31 **a. Definition**

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

34 **b. Use-Specific Standards⁴¹**

35 **i. Assembly Alcohol Approval Process**

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

38 **ii. Hours of Operation**

39 The maximum hours of operation shall be from 8:00 a.m. to
40 10:00 p.m. Monday through Saturday, and from 12:00 p.m. to
41 10:00 p.m. on Sunday.

⁴¹ NOTE: A streamlined set of new standards, based on the existing Section 21.50.310 "Standards for Motorized Sports Facilities."

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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 Section 15.70.080.A., a noise analysis shall be prepared identifying noise mitigation measures.
- (B) The applicant shall prepare an operation plan to monitor and enforce:
 - (1) Prohibition on consumption of alcoholic beverage on the premises; and
 - (2) Mandatory transportation of racing machines to the site;
- (C) The applicant shall submit a dust and litter control plan and describe the methods to be used to collect trash on the site.
- (D) The applicant shall identify one or more individuals who shall be responsible for enforcement of the noise, operation, and dust and litter control plans developed pursuant to this subsection.

iv. Dimensional Standards
Notwithstanding the general dimensional standards of Chapter 21.06, the following specific standards apply to this use:

- (A) The Planning and Zoning Commission may designate minimum setback areas around the perimeter of the site as it deems necessary to minimize glare and noise impact on adjacent uses, to separate incompatible uses, and to restrict casual access to the site.
- (B) The maximum height of structures shall be 35 feet.

v. Site Location, Development, and Operation

- (A) No motorized facility shall be located within 500 feet of any residential or mixed-use district.
- (B) In order to prevent casual access to and from the site or to mitigate adverse effects of the motorized sports facility upon adjacent uses, the Planning and Zoning Commission may require the enclosure of the entire site by a screening structure or screening landscaping, as described in Section [x-ref "Landscaping"] or by both such structure and landscaping.

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

4 vi. I-1 District Standards

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

9 5. Shooting Range, Outdoor

10 a. Definition

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

13 6. Skiing Facility

14 a. Definition

15 An establishment engaged in operating downhill, cross-country, or
16 related skiing areas and/or operating equipment such as ski lifts and
17 tows. These establishments often provide food and beverage services,
18 equipment rental services, and ski instruction services. Four-season
19 resorts without accommodations are included in this classification.
20 Establishments primarily engaged in operating resorts where skiing
21 facilities are combined with accommodations are classified as hotels.

22 F. Financial Institution

23 1. Definition

24 Establishments that provide retail banking, mortgage lending, and financial
25 services to individuals and businesses. This classification includes those
26 institutions engaged in the on-site circulation of cash money and check-cashing
27 facilities. Accessory uses may include automatic teller machines, offices, and
28 parking. Financial institutions may or may not have drive-through service
29 depending on the zoning district in which they are located; see Section 2.05.070,
30 *Accessory Uses and Structures*.

31 2. Use-Specific Standards⁴²

32 a. Financial institutions are permitted in the C-1 and GC districts if they are
33 providing primarily retail services to walk-in customers, rather than
34 primarily office and support services with no walk-in customers.

35 b. Financial institutions in the C-1 district shall have a maximum gross floor
36 area limit of 3,000 square feet.

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

⁴² NOTE: Existing standard; no substantive changes.

1 **G. Food and Beverage Services**

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

5 **1. Bar or Tavern**

6 **a. Definition**

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

10 **b. Use-Specific Standard**

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

13 **2. Brew Pub**

14 **a. Definition**

15 An establishment that manufactures malt beverages and sells those malt
16 beverages at retail for consumption on the premises, and also prepares
17 and sells food and other beverages.

18 **b. Use-Specific Standard**

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

21 **3. Food and Beverage Kiosk**

22 **a. Definition**

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

28 **b. Use-Specific Standards**

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

30 i. Vehicle stacking spaces shall be provided pursuant to **Section**
31 **21.07.[x-ref]**.

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

36 iii. Kiosks may be located on the same lot as another principal use;
37 however, they may not be located within the front setback of any
38 lot.

39 **4. Restaurant**

40 **a. Definition**

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

1 **b. Use-Specific Standard**

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

4 **H. Office**

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

9 **1. Office, Business or Professional⁴³**

10 **a. Definition**

11 An establishment that provides executive, management, administrative,
12 or professional services, but not involving the sale of merchandise,
13 except as incidental to a permitted use. Typical examples include real
14 estate, insurance, property management, investment, employment,
15 travel, advertising, law, architecture, design, engineering, accounting,
16 and similar offices. (Government offices are classified under
17 “Governmental Office” above.)

18 **2. Broadcasting and Recording Facility**

19 **a. Definition**

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

22 **I. Retail (Personal Services)**

23 This category includes retail establishments engaged in the provision of information,
24 instruction, personal improvement, personal care, or similar services. Accessory uses
25 may include offices, storage of goods, manufacture or repackaging of goods for on-
26 site sale, and parking. Specific uses include:

27 **1. Dry Cleaning Establishment**

28 **a. Definition**

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

35 **2. Dry Cleaning, Drop-Off Site**

36 **a. Definition**

37 An establishment maintained for the pickup and delivery of dry cleaning
38 and/or laundry without the maintenance or operation of any laundry or
39 dry-cleaning equipment or machinery on the premises.

⁴³ NOTE: This use now consolidates an extensive list of specific office types in the current code (e.g., attorneys, insurance sales, engineers, etc.)

1 **3. Funeral Services**

2 **a. Definition**

3 An establishment providing services involving the display of the
4 deceased, preparation of the deceased for burial, and rituals connected
5 therewith before burial or cremation. Cremation services are an
6 accessory use.

7 **4. General Personal Services**

8 **a. Definition**

9 An establishment, whether for consideration or not, that provides care,
10 advice, aid, maintenance, repair, treatment, or similar semi-technical,
11 technical, or experienced assistance, other than the practice of a
12 profession and wholesale or retail sale of goods. Examples include, but
13 are not limited to: photography studios, shoe repair; beauty and barber
14 shops; and tanning salons.

15 **5. Instructional Services**

16 **a. Definition**

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

23 **J. Retail (Repair and Rental)**

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

28 **1. Small Equipment Rental**

29 **a. Definition**

30 The commercial rental of supplies and equipment primarily intended for
31 homeowner use and minor residential gardening and construction
32 projects, but not including car or truck rentals, or rentals of smaller motor
33 vehicles not for home care such as motorcycles or snowmobiles. This
34 use does not include the rental, storage, or maintenance of large
35 construction or other commercial heavy equipment, which are classified
36 under "Industrial Service."

37 **b. Use-Specific Standard**

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

40 **2. Repair Shop**

41 **a. Definition**

42 An establishment primarily engaged in the provision of repair services to
43 individuals and households, rather than to business. Examples include,
44 but are not limited to, repair of household appliances and office
45 machines, and plumbing and heating services. This use excludes

1 maintenance and repair of automobiles and industrial equipment or
2 machinery.

3 **K. Retail (Sales)**

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

8 **1. Auction House**

9 **a. Definition**

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

11 **2. Business Service Establishment**

12 **a. Definition**

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

16 **3. Convenience Store**

17 **a. Definition**

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

22 **b. Use-Specific Standards**

23 **i. Assembly Alcohol Approval Process**

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

26 **ii. R-4 and Mixed-Use Districts**

27 In the R-4 and Mixed-Use districts, a convenience store may be
28 allowed as an ancillary use whose primary purpose is to serve
29 the needs of another principal use that is allowed in Table
30 21.05.010, provided that:

31 **(A)** The convenience store may be located only on the
32 first floor of a building housing the principal use and
33 shall be intended primarily to serve the occupants of
34 the building,

35 **(B)** The maximum size of the convenience store shall be
36 no greater than 3,500 square feet;

37 **(C)** The hours of operation of the convenience store shall
38 be limited to 7:00 am to 10:00 pm; and

39 **(D)** No alcohol shall be sold at the convenience store.

- 1 **4. Farmers Market**
2 **a. Definition**
3 An occasional, periodic, or seasonal market for offering for sale fresh
4 agricultural, fresh food, or arts and crafts products directly to the
5 consumer at an open-air market or pre-designated area, where the
6 vendors are generally individuals who have raised the produce or made
7 the product, or have taken the same on consignment for retail sale.
- 8 **5. Fuel Sales with Convenience Store**
9 **a. Definition**
10 An establishment meeting the definition of “convenience store” that also
11 sells gasoline or other fuel products. This use does not include gasoline
12 service station or vehicle repair uses.
- 13 **b. Use-Specific Standards**
14 Fuel sales with convenience stores shall comply with the use-specific
15 standards set forth below for “Gasoline Service Station.”
- 16 **6. Meat and Seafood Processing, Storage, and Sales**
17 **a. Definition**
18 An establishment primarily engaged in the cold storage and preservation
19 of food in separate and individual compartments that is offered for sale to
20 the public.
- 21 **7. General Retail, Large**
22 **a. Definition**
23 One or more buildings located on a single lot that are used or intended
24 for use principally for the retail sale of merchandise, and whose total floor
25 area exceeds 25,000 square feet. Examples may include, but are not
26 limited to: general merchandise retailers, warehouse and club retailers,
27 superstores, and discount stores.
- 28 **8. General Retail, Medium⁴⁴**
29 **a. Definition**
30 One or more buildings located on a single lot that are used or intended
31 for use principally for the retail sale of merchandise, and whose total floor
32 area is 5,000 square feet or more but does not exceed 25,000 square
33 feet. Examples may include, but are not limited to: specialty retail stores
34 specializing in such goods as clothing or home furnishings, sporting
35 goods, or jewelry.
- 36 **9. General Retail, Small⁴⁵**
37 **a. Definition**
38 One or more buildings located on a single lot that are used or intended
39 for use principally for the retail sale of merchandise, and whose total floor
40 area is less than 5,000 square feet. Examples of merchandise sold
41 typically include books, stationary, apparel, and shoes; music, record,

⁴⁴ NOTE: This is a suggested new umbrella use that incorporates a variety of specific uses from the current code. These uses all have similar land use impacts and thus can be treated collectively in Title 21.

⁴⁵ NOTE: This is a suggested new umbrella use that incorporates a variety of specific uses from the current code. The examples listed have similar land use impacts and thus can be treated collected in Title 21. The proposed size limit of 5,000 square feet is proposed for discussion.

1 and videotapes; hobby supplies; flowers, and; tobacco. Catalog
2 showrooms also are included under this use.

3 **10. Grocery or Food Store**

4 a. **Definition**

5 An establishment primarily engaged in the retail sale of food and/or
6 beverages primarily to be consumed outside of the retail establishment's
7 premises. Examples include, but are not limited to: supermarkets,
8 grocery stores, delicatessens, specialty food shops, bakeries, and meat
9 and seafood markets.

10 b. **Use-Specific Standard**

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

13 **11. Liquor Store**

14 a. **Definition**

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

17 b. **Use-Specific Standard**

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

20 **12. Lumber Yard/Building Materials Store**

21 a. **Definition**

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

25 **13. Nursery, Commercial**

26 a. **Definition**

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

30 **14. Pawnshop**

31 a. **Definition**

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

37 **15. Plumbing and Heating Equipment Dealer**

38 a. **Definition**

39 An establishment that sells plumbing and heating equipment.

40 **L. Vehicles and Equipment**

41 This category includes a broad range of uses for the sale, rental, and/or repair and
42 maintenance of motor vehicles and related equipment. Large parking areas and
43 outdoor storage areas may be included with these uses. Accessory uses may include

1 incidental repair and storage, offices, and sales of parts and/or tires. Specific use
2 types include:

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

4 **a. Definition**

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

7 **2. Gasoline Service Station⁴⁶**

8 **a. Definition**

9 An establishment engaged primarily in the sale of motor fuels, lubricants,
10 and other petroleum products, but that may also supply accessories and
11 services generally required in the normal operation and maintenance of
12 motor vehicles. The servicing of motor vehicles shall be limited to
13 lubrication, non-mechanical washing, installation, or replacement of
14 accessory items, and the performance of minor automotive maintenance
15 and repair. Major automotive repairs, including but not limited to engine,
16 transmission or differential repair or replacement, or body and fender
17 work, are prohibited except where specifically permitted by this Title or
18 by the terms of a conditional use.

19 **b. Use-Specific Standards (also apply to “Fuel Sales with Convenience
20 Store” and “Vehicle Service and Repair, Minor”)⁴⁷**

21 **i. Fuel Pump Canopy Design and Illumination**

22 **(A)** A fuel pump canopy shall utilize the same
23 architectural design and materials as the principal
24 building(s) on the lot.

25 **(B)** Light fixtures mounted under canopies shall be cut-off
26 and shielded so that there is no glare or light spillage
27 at the property line.

28 **(C)** Lights shall not be mounted on the top or sides
29 (fascias) of the fuel pump canopy, and the sides
30 (fascias) of the canopy shall not be externally
31 illuminated, except as part of an internally illuminated
32 sign that meets the standards of Section 21.07.---.
33 [x-ref to sign standards]

34 **ii. Carwash Bays and Vehicle Repair Bays**

35 **(A)** To the maximum extent practicable, the entrance to a
36 car wash bay or vehicle repair bay shall be sited so
37 as not to be visible from the primary street frontage.

38 **(B)** Notwithstanding the general setback requirements in
39 Chapter 21.06, a 20-foot setback for vehicle service

⁴⁶ NOTE: This definition combines the existing T-21 definition with the language from the existing supplementary regulations (21.45.280 Gasoline service stations).

⁴⁷ NOTE: Auto service uses have a great impact on the urban design of the city. They are common, prominent, and impact streets, sidewalks, and neighboring uses. A few minimum standards could greatly improve the appearance of Anchorage streets. These are suggested new standards, to replace the existing Section 21.50.060 “Conditional use standards--Gasoline service stations” and the existing 21.50.050 “Conditional use standards--Convenience establishments.” These standards will be reevaluated once the new development and design standards (e.g., lighting) are drafted as part of Module 3.

1 areas, bays, or canopies is required from any
 2 adjacent street. The setback shall be landscaped
 3 with a mixture of turf/sod, shrubs, trees, and other
 4 plants in accordance with the minimum plant material
 5 requirements of Section ---, in order to screen the
 6 automotive wash, repair or maintenance facility from
 7 view from adjacent streets.

8 (C) Vehicle wash or service bays facing a rear or side
 9 setback shall be screened from adjacent residential
 10 properties by a screening wall or fence of at least 6
 11 feet in height.

12 (D) Outdoor vacuuming facilities may be outside, but not
 13 in the front building setback nor closer than 25 feet
 14 from any residential district.

15 *iii. Outside Displays*
 16 Outside display of merchandise shall be limited to petroleum
 17 products and auto-related equipment.

18 **3. Heavy Equipment Sales and Rental**

19 a. **Definition**
 20 An establishment engaged in the display, sale, leasing, or rental of heavy
 21 equipment of 12,000 or more pounds gross vehicular weight (GVW).

22 **4. Impound Yard**

23 a. **Definition**⁴⁸
 24 An area used for the storage of vehicles for any reason, including but not
 25 limited to traffic accidents, improper parking, and abandonment. No
 26 dismantling or disassembly of vehicles is permitted in an impound yard.
 27 The vehicle so stored may be sold from the impound yard by auction or
 28 otherwise, in accordance with state law.

29 **5. Parking Lot**

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

33 **6. Parking Structure**

34 a. **Definition**
 35 A structure designed with one or more levels or floors partially or fully
 36 enclosed and used exclusively for the parking or storage of motor
 37 vehicles. The facility may be above, below, or partially below ground.

⁴⁸ NOTE: The definition from the new impound yard ordinance will be incorporated as soon as that ordinance is finalized and sent to Clarion.

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b. Use-Specific Standards⁴⁹

i. Ground-Floor Pedestrian-Oriented Uses Required

A ground-floor parking garage in any district or any parking structure in the C-2A, C-2B, C-2C, CCMU, or RCMU district shall provide a first-floor space that:

(A) Has a minimum depth of 25 feet;

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

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

ii. Upper-Floor Facade

The street-facing façade of second and higher floors of a parking garage or any parking structure in the C-2A, C-2B, C-2C, CCMU, or RCMU district 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 C-2A or C-2B 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.

7. Vehicle Parts and Supplies

a. Definition

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

⁴⁹ NOTE: New standards added per staff suggestions. Some issues that will be considered in drafting Module 3 may include: orientation signage, transparent stairwells, adequate lighting, and other public safety features.

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8. **Vehicle-Large, Sales and Rental**
- a. **Definition**
An establishment engaged in the display, sale, leasing, or rental of new or used motor vehicles under 12,000 pounds gross vehicular weight (GVW). Vehicles include, but are not limited to, automobiles, light, trucks, vans, trailers, recreational vehicles, and mobile homes.
- b. **Use-Specific Standards**
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.
9. **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**
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.
10. **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. Services include engine, transmission or differential repair or replacement; body, fender, muffler, or upholstery work; oil change and lubrication; tire replacement; and painting.
11. **Vehicle Service and Repair, Minor**
- a. **Definition**
An establishment engaged in light maintenance activities such as engine tune-ups; oil change and lubrication; carburetor cleaning; muffler replacement; brake repair; car washing; seasonal tire shops; and detailing and polishing. Vehicle parts are sold and are ordinarily installed on the premises. Major automotive repairs, including but not limited to engine, transmission or differential repair or replacement, or body and fender work, are prohibited except where specifically permitted by this Title or by the terms of a conditional use.
- b. **Use-Specific Standards**
Minor Vehicle Service and Repair uses shall comply with the use-specific standards set forth above for "Gasoline Service Stations."
12. **Vehicle Storage Yard⁵⁰**
- a. **Definition**
The outdoor storage for 72 hours or more of vehicles, boats, and recreational vehicles. For this definition, "vehicles" means cars, trucks,

⁵⁰ NOTE: From self-storage ordinance draft.

1 sport utility vehicles, vans, and similar vehicles under 12,000 pounds
2 gross vehicle weight.

3 **b. Use-Specific Standards**

4 All vehicle storage yards shall comply with the use-specific standards set
5 forth below for *Self-Storage Facility*; *Vehicle Storage Yards*.

6 **M. Visitor Accommodations**

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

12 **1. Camper Park**

13 **a. Definition**

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

20 **b. Use-Specific Standards**

21 **i. Location and Access**

22 A camper park shall have a minimum of 40 feet of frontage upon
23 a collector or street of greater capacity. No entrance to, or exit
24 from, a camper park shall be through a residential district or shall
25 provide access to any street other than collector or street of
26 greater capacity.

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

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

33 **2. Extended-Stay Lodgings**

34 **a. Definition**

35 A visitor lodging establishment with six or more guest rooms offering
36 suites with kitchens, business traveler communications conveniences,
37 and intended primarily for periods of stay of one week or more.

38 **b. Use-Specific Standards⁵¹**

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

⁵¹ NOTE: New standards suggested by staff. The intent is to provide a limited set of standards that are not so onerous that they prevent development of this use, yet also serve to minimize the conversion of existing apartment buildings into extended-stay lodgings.

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

3 3. **Hostel**

4 a. **Definition**

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

8 4. **Hotel**

9 a. **Definition**

10 Any building containing 20 or more guestrooms accessible primarily by
11 means of an interior corridor, rented for compensation by the day or
12 week and offered for use by the general public in conjunction with
13 subordinate services and facilities, such as restaurants and meeting
14 rooms.

15 b. **Use-Specific Standard**

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

18 5. **Inn**

19 a. **Definition**

20 A building or group of buildings containing between 6 and 19 guest
21 rooms or up to 60 pillows for overnight lodging, where at least one meal
22 per day is provided to the guests, there is a central meeting room or
23 lounge available to all of the guests, and there are no shared kitchen
24 facilities.

25 b. **Use-Specific Standard**

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

28 6. **Motel**

29 a. **Definition**

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

35 7. **Recreational and Vacation Camp**

36 a. **Definition**

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

41 **21.05.060 INDUSTRIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

42 This section defines the general industrial use categories and specific industrial use types
43 listed in Table 21.05-1. This section also contains use-specific standards that apply to specific
44 use types. The use-specific standards apply regardless of whether the use type is permitted

1 as a matter of right, subject to an administrative or major site plan review process, or subject
2 to the conditional use process.

3 **A. Industrial Service**

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

11 **1. Data Processing Facility**

12 **a. Definition**

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

16 **2. General Industrial Service⁵²**

17 **a. Definition**

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

28 **3. Research Laboratory**

29 **a. Definition**

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

36 **B. Manufacturing and Production**

37 This category includes industrial establishments involved in the manufacturing,
38 processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw,
39 secondary, or partially completed materials may be used in the manufacturing
40 process. Products may be finished or semi-finished and are generally made for the
41 wholesale market, for transfer to other plants, or to order for firms or consumers.
42 Such uses may include industries furnishing labor in the case of the refinishing of
43 manufactured articles. Goods are generally not displayed or sold on site, but if so,

⁵² NOTE: This is a suggested new umbrella use that incorporates a variety of specific uses from the current code. These uses all have similar land use impacts and thus can be treated collectively in Title 21. All these uses are proposed to now be limited to the I-2 district. Reviewers should advise if any of these uses should be allowed in other districts beyond I-2.

1 they are a subordinate part of total sales. Accessory activities may include limited
 2 retail sales, offices, cafeterias, parking, employee recreational facilities, warehouses,
 3 storage yards, repair facilities, truck fleets, and caretaker's quarters. Specific uses
 4 types include:

5 **1. Cottage Crafts**

6 **a. Definition**

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

14 **b. Use-Specific Standards⁵³**

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

16 Cottage crafts may only be produced within a wholly-enclosed
 17 permanent structure. Cottage crafts production may occupy up
 18 to 1,500 square feet of gross building area, and an additional
 19 150 square feet minimum gross building area on the same lot
 20 shall be devoted to the display and retail sale of the crafts
 21 produced. The retail/display area shall be located on the ground
 22 floor and in the front part of the building facing the primary street
 23 on which the lot is located.

24 **ii. Prohibitions**

25 The outdoor storage of materials related to the production and
 26 sale of cottage crafts is prohibited. The use of equipment,
 27 materials, or processes that create hazards, noise, vibration,
 28 glare, fumes, or odors detectable to the normal senses off-site is
 29 prohibited. Use of equipment or processes that creates visual or
 30 audible interference in any radio or television receiver off-site, or
 31 causes a fluctuation in line voltage off-site, is also prohibited.

32 **2. Food Service Contractor or Caterer**

33 **a. Definition**

34 An establishment engaged in providing food services at institutional,
 35 governmental, commercial, industrial, and other locations of other
 36 businesses. Examples include airline food services, cafeterias, and
 37 catering companies that prepare food for consumption at an off-premise
 38 customer site.

39 **3. Manufacturing, Heavy⁵⁴**

40 **a. Definition**

41 The manufacture or compounding process of raw materials. Such
 42 activities may involve the storage of large volumes of highly flammable,
 43 toxic matter or explosive materials needed for the manufacturing

⁵³ NOTE: New standards based on Girdwood Draft Title 22: 22.100.170. Staff notes the following: "An 'Arts and Crafts' industrial use is anticipated to be applied to limited areas of the Anchorage Bowl, in districts which are more urban and mixed-use industrial in character from Girdwood, such as in the Mt. View Arts & Culture District."

⁵⁴ NOTE: This is a suggested new umbrella use that incorporates a variety of specific uses from the current code. These uses all have similar land use impacts and thus can be treated collected in Title 21.

1 process. Examples include, but are not limited to: refining or initial
 2 processing of raw materials; rolling, drawing, or extruding of metals;
 3 asphalt batching plants and hot-mix plants; sawmills; manufacture or
 4 packaging of cement products, feed, fertilizer, flour, glue, paint,
 5 petroleum products, soap, turpentine, varnish, charcoal, or distilled
 6 products, or similar industrial uses; and manufacture, service, or repair of
 7 railroad equipment.

8 **4. Manufacturing, Light⁵⁵**

9 **a. Definition**

10 The manufacture, predominantly from previously prepared materials, of
 11 finished products or parts, including processing, fabrication, assembly,
 12 treatment and packaging of such products, and incidental storage, sales,
 13 and distribution of such products, but excluding basic industrial
 14 processing. Examples include, but are not limited to: airplane,
 15 automobile, or truck assembly, remodeling, or repair; beverage
 16 manufacture, not including brew pubs; boatbuilding; cabinet shops;
 17 cleaning, laundry, or dyeing plants; machine or blacksmith shops;
 18 metalworking or welding shops; paint shops; steel fabrication shops or
 19 yards; and printing, publishing, and lithography.

20 **5. Natural Resource Extraction, General**

21 **a. Definition**

22 The development or extraction of organic and/or inorganic material from
 23 its natural occurrences on affected land.

24 **b. Use-Specific Standards (also apply to “Natural Resource Extraction,
 25 General/Placer Mining”)⁵⁶**

26 **i. General Standards**

27 The following general standards apply in all districts:

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

29 Except for placer mining, general natural resource
 30 extraction is allowed only on sites of not less than five
 31 acres.

32 **(B) Water Discharge Permit**

33 Placer mining operations are subject to a wastewater
 34 discharge permit issued by the Alaska Department of
 35 Environmental Conservation.

36 **(C) Required Submittals**

37 In addition to the general submittal requirements
 38 applicable to all site plans specified in the Title 21
 39 User’s Guide, additional submittal requirements are
 40 specified in that Guide for natural resource extraction.
 41 The site plan shall be subject to review and approval

⁵⁵ NOTE: This is a suggested new umbrella use that incorporates a variety of specific uses from the current code. These uses all have similar land use impacts and thus can be treated collected in Title 21.

⁵⁶ NOTE: Based on the existing 21.50.070 “Conditional use standards--Natural resource extraction” and on the respective district sections of the existing Chapter 21.40 “Zoning Districts.” No substantive changes were made. The first two paragraphs originated as a consistent requirement of all the districts allowing this use. The permit submittal requirements were removed for inclusion in the Title 21 User’s Guide.

1 of the Department of Project Management and
2 Engineering for drainage, erosion, and sedimentation
3 control; for conformance with the requirements of the
4 National Pollutant Discharge Elimination System
5 (NPDES) permit and other applicable EPA
6 guidelines; and for compliance with generally
7 accepted sound engineering principles.

8 (D) *Standards for Approval*

9 The Planning and Zoning Commission may approve
10 a natural resource extraction conditional use only if
11 the Commission finds that the use meets the
12 following standards:

13 (1) Principal access to the site shall minimize the
14 use of residential streets, and access roads
15 shall be treated in a manner to make them
16 dust free. Where access roads intersect
17 collectors or arterials, suitable traffic controls
18 shall be established.

19 (2) The extraction operations will not pose a
20 hazard to the public health and safety.

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

25 (4) The restoration plan for the site ensures that,
26 after extraction operations cease, the site will
27 be left in a safe, stable and aesthetically
28 acceptable condition.

29 (5) The proposed use meets such additional
30 standards for natural resource extraction
31 conditional uses as the Director may
32 establish by regulation pursuant to Chapter
33 3.40.

34 ii. *District-Specific Standards*

35 The following specific standards apply to the referenced districts:

36 (A) *R-6 and R-9 Districts*

37 General natural resource extraction is conditionally
38 allowed in the R-6 and R-9 districts only for
39 subdivision development.

40 (B) *TA District*

41 Placer mining natural resource extraction is permitted
42 in the TA district only if it does not involve the
43 removal of any natural resources other than small
44 quantities of precious metals, such as gold, silver and

1 platinum, from the premises. Placer mining natural
 2 resource extraction in which rock byproduct is
 3 removed from the premises is allowed by conditional
 4 use only.

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

6 **a. Definition**

7 Natural resource extraction by means of the placer mining method.

8 **b. Use-Specific Standards**

9 Placer mining shall comply with the use-specific standards set forth
 10 above for "Natural Resource Extraction, General."

11 **C. Marine Facility**

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

16 **1. Aquaculture**

17 **a. Definition**

18 The hatching, raising and breeding of fish or other aquatic plants or
 19 animals for sale or personal use.

20 **2. Boat Storage Facility**

21 **a. Definition**

22 An enclosed or partially enclosed structure designed for the use and
 23 storage of private watercraft and marine equipment.

24 **3. Cold Storage And Ice Processing For Marine Products**

25 **a. Definition**

26 An establishment primarily engaged in the manufacture of ice and the
 27 cold storage and preservation of marine products, which are offered for
 28 wholesale or retail sale.

29 **4. Facility For Combined Marine And General Construction**

30 **a. Definition**

31 An establishment engaged in the manufacture and construction of
 32 marine and non-marine related products.

33 **5. Marine Operations, General**

34 **a. Definition**

35 Facilities that are engaged in light industrial manufacturing, processing,
 36 or storage operations, that are water-dependent and water-related.
 37 Examples include, but are not limited to: cargo handling facilities,
 38 including docking, loading, and related storage; fabrication, storage, and
 39 repair or fishing equipment; facilities for marine construction and salvage;
 40 facilities for marine pollution control, petrochemical cleanup, and
 41 servicing of marine sanitation devices; facilities for processing of
 42 products harvested from the ocean; marine industrial welding and
 43 fabricating; seafood packaging, packing, loading, and distribution
 44 facilities; shipbuilding and facilities for construction, maintenance, and

1 repair of vessels, and; warehousing and storage of goods that are
2 awaiting shipment via marine cargo carriers.

3 **6. Marine Operations, Limited**

4 **a. Definition**

5 Limited commercial and light industrial operations that are water-
6 dependent or water-related. Examples include, but are not limited to:
7 marine repair yards, boat fabrication, and marine machine shops; marine
8 transport services, including ferries, public landings and boat launches,
9 commercial vessel berthing, excursion services, hovercraft, and boat
10 rentals; recreational and commercial fishing and boating activities;
11 tugboat, fireboat, pilot boat; coast guard, and similar services; uses that
12 provide pedestrian access to the waterfront; wharves, docks, ramps, and
13 piers; marine police, harbormaster, and other marine enforcement
14 agencies; harbor and marine supplies and services, and ship supply,
15 such as fueling and bunkering of vessels; and aids to navigation.

16 **7. Marine Wholesaling**

17 **a. Definition**

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

20 **D. Warehouse and Storage**

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

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

27 **a. Definition**

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

30 **b. Use-Specific Standards**

31 Any new facilities for the storage and/or dispersion of hazardous
32 materials, or expansion of existing facilities for the storage and/or
33 dispersing of hazardous materials, shall occur at least 1,000 feet from a
34 residential district, school, hospital, or place of public assembly.

35 **2. Motor Freight Terminal**

36 **a. Definition**

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

39 **b. Use-Specific Standards**

40 **i.** Loading, parking, and maneuvering space shall be entirely on
41 private property.

42 **ii.** The operation of any such terminal shall be not less than 200
43 feet from any residential district.

1 **3. Self-Storage Facility**⁵⁷

2 **a. Definition**

3 A completely enclosed structure(s) containing three or more areas or
4 rooms available for lease or rent for the purpose of the general storage
5 of household goods and business or personal property, where the leasee
6 of the unit is provided direct access to deposit or store items. Also
7 known as a “ministorage facility.”

8 **b. Use-Specific Standards (also apply to “Vehicle Storage”)**

9 The standards below are applicable to self-storage facilities and vehicle
10 storage yards in all districts.

11 **i. Size of Site; Traffic Access**

12 The proposed self-storage site shall contain no less than one-
13 half acre and no more than ten acres, and the proposed vehicle
14 storage site shall contain no less than one acre and no more
15 than ten acres. The proposed site shall have direct driveway
16 access from a street constructed to appropriate Municipal
17 commercial or urban standards as described in **AMC 21.85.050**
18 Table B for urban zoning districts and Table D for rural and
19 suburban zoning districts, and as required by the Municipal
20 Traffic Engineer.

21 **ii. Dimensional Standards**

22 Notwithstanding the general dimensional standards in Chapter
23 21.06, the following specific standards apply:

24 **(A) Maximum Lot Coverage By All Buildings**
25 50 percent.

26 **(B) Maximum Height of Structures**
27 35 feet. Structures over 35 feet in height shall
28 require conditional use approval.

29 **iii. Parking**

30 There shall be a minimum on-site queue lane length of 50-feet
31 and 24-feet wide for vehicles entering a security gate. The width
32 of the gate shall be excluded from this requirement.

33 **iv. Paving and Drainage**

34 **(A)** All driveways, interior aisles, and walkways shall be
35 paved to municipal standards.

36 **(B)** Provisions shall be made to prevent any
37 contamination of the domestic water supply or to
38 prevent excessive or contaminated surface runoff
39 from the site onto adjoining lands or streams.
40 Drainage flow patterns shall be shown on the site
41 plan or a separate approved map. If plans indicate
42 that surface drainage will be carried off, the site plan
43 shall be subject to the approval of the office of

⁵⁷ NOTE: Based on the draft self-storage ordinance.

1 planning, development, and public works. If
2 applicable, drainage shall comply with section
3 21.67.010.

4 **v. Curb Cuts**

5 Access shall be as approved by the Traffic Engineer. The width
6 and distance of any access from any property line or street
7 intersection will be subject to the approval of the Traffic Engineer
8 or the Alaska Department of Transportation.

9 **vi. Permitted Accessory Uses**

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

12 **vii. Outside Storage of Vehicles or Equipment**

13 Any outside vehicle storage is a conditional use in the GC
14 district.

15 **viii. Storage of Hazardous Substances**

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

19 **ix. Prohibited Uses Within Storage Units**

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

24 **(A)** Any type of servicing, repair, or fabrication of
25 vehicles, boats, trailers, lawn mowers, appliances, or
26 any other equipment.

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

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

32 **x. Fencing and Landscaping⁵⁸**

33 **(A)** Where a self storage or vehicle storage facility abuts
34 a commercially zoned district, eight feet of
35 landscaping, in accordance with the standards
36 contained in 21.45.125.C.1 (visual enhancement
37 landscaping), shall be required external to the sight-
38 obscuring fence. Where lot lines for these facilities
39 abut a residential district, 15 feet of landscaping shall
40 be required. No landscaping shall be required on the
41 portion of site boundaries where a structure,

⁵⁸ NOTE: This section should be revisited and streamlined following drafting of the general landscaping and screening provisions in Chapter 21.07 as part of Module 3.

1 excluding connexes, abuts either side of the lot line,
2 unless otherwise required by this title.

3 (B) All site boundaries shall be fenced with a sight-
4 obscuring fence structure at least eight feet high. No
5 fencing shall be required on the portion of site
6 boundaries where a structure, excluding connexes,
7 abuts either side of the lot line. The design of the
8 sight-obscuring structure shall be approved by the
9 Planning Department.

10 (C) The sight-obscuring structure shall be architecturally
11 compatible with the surrounding properties. All
12 portions of the fence structure that are visible to the
13 public, adjacent to a protected creek **under**
14 **21.45.210**, or plainly visible to adjacent residential
15 neighbors must be of a sight-obscuring nature, be
16 compatible with the surrounding property, and be
17 constructed of concrete, solid wood or chain link with
18 a neutral color fabric screening or vinyl covering. The
19 structure shall be maintained in a safe, sound, and
20 orderly condition, and shall be kept free of any
21 advertising matter other than signs permitted by this
22 title. Security wire, such as concertina or razor wire
23 and barbed wire is permitted, but only if inverted
24 inside the fence, and not visible from outside the
25 fence.

26 (D) All areas internal to the site not devoted to building
27 structures, driveways, designated snow storage
28 areas and walkways shall be paved to municipal
29 standards as prescribed by the traffic engineer.
30 Snow storage areas, as designated on a site plan
31 approved by Building Safety Department, shall be
32 provided in accordance with the requirements of
33 Building Safety and Municipal Engineering
34 requirements. Any additional landscaping shall be in
35 addition to the requirements of subsections **B.1-4**.

36 *xi. Vehicle Storage Yards*
37 The yard may not be used to display or advertise vehicles for
38 sale. No salvaging, dismantling, or disassembly of vehicles is
39 permitted in a vehicle storage yard.

40 *xii. Financial Guarantees*
41 The Planning Department may require a financial guarantee to
42 ensure installation of required landscaping, fencing, paving, or
43 mitigation of any environmental impacts or contamination to the
44 site or surrounding land in accordance with **[x-ref existing**
45 **21.87.030]**.

1 **xiii.** *Containerized Storage Units in Conjunction with Self-Storage*
2 *Facilities*

3 In the GC district, containerized storage shall be prohibited in
4 conjunction with vehicle storage yards, and shall only be
5 permitted in conjunction with self-storage facilities in accordance
6 with conditional use approval under this subsection. The
7 following standards shall apply to the use of containerized
8 storage units in conjunction with permitted self-storage facilities:

9 **(A)** A containerized storage unit shall be a factory-built
10 shipping container, meeting the standards of the U.S.
11 Department of Transportation.

12 **(B)** Containerized storage units may be utilized for
13 storage, provided they are limited to one unit in
14 height (no stacking), have uniform roll up doors or
15 swing doors, complimentary and uniform exterior
16 façade materials and colors.

17 **(C)** A containerized storage unit shall be subject to the
18 requirements for any required permitting, as set forth
19 in the Anchorage Municipal Code of Ordinances.

20 **xiv.** *Existing Self Storage and Vehicle Storage Operations*

21 Self-storage and vehicle storage operations existing on or before
22 the **date of adoption of this Title** shall be deemed to be approved
23 site plans and uses and not nonconforming uses or structures.
24 Notwithstanding the provisions of Section **21.55.070**, where self-
25 storage and vehicle storage operations exist and have been in
26 continuous existence since the date of adoption of this section,
27 that use may continue provided the owner thereof complies with
28 the following:

29 **(A)** *Site Enhancement Plan Required*

30 Any self-storage or vehicle storage operation existing
31 prior to the adoption of this section that does not
32 comply with the requirements of **21.45.290.L.1, .2, .3,**
33 **.6 and .7** for sight-obscuring fencing, required
34 landscaping external to said fencing, and elimination
35 of security razor or concertina security wire at the top
36 of a fence shall obtain approval by the Planning
37 Director of, and agree to implement, a site
38 enhancement plan for the property. This site
39 enhancement plan shall be submitted to the Director
40 within 10 years of the date of adoption of this Title, or
41 within 24 months of sale or transfer of ownership of
42 the site, whichever comes first. The intent of this site
43 enhancement plan is to bring the property as closely
44 as reasonably possible into compliance with the
45 above noted subsection without impeding existing
46 operations.

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- (B) *Contents of Site Enhancement Plan*
The site enhancement plan shall include:
- (1) A graphic and legal description of the petition area.
 - (2) Existing fencing and fencing types on the site.
 - (3) Current vegetation external to perimeter fencing, if any.
 - (4) Vehicular access points, including ingress and egress points, and queuing lanes.
 - (5) Proposed modifications to bring the property into compliance with the intent of the standards for self-storage and vehicle storage contained in AMC 21.45.290.L.1, .2, .3, .6 and .7, but only for the following items: sight-obscuring fencing, required landscaping external to said fencing on any side of the property abutting a residential zoning district or a major or minor arterial, if the side is not otherwise obscured from view by other landscaping, naturally-vegetated areas, natural features or buildings located on adjoining properties, and in all instances elimination of barbed, razor and concertina or other security wire, unless the security wire is inverted inside the fence and not visible from outside the fence.
 - (6) It is the intent of this section that owners of existing facilities not be required to move existing fences or change existing operations.
- (C) *Narrative Statement Required*
A narrative statement shall also be submitted with the site enhancement plan. The narrative shall be based on existing conditions and shall detail the following information:
- (1) The method of securing the area to prevent casual access.
 - (2) A proposed schedule that specifies the date and methods by which the owner will come into compliance with the intent of this section.
 - (3) A description of current operations and uses that take place on the site.

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- (D) *Implementation of Approved Site Enhancement Plan*
The Director shall set a reasonable period of time for implementation of the approved site enhancement plan. Adequacy of the site enhancement plan shall be based on evidence presented by the owner, which may include the following:
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- (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.
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- (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.
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- (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.
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- (4) The compatibility of the operation with surrounding neighborhoods, and with prevention of noise, dust, safety hazards, traffic congestion, aesthetic deterioration and other adverse environmental effects.
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- (5) Any other information the property owner may wish to submit in order to make his case.
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- (E) *Decision by Director*
Upon receipt of a site enhancement plan pursuant to subsection A of this section, 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.
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- (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.

(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 section which is _____, 20__.

4. Storage Yard**a. Definition**

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

b. Use-Specific Standards (also apply to "Junkyard")⁵⁹**i. Location of Site**

(A) 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.

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

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.

⁵⁹ NOTE: This standard consolidates the current existing Section 21.50.090, "Conditional use standards—Junkyards" and the existing 21.50.080 "Conditional use standards--Storage yards," with some tighter standards suggested.

iv. Screening

In addition to any landscaped buffer required under Section 21.07.[x-ref], the facility shall be surrounded by a solid, opaque fence that is at least eight feet high, located no less than 100 feet from any public right-of-way, and located no less than 50 feet from an adjacent property.

v. Drainage; Protection of Water Supply

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

vi. Orderliness of Storage

Outdoor storage in storage yards shall be maintained in an orderly manner.

5. Warehouse**a. Definition**

A structure containing an area available for the purpose of storing raw materials, goods, or property.

6. Wholesale Establishment**a. Definition**

An establishment primarily engaged in the sale or distribution of goods and materials in large quantity to retailers or other businesses for resale to individual or business customers. This shall not include heavy manufacturing, resource extraction, scrap operations, bulk storage of hazardous materials, or salvage operations.

E. Waste and Salvage

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

1. Composting Facility**a. Definition**

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

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b. Use-Specific Standards⁶⁰

- i. Composting facilities shall be located at least 660 feet from any residential or and mixed-use district and any residential use (except a residential use occupied by the owner, operator or any employee of such composting facility) as such zone districts or residential uses exist at the time of the establishment of the composting facility.
- ii. Composting facilities shall contain and treat on-site, all water run-off that comes into contact with the feedstocks or compost, in such manner that the run-off will not contaminate surface or ground water.
- iii. Composting facilities shall not be located in any floodway.
- iv. No composting facility shall commence operation until a nuisance condition control plan, specifying all measures to be taken to control nuisance conditions (such as odor, noise, scattered solid waste, dust) has been approved by the Director.

2. Incinerator or Thermal Desorption Unit

a. Definition

An establishment that uses thermal combustion processes to destroy or alter the character or composition of medical waste, hazardous waste, sludge, soil or municipal solid waste (not including animal or human remains). This definition does not include short-term (less than six months) on-site remediation operations.

b. Use-Specific Standards

[Reserved]⁶¹

3. Junkyard

a. Definition

Any lot, or portion of a lot, that is used for the purpose of the outdoor storage, handling, dismantling, 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 21.12). Auto wrecking yards and salvage or scrap yards are included in this use. This does not include a composting facility.

b. Use-Specific Standards

Junkyards shall comply with the use-specific standards applicable to "Storage Yard" set forth above.

⁶⁰ NOTE: Suggested new standards.

⁶¹ NOTE: Staff has indicated that the existing standards for these uses, set forth in Section 21.50.300 "Conditional use standards-- Incinerator facilities and thermal desorption units," are not easy to use and administer. They have requested a substitute set of standards, and this issue still is being researched.

4. Landfill**a. Definition**

The burial of hazardous or non-hazardous agricultural, residential, institutional, commercial, or industrial waste, including areas for the disposal of building and organic material, solid waste processing and transfer facilities, and incinerator facilities.

5. Snow Disposal Site**a. Definition**

An area no less than 36,000 square feet in size that is used for the concentrated storage and disposal of snow transported to that site from other locations.

b. Use-Specific Standards⁶²**i. Location**

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

ii. Dimensional Standards

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

(A) Minimum Lot Size

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

(B) Maximum Height of Structures

The maximum height of structures shall be 25 feet.

(C) Minimum Setback Requirement

The minimum setback requirement shall be 25 feet if adjacent to a public right-of-way or to an industrial zoning district, and 50 feet if adjacent to a non-industrial zoning district.

iii. Snow Storage Area

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

iv. Screening Fence or Berm

An earthen berm or a screening structure, each at least six feet high, shall be constructed within every setback adjacent to a public right-of-way or to a nonindustrial zoning district. Visual enhancement landscaping, or another ground cover acceptable to the Planning and Zoning Commission, shall be planted on the berm and within the area between the berm and the lot line for the site. The Planning and Zoning Commission may require

⁶² NOTE: This is based generally on the existing Section 21.50.270 "Conditional use standards--Snow disposal sites," with numerous edits per staff suggestions.

construction of a berm or fence within other setback areas in order to restrict casual access, to confine the operations within the site, to reduce noise and glare and to ensure compatibility of the operation with adjacent uses.

v. *Drainage and Water Quality Facilities*

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

vi. *Noise, Dust and Litter*

(A) *Noise*

(1) The daily hours of operation, including the operation of snow removal or trash collection vehicles, of a snow disposal site within 200 feet of residentially zoned property shall be limited to the hours between 6 am and 10 pm.

(2) If the level of noise from the snow disposal site, measured at the property line of any residential or noise sensitive use such as a public building, academic school, or other place of public assembly within one half mile of the snow disposal site, shall exceed the standards stated in Section 15.70.080.A, then the site plan shall identify mitigation measures.

(B) *Dust and Litter Control*

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

6. **Solid Waste Transfer Facility**

a. **Definition**

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

b. **Use-Specific Standards⁶³**

All such uses shall comply with the following standards:

i. *Location of Site*

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

⁶³ NOTE: Suggested new standards.

- 1 *ii. Minimum Lot Size and Width*
2 Notwithstanding the general dimensional standards set forth in
3 Chapter 21.06, the minimum lot size for a junkyard or storage
4 yard shall be two acres. The minimum lot width shall be 150
5 feet.
- 6 *iii. Limits on Outdoor Storage*
7 Outdoor storage shall not exceed 35 feet in height. No outdoor
8 storage, operations, or donations shall occur within the required
9 front or side setback as set forth in Chapter 21.06.
- 10 *iv. Screening*
11 In addition to any landscaped buffer required under Section
12 [21.07.x-ref], the facility shall be surrounded by a solid, opaque
13 fence that is at least eight feet high, located no less than 100 feet
14 from any public right-of-way, and located no less than 50 feet
15 from an adjacent property.

16 **21.05.070 ACCESSORY USES AND STRUCTURES⁶⁴**

17 **A. Purpose**

18 This Section authorizes the establishment of accessory uses that are incidental and
19 customarily subordinate to principal uses. An accessory use is “incidental and
20 customarily subordinate” to a principal use if it complies with the standards set forth in
21 this section.

22 **B. General Standards**

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

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

25 a. All principal uses allowed in a zoning district shall be deemed to include
26 the accessory uses, structures, and activities set forth in this Section,
27 unless specifically prohibited.

28 b. See also sections 21.05.030 through 21.05.060 above, wherein
29 incidental or accessory uses are sometimes included in the description of
30 a specific principal use type. When a specific use type definition does
31 include permitted accessory or incidental uses, such accessory or
32 incidental uses shall be subject to the general standards set forth in this
33 subsection B., as well as any use-specific standards set forth in
34 subsection D. below.

35 **2. Compliance with Ordinance Requirements**

36 a. All accessory uses and structures shall be subject to the standards set
37 forth in this Section, and also the use-specific standards of sections
38 21.05.030 through 21.05.060 above and the dimensional standards of

⁶⁴ NOTE: This is a substantially new section. In the current Title 21, each zoning district contains a list of specific accessory uses allowed, but there are no general standards governing all accessory uses. This new section proposes a set of general standards that all accessory uses must comply, and then lists the specific accessory uses allowed, and whether they are subject to any additional use-specific standards. The general standards are new; the use-specific standards are from the current code, unless otherwise indicated.

Chapter 21.06. If the case of any conflict between the accessory use/structure standards of this Section and any other requirement of this Title, the standards of this Section shall control.

- b. Accessory uses shall comply with all standards of this Title applicable to the principle use with which they are associated. Parking requirements shall be met for both the principal use and any accessory use.

3. Dimensional Standards for Accessory Buildings and Structures

a. Same Lot

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

b. Location of Accessory Structures

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

- i. Buildings accessory to a residential use may be erected in a required rear setback that is adjacent to an alley;
- ii. Sheds of 150 square feet or less and not attached to a foundation may be erected in a required side or rear setback; and
- iii. Dog runs and dog houses not attached to a foundation may be erected in a required side or rear setback.

c. Percentage of Required Setbacks Occupied

Unless otherwise specified, no detached accessory building or buildings shall occupy more than 50 percent of the area of the required side and rear setbacks combined.

4. Same Ownership Required

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

5. Temporary Accessory Uses and Structures

Temporary accessory uses and structures shall be governed by the temporary use permit procedures and standards set forth in Sections 21.03.140 and Section 21.05.040 of this Title.

C. Table of Allowed Accessory Uses

Table 21.05-3 below lists the accessory uses allowed within all base zoning districts. Each of the listed uses are defined in subsection D. below.

1. Explanation of Table Abbreviations

a. Permitted Uses

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

- 1 **b. *Administrative Site Plan Review***
2 “S” in a cell indicates that the accessory use requires administrative site
3 plan review in the respective zoning district in accordance with the
4 procedures of Section 21.03.080.B, *Administrative Site Plan Review*.
- 5 **c. *Prohibited Uses***
6 A blank cell indicates that the accessory use is prohibited in the
7 respective zoning district.
- 8 **d. *Use-Specific Standards***
9 Regardless of whether an accessory use is allowed by right or subject to
10 administrative site plan review, there may be additional standards that
11 are applicable to the use. The existence of these use-specific standards
12 is noted through a section reference in the last column of the table.
13 References refer to subsection D. below. These standards apply in all
14 districts unless otherwise specified.
- 15 **e. *Unlisted Accessory Uses or Structures***
16 An accessory use or structure that is not listed in Table 21.05-3 may be
17 permitted subject to compliance with all standards set forth in subsection
18 C. above.
- 19

2. Table of Permitted Accessory Uses and Structures

TABLE 21.05-3: TABLE OF ACCESSORY USES

P = Permitted S = Administrative Site Plan Review

Accessory Uses	Residential Districts								Commercial Districts						Industrial Districts			Mixed Use Districts				Other Districts						Use Specific Standards	
	R 1	R 2	R 3	R 4	R 5	R 6	R 9	R 10	C 1	C 2 A	C 2 B	C 2 C	G	M C	M I	I 1	2	N M U	C C M U	R C M U	R M X	A D	A F	O L	P L I	T A	W		
Accessory dwelling unit (ADU)		P	P		P	P	P	P																			P		21.05.070.E.
Adult care (up to 6 clients)	P	P	P	P	P	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	P	P						P		21.05.070.D.3.
Bed and breakfast (4 or 5 guestrooms)	S	S	S	S	S	S	S	S	S	S	S	S							S	S	S						S		21.05.070.D.3.
Beekeeping	P	P	P	P	P	P	P	P													P				P	P		21.05.070.D.4.	
Caretaker's residence															P	P	P										P		
Child care (up to 6 clients)	P	P	P	P	P	P	P	P	P	P	P	P							P	P	P						P		21.05.070.D.6.
Drive-through service									P				P					P		P		P					P		21.05.070.D.7.
Farm, hobby					P	P	P																				P		21.05.070.D.8.
Garage or carport, private residential	P	P	P	P	P	P	P	P										P	P	P	P						P		21.05.070.D.9.
Home- and garden-related use	P	P	P	P	P	P	P	P	P	P	P	P						P	P	P	P						P		21.05.070.D.10.
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P						P	P	P	P						P		21.05.070.D.11.
Household pets	P	P	P		P	P	P	P																			P		21.05.070.D.12.

TABLE 21.05-3: TABLE OF ACCESSORY USES

P = Permitted

S = Administrative Site Plan Review

Accessory Uses	Residential Districts								Commercial Districts						Industrial Districts			Mixed Use Districts				Other Districts						Use Specific Standards		
	R 1	R 2	R 3	R 4	R 5	R 6	R 9	R 10	C 1	C 2 A	C 2 B	C 2 C	G	M C	M I	I 1	2	N M U	C C M U	R C M U	R M X	A D	A F	O L	P L I	T A	W			
Outdoor storage or display														P	P	P	P	P										P		
Paddock, stable or barn	P	P	P		P	P	P	P																				P		21.05.070.D.14.
Private storage of non-commercial equipment	P	P	P	P	P	P	P	P														P						P		21.05.070.D.15.
Residential care (up to 6 clients)	P	P	P	P	P	P	P	P	P	P	P	P								P	P	P						P		21.05.070.D.16.
Satellite dish	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	21.05.070.D.17.	
Vehicle repair/rebuilding, outdoor, hobby					P	P	P	P																				P		21.05.070.D.18.

1

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

3 This section defines the accessory uses listed in Table 21.05-3 and also contains use-
4 specific standards that apply to those uses. Accessory uses shall comply with the
5 applicable use-specific standards set forth in this subsection, in addition to complying
6 with the general standards in subsection B.

7 **1. Accessory Dwelling Unit (ADU)**

8 **a. Definition**

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

12 **b. Use-Specific Standards**

13 Standards for accessory dwelling units are set forth in subsection E.
14 below.

15 **2. Adult Care (Up to Six Clients)**

16 **a. Definition**

17 “Adult care” is defined in Section 21.05.040.A. above.

18 **b. Use-Specific Standards⁶⁵**

19 **i. Intent**

20 An adult care facility, child care facility, or residential care facility,
21 any of which has an occupancy of six clients or less, is intended
22 to be an accessory use and is allowed as indicated in Table
23 21.05-3. The adult care facility, child care facility, or residential
24 care facility shall not detract from the principal use and shall not
25 place an undue burden on any private or public infrastructure
26 greater than anticipated from a permitted development.

27 **ii. Location**

28 The uses in subsection i. shall be located only in a single-family
29 dwelling, excluding detached condominium units and duplex or
30 multi-family structures, when located in any R-1 through R-10 or
31 C-1 zoning district.

32 **iii. Permit Required**

33 A biennial administrative permit shall be obtained from the
34 administrative official designated pursuant to Section 21.03.[x-
35 ref]. The application shall identify the legal description of the
36 site, zoning, street address, occupancy, copy of the permittee’s
37 State and/or Municipal license, and list of staff and professional
38 certifications. The applicant shall certify on the permit that, when
39 granted, the use is in compliance with this Title. The permit shall
40 remain valid until the use ceases operation, or until the permit
41 expires or is revoked according to this title. Before the permit is
42 issued:

⁶⁵ NOTE: These new standards come from the Assisted Living ordinance. The draft ordinance is ambiguous as to whether adult care, child care, and residential care with up to six clients can only be accessory uses, or whether they also can be principal uses.

1 (A) The applicant shall obtain from the building official or
2 his designee a determination of (1) the occupancy
3 classification of the facility under the building code;
4 and (2) the need for a change of use permit. A copy
5 of this determination shall be provided to the
6 inspectors noted in subsection B below, and a copy
7 shall be submitted with the administrative permit
8 application.

9 (B) A code compliance inspection shall be performed by
10 municipal code abatement, structural, electrical, and
11 fire inspectors to verify compliance with minimum life-
12 safety requirements established by the Building
13 Safety Division. The inspections are not required if a
14 code compliance inspection has been performed, or
15 a certificate of occupancy has been issued, within the
16 previous 10 years and the permit applicant certifies
17 that no alterations requiring a permit have been made
18 since the code compliance inspection or certificate of
19 occupancy was issued. A copy of all inspection
20 reports shall be submitted with the administrative
21 permit application.

22 (C) If supported by on-site well and wastewater disposal
23 systems, the property shall conform to the
24 requirements of Chapter 15.65, pertaining to
25 wastewater disposal regulations, and the
26 owner/operator shall provide a one-time only health
27 authority certificate.

28 *iv. Other Requirements*
29 In addition to any other requirements in this title, residential care,
30 child care or adult care having occupancy of six clients or less
31 shall:

32 (A) Establish occupancy at the time of licensing/license
33 renewal with the State of Alaska and/or Municipality
34 of Anchorage;

35 (B) Offer no more than six clients occupancy at any one
36 time; and

37 (C) Meet the off-street parking requirements of Section
38 21.07.020.

39 **3. Bed and Breakfast⁶⁶**

40 **a. Definition**

41 A detached single-family dwelling, excluding mobile homes, which is
42 host-/owner-/operator-of-the-enterprise-occupied and offers overnight
43 accommodations for which compensation is paid on a daily or weekly

⁶⁶ NOTE: This standard is carried forward from the existing Sections 21.45.250, "Bed and breakfast with three or less guestrooms" and 21.45.255 "Bed and breakfast with four guestrooms," with no major substantive changes.

1 basis for no more than 30 consecutive days, and which offers only one
2 daily meal. No more than five guestrooms may exist in this
3 establishment.

4 **b. Use-Specific Standards**

5 *i. Restriction on Special Events for All Bed and Breakfasts*

6 No bed and breakfast of any size shall hold weddings, parties, or
7 other non-guest events for consideration, that are expected to
8 have over 100 people in attendance, without first obtaining
9 approval for a special event temporary use under Section ---.

10 *ii. Bed and Breakfast with Three or Fewer Guestrooms*

11 **(A) General**

12 The accessory use shall be clearly an adjunct and
13 subordinate land use to the home, while still
14 protecting and maintaining the integrity of the
15 residential neighborhood. A bed and breakfast shall
16 not detract from the principal use in the district and
17 shall not place a burden on any private or public
18 infrastructure (i.e., streets or utilities) greater than
19 anticipated from permitted development.

20 **(B) Residential District Standards**

21 A bed and breakfast located within a residential
22 district and having three guestrooms or fewer shall
23 conform to the requirements of this section.

24 **(1)** No more than three guestrooms shall be
25 offered for use at any one time.

26 **(2)** The host-operator of the bed and breakfast
27 enterprise shall establish and maintain the
28 single-family or the bed and breakfast unit of
29 a two-family structure as his or her primary
30 domicile at all times while it is operated as a
31 bed and breakfast.

32 **(3)** The exterior of the building shall not reflect
33 the operation of the bed and breakfast there,
34 except that one sign may be mounted flat
35 against the principal building so long as it is
36 not illuminated and does not exceed one
37 square foot in size.⁶⁷

38 **(4)** Every bed and breakfast shall meet the off-
39 street parking requirements stated in Section
40 [x-ref "off street parking"] and in its annual
41 administrative permit.⁶⁸

⁶⁷ NOTE: Confirm this provision complies with the new sign code as part of the drafting of Module 3.

⁶⁸ NOTE: As with other references to this permit, we need to determine if the permit stays or if it can be folded into the new land use permit process.

1 (5) Every bed and breakfast supported by on-
2 site well and wastewater disposal systems
3 shall conform to the requirements of Chapter
4 15.65, pertaining to wastewater disposal
5 regulations, and shall provide a one-time only
6 health authority certificate.

7 *iii. Bed and Breakfast with Four or Five Guestrooms*
8 A bed and breakfast with four or five guestrooms shall conform
9 to subsection 3.b.ii., *Bed and Breakfast with Three or Fewer*
10 *Guestrooms*, of this Section and shall require approval of an
11 administrative site plan pursuant to Section 21.03.080.B.,
12 *Administrative Site Plan Approval*.⁶⁹

13 4. **Beekeeping**
14 a. **Definition**
15 Keeping honey bees, *Apis mellifera*, for the purpose of education and/or
16 producing honey or other products related to bees.

17 b. **Use-Specific Standards**⁷⁰
18 i. Colonies of *Apis mellifera* shall be managed in such a manner
19 that their flight path to and from the hive will not bring them into
20 contact with people on adjacent property. To accomplish this,
21 colonies shall be:

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

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

26 (C) Placed at least eight feet above ground level; or

27 (D) Placed behind a fence at least six feet in height and
28 extending at least ten feet beyond the hive in ~~both~~ all
29 directions.

30 ii. No more than four hives shall be placed on lots smaller than
31 10,000 square feet.

32 iii. Hives shall not be placed within ten feet of a required usable
33 setback area.

34 5. **Caretaker's Residence**
35 a. **Definition**
36 A dwelling unit on the site of a non-residential use and occupied only by
37 a guard or the person who oversees the operation of the non-residential
38 facility.

⁶⁹ NOTE: This new cross-reference replaces a lengthy description of a similar process in the existing code.
⁷⁰ NOTE: Existing standards; no major substantive changes; however, standard at end regarding distance from setbacks is new.

- 1 **6. Child Care (Up to Six Clients)**
2 **a. Definition**
3 “Child care” is defined in Section 21.05.040.B.
- 4 **b. Use-Specific Standards**
5 Child care facilities with up to six clients shall comply with the use-
6 specific standards set forth above for “Adult Care (Up to Six Clients).”
- 7 **7. Drive-Through Service**
8 **a. Definition**
9 The physical facilities of an establishment that encourage or permit
10 customers to receive services, obtain goods, or be entertained while
11 remaining in their motor vehicles.
- 12 **b. Use-Specific Standards**
13 Drive-through services are allowed as accessory uses to the following
14 primary uses: restaurant, pharmacy, financial institution, and food and
15 beverage kiosk. The following standards apply to all drive-through
16 services:
- 17 **i. Vehicular Access Lanes⁷¹**
18 Each vehicular access lanes and stacking spaces shall be
19 provided pursuant to **Section 21.07.[x-ref]**.
- 20 **ii. Impact on Adjacent Uses**
21 **(A)** A drive-through shall be located, sized, and designed
22 to minimize traffic, noise, air emissions, and glare
23 impacts on surrounding properties.
- 24 **(B)** The drive-through shall be screened from adjacent
25 rights-of-way and properties through architectural
26 elements, screening, landscaping, or site design.⁷²
- 27 **(C)** Within 300 feet of a residential or mixed-use district
28 boundary, talk boxes shall be screened by a sound
29 barrier such as a fence or masonry wall. The noise
30 generated on the site shall be inaudible to adjacent
31 residential uses, measured at the property line.
- 32 **8. Farm, Hobby**
33 **a. Definition**
34 The production of crops and/or animals or their products, primarily for
35 use or consumption of the property owner.
- 36 **b. Use-Specific Standard⁷³**
37 A minimum lot size of two acres shall be required to operate a hobby
38 farm as an accessory use.

⁷¹ NOTE: Need to reevaluate this section once new parking standards are drafted; general stacking space standards are being drafted as part of the new parking requirements.

⁷² NOTE: Reevaluate this standard and provide more specificity following drafting of Chapter 21.07.

⁷³ NOTE: Additional standards may be necessary to address environmental issues (e.g., runoff). Also, reviewers should comment on whether the number of animals on such sites should be limited.

- 1 **9. Garage or Carport, Private Residential**
2 **a. Definition**
3 A detached accessory or portion of a main building that is used for the
4 parking and storage of vehicles owned and operated by the residents
5 thereof.
- 6 **b. Use-Specific Standards**
7 i. Garages may encroach into the rear or side setback when that
8 setback abuts an alley.
- 9 ii. Such accessory uses shall serve only the residents of the
10 property and shall not be used for commercial purposes.
- 11 iii. All garages or carports accessory to a single residential use,
12 whether attached or detached to the principal dwelling, shall
13 cumulatively be no larger than 50 percent of the total gross area
14 of the principal dwelling.
- 15 **10. Home- and Garden-Related Use**
16 **a. Definition**
17 Accessory uses subordinate to the use of a residential dwelling.
18 Examples include, but are not limited to, greenhouses, gardens, storage
19 sheds, garden sheds, toolsheds, private barbeque pits, spas, and hot
20 tubs.
- 21 **b. Use-Specific Standards**
22 i. Private greenhouses shall be allowed as accessory to a single-
23 family detached dwelling only. No retail sale, wholesale sale, or
24 other commercial use of the greenhouse is allowed.
- 25 ii. All spas and hot tubs shall be set back a minimum of 10 feet
26 from all property lines, and shall not be counted in calculating lot
27 coverage.
- 28 **11. Home Occupation⁷⁴**
29 **a. Definition**
30 An activity that results in a product or service, carried out for gain by a
31 resident, and conducted as a customary, incidental, and accessory use
32 in the resident's dwelling unit. This use expressly does not include small
33 and large residential care or adult or child care homes.
- 34 **b. Use-Specific Standards**
35 A home occupation may be conducted in a dwelling unit or in a building
36 accessory to a dwelling unit provided that:
- 37 i. Only one nonresident and the permanent residents of a dwelling
38 unit may be engaged in a home occupation on the premises;
- 39 ii. The use of a dwelling unit for a home occupation shall be clearly
40 incidental and subordinate to its residential use. This standard is
41 met by and limited to one of the following:

⁷⁴ NOTE: Based on the existing Section 21.45.150, "Home occupations," with various minor edits.

- 1 (A) No more than the lesser of 35 percent or 500 [700]
2 square feet of the floor area of the dwelling is
3 devoted to the home occupation; or⁷⁵
- 4 (B) No more than 300 square feet of an accessory
5 building is devoted to the home occupation; or
- 6 (C) No more than 200 square feet of the dwelling and
7 250 square feet of the accessory building are
8 devoted to the home occupation.
- 9 iii. There shall be no change in the outside of the building or
10 premises, nor shall there be other visible evidence of the conduct
11 of such home occupation other than one sign not exceeding one
12 square foot in area, non-illuminated, and mounted flat against
13 the principal building;⁷⁶
- 14 iv. Vehicles making deliveries shall not be parked on the site for a
15 period exceeding one hour;
- 16 v. No traffic or deliveries shall be generated by such home
17 occupation in greater volume than would normally be expected in
18 a residential neighborhood;
- 19 vi. All vehicles used in connection with the home occupation are of
20 a size, and located on the premises in such a manner, so as to
21 not disrupt the quiet nature of and visual quality of the
22 neighborhood, and there are no more than two vehicles per
23 home occupation;
- 24 vii. The peace and quiet of the neighborhood shall not be disturbed.
25 No equipment or process shall be used in such home occupation
26 that creates noise, vibration, glare, fumes, or odors detectable to
27 the normal senses at the property line. No equipment or process
28 shall be used which creates visual or audible interference in any
29 radio or television receivers off the premises, or causes a
30 fluctuation in line voltage off the premises; and
- 31 viii. The hours of operation during which clients, customers,
32 employees or co-workers are allowed to come to the home in
33 connection with the business activity are limited to between 8:00
34 a.m. and 8:00 p.m. Monday through Saturday.
- 35 c. **Uses Prohibited as Home Occupations**
36 A home occupation shall not include, but is not limited to excluding, the
37 following: veterinary or animal hospital, animal boarding, restaurant,
38 vehicle repair.

⁷⁵ NOTE: This is a suggested increase from 25 to 35 percent to support non-intrusive home occupations (e.g., mixed-use, tele-work) and home occupations that comply with the standards and do not affect neighboring residences. Some cities go as high as 50%. For MOA, 35% (1/3) is consistent with the rationale used for ADU ordinance, which leaves 2/3 majority as house.

⁷⁶ NOTE: Confirm this provision complies with the new sign code as part of the drafting of Module 3.

12. Household Pets⁷⁷

a. **Definition**

The keeping of household pets.

b. **Use-Specific Standards**

i. The keeping of household pets including, but not limited to, dogs and cats, shall be permitted in all zoning districts allowing for residential use, provided that no more than five animals over four months of age are kept by the occupant of any residential unit. This limitation does not apply to tropical fish, small rodent animals (e.g., gerbils, hamsters), and small birds kept indoors as pets (not including chickens, hawks, and pigeons).

ii. Kennels, boarding facilities, and commercial activities relating to household pets are not an allowed accessory use.

iii. Household pets may not be kept outdoors in mobile home parks.

13. Outdoor Storage as an Accessory Use⁷⁸

Outdoor storage of goods and/or materials accessory to a principal use shall be allowed subject to the following standards:

a. Each outdoor storage area shall be located at the rear of the primary structure.

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

c. Each outdoor storage area shall be screened from view from all property lines and adjacent rights-of-way by an opaque wall or fence between six and eight feet in height that incorporates at least one of the predominant materials and one of the predominant colors used in the primary structure. The fence may exceed eight feet in height where the difference in grade between the right-of-way and the outdoor storage area makes a taller fence necessary to effectively screen the area. Materials may not be stored higher than the height of the primary structure. The outer perimeter of the fence or wall shall be landscaped with a seven-foot wide strip containing a minimum of one tree for every 150 square feet of lot area. A landscaped earth berm may be used instead of or in combination with a required fence or wall, provided it meets the same height requirements.

d. If the outdoor storage area is covered, then the covering shall include at least one of the predominant exposed roofing colors on the primary structure.

e. Flammable liquids or gases in excess of 1,000 gallons shall be stored underground.

⁷⁷ NOTE: Suggested new standards. Is a separate accessory use category also necessary for the raising of animals for commercial purposes as an accessory use (e.g., large birdhouses? We understand from staff that large birdhouses are becoming a problem in some residential areas from breeders (pigeons, hawks, chickens, etc).

⁷⁸ NOTE: Suggested new standards.

f. No materials may be stored in areas intended for vehicular or pedestrian circulation.

14. Paddock, Stable, or Barn

a. Definition

i. Paddock

A fenced area used for the pasturing or exercising of animals.

ii. Stable or Barn

A structure that is used for the shelter or care of domestic animals, especially horses and cattle, and/or the storage of farm-related equipment.

b. Use-Specific Standards

In addition to meeting the applicable minimum setback requirements set forth in Chapter 21.06, paddocks, stables, and barns that are utilized for the keeping of animals other than dogs shall maintain the following minimum distances from any lot line.

TABLE 21.05-4: Minimum Distance Requirements for Paddocks, Stables, or Barns								
Districts	R-1	R-2	R-3	R-5	R-6	R-9	R-10	TA
Distance from Lot Line (Ft)	100	100	100	25	25	50	25	25

15. Private Storage of Noncommercial Equipment⁷⁹

a. Definition

The private storage of noncommercial equipment, including noncommercial trucks, boats, aircraft, off-road vehicles (ORVs), or travel trailers.

b. Use-Specific Standard

The private storage of noncommercial equipment is prohibited in any setback area.

16. Residential Care (Up to Six Clients)

a. Definition

“Residential care” is defined in Section 21.05.030.B.4.

b. Use-Specific Standards

Residential care facilities with up to six clients shall comply with the use-specific standards set forth above for “Adult Care (Up to Six Clients).”

17. Satellite Dish Antennae⁸⁰

a. Definition

A round parabolic antenna intended to receive signals from orbiting satellites and other sources.

⁷⁹ NOTE: Carried forward from the respective district sections of the existing code with no major substantive changes.

⁸⁰ NOTE: Suggested new standards.

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b. Use-Specific Standards

i. Purpose

These standards are adopted in order to:

- (A) Comply with applicable state and federal law, including the federal Telecommunications Act of 1996;
- (B) Control the location and screening of satellite dish antennae to lessen any impact on surrounding properties; and
- (C) Preserve the Municipality's image and character.

ii. Small Satellite Dish Antennae

Satellite dish antennae of one meter (or 39 inches) or less in diameter are permitted accessory uses in all residential and non-residential zoning districts. Such dishes shall not be located within the public right-of-way.

iii. Large Satellite Dish Antennae

(A) Non-Residential Zoning Districts

Satellite dish antennae measuring one meter (or 39 inches) or more are permitted accessory uses in non-residential zoning districts.

(B) Residential Zoning Districts

Satellite dish antennae measuring one meter or more are permitted accessory uses in the residential zoning districts. Such dishes are subject to the requirements set forth below to the maximum extent feasible, but only where there is no impairment of acceptable signal quality. These regulations are not intended to impose unreasonable delays or impose unreasonable costs on the installation, maintenance, or use of satellite dishes, and shall not be interpreted or enforced in any manner contrary to federal or state law.

(1) Location

Satellite dishes shall be located to the rear of the principal building, but not within ten feet of any side or rear property line or in any required buffer.

(2) Screening

Satellite dishes shall be screened so that no more than 40 percent of the area of the satellite dish antenna is visible from any public street or private street open to the public. The screen may consist of, but is not limited to, fences, buildings, plantings, or any other opaque vegetation or structure

1 permanently affixed to the real property.
2 Screens of vegetation may be installed to
3 meet this requirement.

4 **18. Vehicle Repair/Rebuilding, Outdoor, Hobby**

5 **a. Definition**

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

8 **b. Use-Specific Standards**

9 i. Only one inoperative vehicle may stored on the site for repair or
10 rebuilding at any given time.

11 ii. The repair or rebuilding of any one inoperative vehicle shall be
12 completed within one year.

13 iii. Any vehicle being rebuilt or repaired shall be the property of the
14 owner of the principal structure.

15 iv. Repair or rebuilding work shall take place to the rear of the
16 principal structure and shall be screened from view from all
17 property lines and adjacent rights-of-way by an opaque wall or
18 fence between six and eight feet in height, or by opaque
19 landscaping of an equivalent height.

20 **E. Use-Specific Standards for Accessory Dwelling Units⁸¹**

21 **1. Purpose and Intent**

22 The purpose and intent of this section is to:

23 a. Fulfill housing policy #15 of *Anchorage 2020: Anchorage Bowl*
24 *Comprehensive Plan*, which provides that accessory housing units shall
25 be allowed in certain residential zones;

26 b. Provide a means for homeowners, particularly seniors, single parents,
27 and families with grown children, to remain in their homes and
28 neighborhoods, and obtain extra income, security, companionship and
29 services;

30 c. Allow more efficient and flexible use of existing housing stock and
31 infrastructure;

32 d. Respond to changing family needs and smaller households by providing
33 a mix of housing;

34 e. Stabilize homeownership and enhance property values;

35 f. Provide a broader range of accessible and more affordable housing
36 within the Municipality; and

⁸¹ NOTE: From the new ADU ordinance.

- 1 g. Protect neighborhood stability, property values, and single-family
2 residential appearance of the neighborhood by ensuring that ADUs are
3 installed under the provisions of this title.

4 **2. Application, Review, and Approval Procedures**

- 5 a. For the purposes of this section, *owner* shall mean any person named on
6 the deed, a contract purchaser, or the beneficiary of a trust named on the
7 deed.

- 8 b. Any owner operating or seeking to establish an ADU shall obtain a
9 building permit from the building official; in areas of the Municipality
10 where no building permit is required, the owner shall obtain a land use
11 permit. The permit shall constitute an ADU permit.

- 12 c. With the permit application, the owner shall submit an affidavit on a form
13 provided by the Municipality, affirming that at least one owner will occupy
14 the principal dwelling or the accessory unit, and that the ADU will
15 conform to the requirements of the permit and the requirements of this
16 chapter.

- 17 d. The permit and the affidavit shall be filed as a deed restriction with the
18 Anchorage Recording District to indicate the presence of the ADU, the
19 requirement of owner-occupancy, and conformity with the requirements
20 of the permit and the requirements of this chapter.

- 21 e. The Planning Department shall receive a fee from the applicant pursuant
22 to AMCR 21.20.007.

- 23 f. For purposes of securing financing, potential owners may request and
24 receive a letter of pre-approval from the Municipality indicating the
25 property is eligible for an ADU permit if the potential owner completes the
26 application process and construction in accordance with this section.

27 **3. Requirements**

28 All ADUs shall meet the following requirements:

29 a. **Purpose**

30 Requirements for accessory dwelling units address the following
31 purposes:

- 32 i. Ensure that accessory dwelling units maintain and are
33 compatible with the single-family appearance and character of
34 the principal residence, lot, and neighborhood;

- 35 ii. Ensure that accessory dwelling units are smaller in size than the
36 principal dwelling on the lot, and preserve yards and open space;

- 37 iii. Provide adequate parking while maintaining the single-family
38 residential character of the neighborhood, avoiding negative
39 impacts to on-street parking, and minimizing the amount of
40 paved surface on a site; and

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- iv. Provide clear and flexible standards that make it practical and economical to develop accessory dwelling units that are in compliance with this code, and offer an accessible, affordable housing option to the community.
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- b. **Requirements for Developing an ADU**
ADUs shall be allowed in all zoning districts except R-1.
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- i. One ADU may be added to or created within a detached single family dwelling on a lot, tract, or parcel, but only if the detached single family dwelling is the sole principal structure on that lot, tract, or parcel.
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- ii. One ADU detached from a single family dwelling is permitted on a lot, tract, or parcel, but only if:
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- (A) The lot, tract, or parcel is 20,000 square feet or greater and the ADU is attached to or above a garage and the detached single family dwelling is the only principal structure; or
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- (B) The lot, tract, or parcel abuts an alley; the ADU is above a detached garage, the ADU/garage abuts the alley, and the detached single family dwelling is the only principal structure.
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- iii. **Lot Coverage**
The lot coverage of the principal dwelling unit and all accessory structures combined, including but not limited to the ADU, shall be less than or equal to the maximum lot coverage allowed by the zoning district.
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- iv. **Uses**
- (A) An ADU shall not be permitted on any lot with a bed and breakfast, day care, or family residential care.
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- (B) The owner shall reside in either the principal dwelling unit or the ADU as his or her primary residence for more than six months of each year.
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- (C) No more than two persons may reside in an ADU.
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- v. **Building Code Requirements**
To ensure that the dwellings meet appropriate health and fire safety standards, the ADU shall be built to the adopted Municipal building code standards for two-family dwellings.
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- vi. **Size**
- (A) The gross floor area of the ADU, not including any related garage, shall be no more than 700 square

- 1 feet, nor less than 300 square feet, nor have more
2 than one bedroom;⁸²
- 3 (B) In no case shall the total gross floor area of an ADU
4 be more than 35 percent of the total gross floor area
5 of the principal dwelling unit, excluding the ADU and
6 garages.
- 7 *vii. Yard setbacks*
8 An ADU shall not encroach into any required yard setback,
9 except where the rear yard abuts an alley. The ADU may
10 encroach into the rear yard setback abutting an alley.
- 11 *viii. Parking*
12 One off-street parking space in addition to the parking spaces
13 required for the principal dwelling unit is required for the
14 accessory dwelling unit; but in no event shall there be fewer than
15 three parking spaces per lot. Notwithstanding the provisions of
16 AMC 21.55.100, all off-street parking deficiencies shall be
17 corrected.
- 18 *ix. Design and Appearance*
19 (A) All ADUs shall be designed to maintain the
20 appearance of the primary unit as a single family
21 dwelling. The accessory dwelling unit shall maintain
22 the architectural style and character of the single-
23 family residence. Exterior siding, roofing, and trim
24 shall match the appearance of the materials on the
25 principal dwelling unit. Roof style shall match the
26 predominant style of the principal dwelling unit.
27 Exterior window trim, window proportions (width to
28 height), patterns, and orientation (horizontal to
29 vertical) shall match those of the principal dwelling
30 unit.
- 31 (B) The construction of an additional entry door on the
32 side of a principal structure facing a street for
33 entrance into an accessory dwelling unit is prohibited,
34 unless no other entry door already exists on that side.
35 Entrances are permitted on the non-street-facing
36 sides of the principal structure.
- 37 *x. Utilities*
38 To the extent allowed by law and utility tariff, the ADU shall be
39 connected to the water, sewer, gas, and electric utilities of the
40 single family dwelling unit. However, lots with on-site water or
41 septic systems may have a separate water and/or septic system
42 for the ADU.

⁸² NOTE: Proposed change per staff suggestion.

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- c. Additional Requirements for Detached ADUs**
- i. The ADU shall be at least 60 feet from the front lot line, or at least 10 feet (per 21.45.030.B) behind the front plane of the principal dwelling unit.
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- ii. The maximum height of a detached ADU shall be 25 feet.
- d. Density**
ADUs are not included in the density calculations for a site.
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- e. Expiration of Approval of an ADU**
Approval of an ADU expires when:
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- i. The ADU is altered and is no longer in conformance with this code;
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- ii. The property ceases to maintain the required off-street parking spaces for the accessory and/or principal dwelling units;
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- iii. The owner of the property does not reside in either the principal or the accessory dwelling unit;
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- iv. The ADU is abandoned by the owner through written notification to the Municipality on a form provided by the Municipality; or,
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- v. The property with an ADU changes ownership.
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- f. Transfer**
An ADU permit is not transferable to any other property or any other person. When a property with an ADU is sold or otherwise transferred, the new owner shall file an affidavit of owner-occupancy with the Planning Department within 30 days of the transfer, and pay a processing fee pursuant to AMCR 21.20.007. Failure to file an affidavit by the due date constitutes failure to have a permit in violation of this section. Transfers from one owner to another owner do not require a new affidavit so long as the recipient owner signed the original affidavit.
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- g. Prior Illegal Use**
- i. All structures which meet the definition of *Accessory Dwelling Unit* which are not recognized as legal nonconforming structures or uses of structures under chapter 21.55 shall comply with this subsection. Such structures may continue in existence provided the following requirements are met:
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- (A) A permit application for an ADU is submitted to the Building Safety Division within six months of [the date of passage of this ordinance].
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- (B) The unit complies with the requirements of this section.

- 1 ii. If the unit does not comply with the requirements of this section
2 at the time the permit application is filed, the administrative
3 official may grant six months to bring the unit into conformance.
- 4 iii. In addition to any other remedies provided in this code, failure to
5 legalize an existing unit under this subsection shall result in civil
6 penalties as provided at AMC 14.60.030. All owners of illegal
7 units shall also be required to either legalize the unit or remove
8 it.
- 9 iv. This subsection does not apply to existing legal nonconforming
10 uses of structures established pursuant to 21.55.050.
- 11 h. **VariANCES**
12 Nothing in this section guarantees any property owner the right to create
13 an ADU unless it conforms to all provisions in this section. Limitations
14 due to natural features, lot size, lot dimensions, building layout, or other
15 physical or environmental factors shall not be reasons for granting a
16 variance from the standards and provisions of this section. No variances
17 shall be granted from the standards and provisions of this section.
- 18 **F. Prohibited Accessory Uses and Structures⁸³**
- 19 **1. Prohibited in All Zoning Districts**
20 The following activities shall not be regarded as accessory to a principal use on
21 any site and are prohibited in all zoning districts:
- 22 a. **Use of an Intermodal Shipping Container (Connex) Trailer**
23 The use of a connex trailer or similar structure for storage of goods,
24 performing services, or conducting other business is only allowed in
25 industrial districts. Self-storage establishments in compliance with the
26 development standards of 21.05.060.D.3., *Self-Storage Facility*, are
27 exempt from this restriction.
- 28 b. **Outdoor Storage of Inoperative Vehicles**
29 The outdoor storage of any vehicle that meets the definition of “junk
30 vehicle” at 15.20.010 is prohibited except as provided in 21.05.070.D.18.,
31 “Vehicle Repair/Rebuilding, Outdoor, Hobby.”⁸⁴
- 32 c. **Use of Mobile Home as Residence**
33 Mobile homes may not be used as a permanent or temporary residence
34 as an accessory use.

⁸³ NOTE: New section proposed for consideration. No standards in the current Title 21 appear to prohibit any type of accessory uses.

⁸⁴ 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.)

1 d. ***Use of Motor Vehicle for Sales***

2 The use of any motor vehicle as a structure in which, out of which, or
3 from which any goods are sold or stored, any services performed, or
4 other businesses conducted. However, the following shall not be
5 prohibited by this subsection:

6 i. The sale of food products at a municipal-approved or -sponsored
7 event; and

8 ii. Use of a motor vehicle in connection with an approved recycling
9 operation.

10 iii. Approved food and beverage kiosks that comply with the use-
11 specific standards in Section 21.05.050.G.3., *Food and*
12 *Beverage Kiosk*.

13 2. **Prohibited in Residential Zoning Districts**

14 The following activities shall not be regarded as accessory to a residential
15 principal use and are prohibited in residential districts:

16 a. ***Automotive Repair***

17 Automotive repair, including engine, body, or other repair or repainting of
18 more than one vehicle at any one time or owned by a person not residing
19 at that address, regardless of whether compensation was paid for the
20 service.

21 b. ***Parking of Business Vehicles, Outdoor***

22 The outdoor storage or parking of a vehicle or trailer, for a period of one
23 or more nights, if the vehicle or trailer is licensed or regularly used for
24 business purposes, and is either:

25 i. A vehicle for which a commercial driver's license is required by
26 state law;

27 ii. A vehicle or trailer having more than two axles;

28 iii. Any trailer bearing commercial signage, logo, or actually then
29 carrying commercial or industrial equipment or materials; or

30 iv. A vehicle or trailer having a height in excess of 90 inches.

31 **21.05.080 TEMPORARY USES AND STRUCTURES**

32 A. **Purpose**

33 This Section allows for the establishment of certain temporary uses of limited duration,
34 provided that such uses do not negatively affect adjacent properties or Municipal
35 facilities, and provided that such uses are discontinued upon the expiration of a set
36 time period. Temporary uses do not involve the construction or alteration of any
37 permanent building or structure.

1 **B. Temporary Use Permits**

2 **1. Permit Required**

3 All temporary uses and structures shall obtain a temporary use permit pursuant
4 to the procedures set forth in Section 21.03.140, *Temporary Uses*. A temporary
5 use permit shall be reviewed, approved, or revoked only in accordance with the
6 regulations of Section 21.03.140 and this Section.

7 **2. Exceptions**

8 Notwithstanding paragraph 1. above, the following temporary uses are deemed
9 approved in any district and are exempt from the temporary use permit
10 requirements of Section 21.03.140 and the requirements of this Section
11 21.05.080, so long as they comply with the general requirements of subsection
12 C. below.

13 **a.** Athletic events utilizing Municipal property, public streets, or public
14 rights-of-way, provided that the applicant shall coordinate the event with
15 the Police and Fire Departments, and comply with any conditions
16 required by those departments;

17 **b.** Up to seven one-day garage/yard sales per year per dwelling unit;

18 **c.** Temporary car washes lasting no more than seven days per year;

19 **d.** Gatherings of less than 100 people, such as block parties, nonprofit
20 bazaars, and fundraisers, that do not meet the definition of “special
21 event” as defined in Chapter 21.12; and

22 **e.** Temporary uses that occur wholly within an enclosed permanent building
23 and that do not meet the definition of “special event” as defined in
24 Chapter 21.12.

25 **C. General Requirements for All Temporary Uses and Structures**

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

28 **1.** The temporary use or structure shall not be detrimental to property or
29 improvements in the surrounding area or to the public health, safety, or general
30 welfare.

31 **2.** The temporary use or structure shall not have substantial adverse or noise
32 impacts on nearby residential neighborhoods.

33 **3.** The temporary use shall comply with all applicable general and specific
34 regulations of this section and Section 21.03.140, *Temporary Uses*, unless
35 otherwise expressly stated.

36 **4.** Permanent alterations to the site are prohibited.

- 1 5. Unless otherwise stated in this Title or in the approved temporary use permit,
2 the temporary use shall last no longer than ---.⁸⁵
- 3 6. All temporary signs associated with the temporary use or structure shall be
4 removed when the activity ends.
- 5 7. The temporary use or structure shall not violate any applicable conditions of
6 approval that apply to a principal use on the site.
- 7 8. The temporary use regulations of this section do not exempt the applicant or
8 operator from any other required permits, such as health department permits.
- 9 9. If the property is undeveloped, it shall contain sufficient land area to allow the
10 temporary use or structure to occur, as well as any parking and traffic
11 movement that may be associated with the temporary use, without disturbing
12 sensitive or protected resources, including required buffers, 100-year
13 floodplains, stream protection setbacks, wetlands, areas of slope greater than -
14 -- percent, and required landscaping.⁸⁶
- 15 10. If the property is developed, the temporary use shall be located in an area that
16 is not actively used by an existing approved principal use, and that would
17 support the proposed temporary use without encroaching or creating a
18 negative impact on existing buffers, open space, landscaping, traffic
19 movements, pedestrian circulation, or parking space availability.
- 20 11. Tents and other temporary structures shall be located not to interfere with the
21 normal operations of any permanent use located on the property.
- 22 12. Off-street parking shall be adequate to accommodate the proposed temporary
23 use.⁸⁷
- 24 13. Applications for temporary structures to be located in or near the 100-year
25 floodplain shall be required to submit a plan to the _____ [review body] for the
26 removal of such structure(s) in the event of a flood notification. The plan shall
27 include the following information:
- 28 a. The name, address, and phone number of the individual responsible for
29 the removal of the temporary structures.
- 30 b. The time frame prior to the event at which a structure will be removed;
- 31 c. A copy of the contract or other suitable instrument with a trucking
32 company to insure availability of removal equipment when needed; and
- 33 d. Designation, accompanied by documentation, of a location outside the
34 floodplain to which the temporary structure will be moved.

⁸⁵ NOTE: Discussion needed as to whether a default maximum timeframe is necessary.

⁸⁶ NOTE: Revisit this provision following drafting of the general environmental protection standards in 21.07, Development and Design Standards.

⁸⁷ NOTE: Need to discuss whether a temporary use on an undeveloped parcel requires paved parking.

D. Allowed Temporary Uses and Structures⁸⁸

The following temporary uses and structures shall be allowed in accordance with the standards of this subsection.⁸⁹

1. Parking Area, Temporary, in projected rights-of-way⁹⁰

a. Parking required by this Title may be provided temporarily within a setback area described in this section only if the Director and the Traffic Engineer first find that:

i. The temporary parking configuration to be used on the lot, including the setback area, conforms to [x-ref existing Section 21.45.080.W.9.b.]

ii. An alternate site plan has been submitted with an application for a building or land use permit for permanent required parking on the lot, excluding all setback areas thereon, in conformance with parking configuration requirements of [x-ref existing Section 21.45.080.A through V and Section 21.45.080.W.9.b.]

iii. An agreement between the owner of the lot and the municipality has been executed and recorded so as to give notice of the parking requirements to be applied to the lot and of the date or event by which the temporary parking configuration shall be abandoned in favor of the permanent parking configuration stated in the alternate site plan.

b. As used in this subsection, the term "temporary" or "temporarily" means that period of time between the issuance of a building or land use permit and the right of entry conveyed to the Municipality or other government entity for a road project that affects the setback area required by this section.

2. Real Estate Sales Offices and Model Sales Homes

Sales offices are allowed on residential development sites in any zoning district until all lots or houses are sold. Use of the sales office for sites outside of the project is prohibited.

**3. Special Events⁹¹
[RESERVED]**

⁸⁸ NOTE: There are various ways to state which temporary uses are allowed. The method used in this draft lists allowed temporary uses in a text list, along with any accompanying requirements. Another, more detailed approach would be to list the uses allowed in a table that shows any or all of the following: the temporary use, maximum allowable time frame, temporary signage requirements, specific regulations, and permit requirements. Any specific regulations for uses could then be described in a separate section. Items listed here were listed in the Annotated Outline or were suggested by staff or are common uses that could be considered.

⁸⁹ NOTE: Certain temporary uses or structures are already dealt with in other sections of the Anchorage code, including: 3.80.110 (Exemptions from zoning regulations during period of emergency); and 10.45.030 (Circuses, Carnivals, Fairs, and Other Amusements); 10.60 (Vendors); and 24.80.010 (Exhibitions).

⁹⁰ NOTE: Existing standard from the current 21.45.140. A better location for this might be in the new parking section in 21.07; placement should be reconsidered following drafting of Module 3.

⁹¹ NOTE: This topic not yet discussed. Should standards be drafted for large special events (e.g., festivals) that do not fall within the permit exemption thresholds at the beginning of this section?

1 **4. Temporary Parking of Tractor Trailers During Construction**
2 Temporary use of non-loading areas for tractor trailers, construction equipment,
3 or intermodal shipping container (connex) trailers, during construction or
4 renovation.

5 **5. Other Uses**
6 The Director may approve other temporary uses or structures using the process
7 established in Section 21.12.[x-ref]---, *Unlisted Uses*.

8 **E. Prohibited Temporary Uses and Structures**

9 The following temporary uses and structures are prohibited in all residential districts:

10 **1. Cloth Garages**
11 a. **Definition**
12 Frame-supported or arch-supported tension fabric or membrane
13 structures, fabricated off-site and assembled on-site, and typically used
14 for garages, sheds, warehouses, or temporary or permanent shelters for
15 automobiles, boats, or other items.