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CHAPTER 21.05: USE REGULATIONS

21.05.010 TABLES OF ALLOWED USES

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

A. Explanation of Table Abbreviations

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

1. Permitted Uses

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

2. Administrative Site Plan Review

“S” in a cell indicates that the use requires administrative site plan review in the respective zoning district in accordance with the procedures of section 21.03.190B., *Administrative Site Plan Review*. The site plan review process is intended to determine compliance with the development standards of this title, not to review the appropriateness of the use itself.

3. Major Site Plan Review

“M” in a cell indicates that the use requires major site plan review in the respective zoning district, in accordance with the procedures of section 21.03.190C., *Major Site Plan Review*. The site plan review process is intended to determine compliance with the development standards of this title, not to review the appropriateness of the use itself.

4. Conditional Uses

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

5. Multiple Abbreviations

Where table 21.05-1 or table 21.05-2 indicates more than one abbreviation for a particular use, such as “P/M” or “S/M,” then the applicable review procedure is determined by size, geographic location, or other characteristic of the use as specified in this code.

6. Prohibited Uses

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

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

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

8 **B. Table Organization**

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

17 **C. Unlisted Uses**

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

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

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

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1 E. Table of Allowed Uses – Residential Districts

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL DISTRICTS This table shows only those uses allowed in the residential districts. All other uses not shown are prohibited. P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review																	
Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2F	R2-M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	Definitions and Use-Specific Standards
RESIDENTIAL USES																	
Household Living	Dwelling, mixed-use								P	P							21.05.030A.1.
	Dwelling, multifamily					S	P / S	P	P	P							21.05.030A.2.
	Dwelling, single-family attached			P	P	P	P										21.05.030A.3.
	Dwelling, single-family detached	P	P	P	P	P	P				P	P	P	P	P	P	21.05.030A.4.
	Dwelling, townhouse					S	S	S	S	S							21.05.030A.5.
	Dwelling, two-family			P	P	P	P	P			P	P	P	P	P		21.05.030A.6.
	Dwelling, mobile home										P						21.05.030A.7.
	Manufactured home community						C	C	C	C		C					21.05.030A.8.
Group Living	Assisted living facility (3-8 residents)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.030B.1.
	Assisted living facility (9 or more residents)	C	C	C	C	P	P	P	P	P	P	C	C				21.05.030B.1.
	Habilitative care facility	C	C	C	C	C	C	C	C	C	C	C	C				21.05.030B.3.
	Roominghouse					C	C	P	P	P	C	C	C	C	C		21.05.030B.4.
	Transitional living facility							P	P	P							21.05.030B.5.
PUBLIC / INSTITUTIONAL USES																	
Adult Care	Adult care (3 to 8 persons)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.040A.
	Adult care (9 or more persons)	C	C	C	C	C	C	C	C	C	C						21.05.040A.
Child Care	Child care center (9 or more children)	C	C	C	C	C	S	S	S	S	S	S	S	S	S	S	21.05.040B.1.
	Child care home (up to 8 children)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.040B.2.
Community Service	Community center							S	S	S							21.05.040C.2.
	Neighborhood recreation center	S	S	S	S	S	S	S	S	S	S	S	S	S	S		21.05.040C.6.

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Chapter 21.05: Use Regulations
Sec.21.05.010 Tables of Allowed Uses

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL DISTRICTS																	
This table shows only those uses allowed in the residential districts. All other uses not shown are prohibited.																	
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Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2F	R2-M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	Definitions and Use-Specific Standards
	Religious assembly	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	21.05.040C.7.
Cultural Facility	Library	P	P	P	P	P	P	P	P	P	P						21.05.040D.3.
Educational Facility	Boarding school							M	M	M							21.05.040E.1.
	College or university									M							21.05.040E.2.
	Elementary school	M	M	M	M	M	M	M	M	M	M	M	M				21.05.040E.3.
	High school or middle school	M	M	M	M	M	M	M	M	M	M	M	M				21.05.040E.4.
	Instructional services	C	C	C	C	C	C			P				C	C		21.05.040E.5.
Health Care Facility	Health services									P							21.05.040F.1.
	Nursing facility							C	C								21.05.040F.3.
Parks and Open Area	Community garden					P	P	P	P	P							21.05.040G.1.
	Park and open space, public or private	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	21.05.040G.2.
Public Safety Facility	Community or police substation					P	P	P	P	P							21.05.040H.1.
Transportation Facility	Airstrip, private	C	C	C	C	C	C				C	C	C				21.05.040I.2.
Utility Facility	Utility substation	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	21.05.040J.2.
Telecommunication Facilities	Type 1 tower	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	21.05.040K.
	Type 2 tower	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	21.05.040K.
	Type 3 tower	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	21.05.040K.
	Type 4 tower	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.040K.
COMMERCIAL USES																	
Agricultural Uses	Commercial horticulture	C	C	C	C	C	C				C	C	C	C	C		21.05.050A.1.
Animal Sales, Service & Care	Kennel, commercial													C	C		21.05.050B.2.
	Large domestic animal facility, principal use										S / M	S / M	S / M	S / M	S / M		21.05.050B.3.

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Chapter 21.05: Use Regulations
Sec.21.05.010 Tables of Allowed Uses

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

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Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2F	R2-M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	Definitions and Use-Specific Standards
	Retail and pet services									P							21.05.050B.4.
	Veterinary clinic													C	C		21.05.050B.5.
Assembly	Club / lodge / meeting hall							C	S	S							21.05.050C.2. 21.05.020A.
Entertainment and Recreation	Fitness and recreational sports center								S	P							21.05.050D.3.
	General outdoor recreation, commercial															C	21.05.050D.4.
	Skiing facility, alpine															C	21.05.050D.10.
Food and Beverage Service	Restaurant								S	P							21.05.050E.3. 21.05.020A.
Office	Financial institution									P							21.05.050F.2.
	Office, business or professional									P				C	C		21.05.050F.3
Personal Services	General personal services									P				C	C		21.05.050G.3.
Retail Sales	Convenience store							C	S	P							21.05.050H.3.
	General retail									P							21.05.050H.6.
	Grocery or food store								S	S							21.05.050H.7. 21.05.020A
Vehicles and Equipment	Parking lot, principal use							C	C	C	C						21.05.050I.4.
	Parking structure, principal use							C	C	C	C						21.05.050I.5.
Visitor Accommodations	Camper park							C	C								21.05.050J.1.
	Extended-stay lodgings								C	S							21.05.050J.2.
	Hostel					C	C	S	S	S							21.05.050J.3.
	Hotel/motel								C	S							21.05.050J.4.
	Inn									S							21.05.050J.5. 21.05.020A.
	Recreational and vacation camp											C		C	C	C	21.05.050J.6.

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Chapter 21.05: Use Regulations
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TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL DISTRICTS

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Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2F	R2-M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	Definitions and Use-Specific Standards
INDUSTRIAL USES																	
Manufacturing and Production	Natural resource extraction, organic and inorganic	C	C	C	C	C	C	C			C	C	C	C	C		21.05.060B.5.
Waste and Salvage	Land reclamation	S / C	S / C	S / C	S / C	S / C	S / C	S / C	S / C	S / C	S / C	S / C	S / C	S / C	S / C	S / C	21.05.060E.4.
	Snow disposal site	C	C	C	C	C	C	C			C	C	C				20.05.060E.6.

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

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																					
P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review																					
For uses allowed in the AD and TA districts, see section 21.04.060.																					
This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.																					
Use Category	Use Type	COMMERCIAL AND MIXED-USE											INDUSTRIAL			OTHER				Definitions and Use-Specific Standards	
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	MI	AF	DR	PR		PLI
RESIDENTIAL USES																					
Household Living	Dwelling, mixed-use	P	P				P	C	P	P	P										21.05.030A.1.
	Dwelling, multifamily		P				P		P	P	P										21.05.030A.2.
	Dwelling, single-family detached																P				21.05.030A.4.
	Dwelling, townhouse								S	S	S										21.05.030A.5.
Group Living	Assisted living facility (3-8 residents)						P		P	P	P										21.05.030B.1.
	Assisted living facility (9 or more residents)		P				P		P	P	P										21.05.030B.1.
	Correctional community residential center		C							C	C			C						C	21.05.030B.2.
	Habilitative care facility		C				C													C	21.05.030B.3.
	Roominghouse	P	P				P		S	S	S										21.05.030B.4.
	Transitional living facility		P																		

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TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																					
P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review																					
For uses allowed in the AD and TA districts, see section 21.04.060.																					
This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.																					
Use Category	Use Type	COMMERCIAL AND MIXED-USE											INDUSTRIAL			OTHER				Definitions and Use-Specific Standards	
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	MI	AF	DR	PR		PLI
PUBLIC / INSTITUTIONAL USES																					
Adult Care	Adult care facility	P	P				P		P	P	P								P		21.05.040A.
Child Care	Child care center	P	P				P		P	P	P								P		21.05.040B.1.
	Child care home	P	P				P														21.05.040B.2.
Community Service	Cemetery or mausoleum																		P		21.05.040C.1.
	Community center		S				S		S	S	S							C	S		21.05.040C.2.
	Crematorium		P										P	P					C		21.05.040C.3.
	Government administration and civic buildings	P/M	P/M				P/M	C	P/M	P/M	P/M				C				M	P/M	21.05.040C.4.
	Homeless and transient shelter													C						C	21.05.040C.5.
	Neighborhood recreation center	S							S	S										S	21.05.040C.6.
	Religious assembly	P	P				P		P	P	P			P						P	21.05.040C.7.
Cultural Facility	Aquarium							M			M				M				M	M	21.05.040D.1.
	Botanical gardens																	S	S		21.05.040D.2.
	Library	S/M	S/M				S/M		S/M	S/M	S/M								S/M		21.05.040D.3.

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TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS
P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
 For uses allowed in the AD and TA districts, see section 21.04.060.
 This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.

Use Category	Use Type	COMMERCIAL AND MIXED-USE												INDUSTRIAL			OTHER					Definitions and Use-Specific Standards	
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	MI	AF	DR	PR	PLI	W		
	Museum or cultural center							S/M		S/M	S/M			S/M		S/M			S/M	S/M			21.05.040D.4.
	Zoo																	C	C			21.05.040D.5.	
Educational Facility	Boarding school		P							M	M									M		21.05.040E.1.	
	College or university		M					M		M	M									M		21.05.040E.2.	
	Elementary school		M				M		M	M	M									M		21.05.040E.3.	
	High school or middle school		M				M			M	M									M		21.05.040E.4.	
	Instructional services		P				P		P	P	P									C		21.05.040E.5.	
	Vocational or trade school		C					C		C	C			P	P	C				M		21.05.040E.6.	
Health Care Facility	Health services	P	P				P		S	S	S									C		21.05.040F.1.	
	Hospital/Health care facility		P				P		S	S	S									C		21.05.040F.2.	
	Nursing facility		P				C			S	S											21.05.040F.3.	
Parks and Open Area	Community garden																		P	P		21.05.040G.1.	
	Park and open space, public or private	S	S				S	S	S	S	S		S	S	S	S	S	S	S	S	S	21.05.040G.2.	
Public Safety Facility	Community or police substation	P	P				P		P	P	P									P		21.05.040H.1.	

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TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS
P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
 For uses allowed in the AD and TA districts, see section 21.04.060.
 This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.

Use Category	Use Type	COMMERCIAL AND MIXED-USE											INDUSTRIAL			OTHER					Definitions and Use-Specific Standards			
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	MI	AF	DR	PR	PLI		W		
	Correctional institution																			C		21.05.040H.2.		
	Fire station	M	M				M	M	M	M	M			M	M	M					M		21.05.040H.3.	
	Public safety facility		C											P							P		21.05.040H.4.	
Transportation Facility	Airport																				C		21.05.040I.1.	
	Airstrip, private																					C		21.05.040I.2.
	Heliport																					C		21.05.040I.3.
	Rail yard														P	P								21.05.040I.4.
	Railroad freight terminal							P							P	P								21.05.040I.5.
	Railroad passenger terminal									M	M											M		21.05.040I.6.
	Transit center		S							S	S	S										S		21.05.040I.7.
Utility Facility	Utility facility													C	P	P					C	C	21.05.040J.1.	
	Utility substation	S	S				S	S	S	S	S			P	P	P	S	S			S	S	21.05.040J.2.	
Telecom- munication Facilities	Type 1 tower	S	S				S	P	S	S	S			P	P	P	S	S	S	S	S	S	21.05.040K.	
	Type 2 tower	S	S				S	P	C	C	C			P	P	P	S	S	S	S	S	S	21.05.040K.	
	Type 3 tower	S	S				S	P	C	C	C			P	P	P	S	S	S	S	S	S	21.05.040K.	

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TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS

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

For uses allowed in the AD and TA districts, see section 21.04.060.

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

Use Category	Use Type	COMMERCIAL AND MIXED-USE											INDUSTRIAL			OTHER				Definitions and Use-Specific Standards		
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	MI	AF	DR	PR		PLI	W
	Type 4 tower	S	S				S	P	S	S	S			P	P	P	S	S	S	S	S	21.05.040K.
COMMERCIAL USES																						
Agricultural Uses	Commercial horticulture		P								C			P	P					C		21.05.050A.1.
Animal Sales, Service & Care	Animal shelter		S											P	P					S/M		21.05.050B.1.
	Kennel, commercial		P						P	C	C			P	P							21.05.050B.2.
	Large domestic animal facility, principal use		C											P	C				C	C		21.05.050B.3.
	Retail and pet services	P	P						P	P	P			P								21.05.050B.4.
	Veterinary clinic	P	P				P		P	P	P			P	P							
Assembly	Civic / convention center																			C		21.05.050C.1. 21.05.020A.
	Club / lodge / meeting hall		P				P			P	P			P							S	21.05.050C.2. 21.05.020A.
Entertainment and recreation	Amusement establishment		P							P	P			P							C	21.05.050D.1. 21.05.020A.
	Entertainment facility, major		C								C			C					C	C		21.05.050D.2. 21.05.020A.
	Fitness and recreational sports center	P	P				P		P	P	P										S	21.05.050D.3.

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TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS

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		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	MI	AF	DR	PR		PLI	W
Entertainment and recreation cont.	General outdoor recreation, commercial		P							S			P						M	C		21.05.050D.4.
	Golf course																		C	C		21.05.050D.5.
	Motorized sports facility												C						C	C		21.05.050D.6. 21.05.020A.
	Movie theater		C						S	S												21.05.050D.7. 21.05.020A.
	Nightclub		P							P	P		P									21.05.050D.8. 21.05.020A.
	Shooting range, outdoor																		C	C		21.05.050D.9.
	Skiing facility, alpine																		C	C		21.05.050D.10.
	Theater company or dinner theater		C							P	P											21.05.050D.11. 21.05.020A.
Food and Beverage Service	Bar		P					P	P	P	P		P							P		21.05.050E.1. 21.05.020A.
	Food and beverage kiosk	P	P				P	P	S	S	S		P	P	P				P	P		21.05.050E.2. 21.05.020A.
	Restaurant	P	P				P	P	P	P	P		P						P	P		21.05.050E.3. 21.05.020A.
Office	Broadcasting facility		P				P			P			P							P		21.05.050F.1.
	Financial institution	P	P				P		P	P	P											21.05.050F.2.
	Office, business or professional	P	P				P	P	P	P	P		P							P		21.05.050F.3.

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Personal Services, Repair, and Rental	Business service establishment		P				P		P	P	P			P									21.05.050G.1.
	Funeral services		P				P			S	S												21.05.050G.2.
	General personal services	P	P				P		P	P	P												21.05.050G.3.
	Small equipment rental		P					P						P									21.05.050G.4.
Retail Sales	Auction house		P											P	P								21.05.050H.1.
	Building materials store		P								C			P									21.05.050H.2.
	Convenience store	P	P						P	P	P												21.05.050H.3. 21.05.020A.
	Farmers market		P							P	P									P			21.05.050H.4.
	Fueling station	C	P					C	C	S	S			P	P	P							21.05.050H.5. 21.05.020A.
	General retail	P	P					P	P	P	P												21.05.050H.6.
	Grocery or food store	P	P							S	S	S											21.05.050H.7. 21.05.020.A.
	Liquor store	P	P							P	P	P											21.05.050H.8. 21.05.020.A.
	Pawnshop		P								P												21.05.050H.9.
Vehicles and Equipment	Aircraft and marine vessel sales		P					P						P	P	P							21.05.050I.1.

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Vehicles and Equipment cont.	Parking lot or structure (50+ spaces)	C	P				C	C		M	M			P	P					C		21.05.050I.2. or I.3.
	Parking lot or structure (less than 50 spaces)	C	P				C	C		S	S			P	P					P		21.05.050I.2. or I.3.
	Vehicle parts and supplies		P							C	P			P								21.05.050I.4.
	Vehicle-large, sales and rental		P								S			P								21.05.050I.5.
	Vehicle-small, sales and rental		P					C			S			P								21.05.050I.6.
	Vehicle service and repair, major		P											P	P							21.05.050I.7.
	Vehicle service and repair, minor	C	P							C	S	P			P	P						21.05.050I.8.
Visitor Accommodations	Camper park		C																	C		21.05.050J.1.
	Extended-stay lodgings		P				S			P	P											21.05.050J.2.
	Hostel		P				S			P	P											21.05.050J.3.
	Hotel/motel		P				M			S	S											21.05.050J.4. 21.05.020A.
	Inn		P				S		P	P	P											21.05.050J.5. 21.05.020A.
	Recreational and vacation camp		P																	C		21.05.050J.6.

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INDUSTRIAL USES																							
Industrial Service	Data processing facility		P				P						P									21.05.060A.1.	
	Dry cleaning establishment		P										P	P								21.05.060A.2.	
	General industrial service												P	P								21.05.060A.3.	
	Governmental Service												P	P						C		21.05.060A.4.	
	Heavy equipment sales and rental												P	P								21.05.060A.5.	
	Research laboratory							P			C			P	P	P					C		21.05.060A.6.
Manufacturing and Production	Commercial Food Production		C							C			P	P						P		21.05.060B.1.	
	Cottage crafts	P	P						P	P	P		P									21.05.060B.2.	
	Manufacturing, heavy												C	P	C							21.05.060B.3.	
	Manufacturing, light							C					P	P	C							21.05.060B.4.	
	Natural resource extraction, organic and inorganic	C	C				C	C	C	C	C			C	C	C	C	C	C	C			21.05.060B.5.
	Natural resource extraction, placer mining														C					C	C		21.05.060B.6.

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Marine Facility	Aquaculture							C						C	P					C		21.05.060C.1.	
	Facility for combined marine and general construction														P	P							21.05.060C.2.
	Marine operations							P							P	P							21.05.060C.3.
	Marine wholesaling							P							P	P							21.05.060C.4.
Warehouse and Storage	Bulk storage of hazardous materials												C	C	C								21.05.060D.1.
	Impound yard												P	P						C			21.05.060D.2.
	Motor freight terminal												P	P	P								21.05.060D.3.
	Self-storage facility		P										P	P									21.05.060D.4.
	Storage yard												P	P	P								21.05.060D.5.
	Warehouse												P	P	P						C		21.05.060D.6.
	Wholesale establishment								C				P	P	C								21.05.060D.7.
Waste and Salvage	Composting facility													P						C		21.05.060E.1.	

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Waste and Salvage cont.	Incinerator or thermal desorption unit														C						C		21.05.060E.2.	
	Junkyard or salvage yard														C								21.05.060E.3.	
	Land reclamation	S/ C	S/ C				S/ C	S/ C	S/ C	S/ C	S/ C			S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C	21.05.060E.4.	
	Landfill														C						C		21.05.060E.5.	
	Snow disposal site		C												S	S	S					C		21.05.060E.6.
	Solid waste transfer facility															P						C		21.05.060E.7.

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21.05.020 GENERALLY APPLICABLE USE STANDARDS

A. Uses Involving the Retail Sale of Alcoholic Beverages

Any use that involves the retail sale of alcoholic beverages is subject to the special land use permit for alcohol review process in section 21.03.050, *Special Land Use Permit for Alcohol*. That process shall apply to any such use regardless of whether it is listed in tables 21.05-1 or 21.05-2 as being permitted as a matter of right or subject to site plan or conditional use review. The applicant shall be required to obtain approval through both the special land use permit for alcohol process and the separate process referenced in tables 21.05-1 or 21.05-2. A cross-reference to this section 21.05.020A. in tables 21.05-1 or 21.05-2 is not required for the operator of a use to request approval under section 21.03.050.

B. Premises Containing Uses Where Children are Not Allowed

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

1. Purpose

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

2. Minimum Distance from Certain Uses

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

- a. A school or instructional service serving any combination of grades kindergarten through 12 [K-12 SCHOOL];
- b. A public park;
- c. A religious assembly;
- d. Property zoned residential;
- e. Property in the TA district designated as "residential" in the *Turnagain Arm Area Plan*;
- f. A community center;

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- 1 g. A neighborhood recreation center;
- 2 h. Child care centers; or
- 3 i. Public libraries.

4 **3. Compliance with State Standards**

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

10 **4. Administrative Permit Required**

11 An administrative permit shall be on display in a prominent place. This permit shall certify
12 that the enterprise is in compliance with subsection B.2. or 3. of this section, as
13 applicable. This permit shall be obtained from the director, pursuant to section
14 21.03.030, *Administrative Permits*. This permit shall remain valid so long as the
15 enterprise remains in continuous operation at that location and does not physically
16 expand. In addition, a permit granted under subsection B.3. shall remain valid so long as
17 the enterprise does not engage in an activity for which a permit is required under
18 subsection B.2.

19 **5. Premises Without Permit**

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

22 **21.05.030 RESIDENTIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

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

27 **A. Household Living**

28 This category is characterized by residential occupancy of a dwelling unit by a "household," which
29 is defined in chapter 21.14. Tenancy is arranged on a month-to-month or longer basis. Common
30 accessory uses include recreational activities, raising of pets, gardens, personal storage
31 buildings, hobbies, and parking of the occupants' vehicles. Specific use types include:

32 **1. Dwelling, Mixed-Use**

33 **a. Definition**

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

37 **b. Use-Specific Standards**

38 The residential portion of a mixed-use building or development shall comply with
39 section 21.07.100G., *Standards for Multifamily Residential*. The nonresidential
40 portion of a mixed-use building or development shall comply with the
41 public/institutional and commercial design standards in section 21.07.110 and/or
42 the large commercial establishment standards of 21.07.120. In case of overlap
43 and/or conflict, the more stringent standard shall control. [BUILDINGS

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CONTAINING MIXED-USE DWELLINGS IN THE R-4A DISTRICT SHALL COMPLY WITH THE APPLICABLE RESIDENTIAL DESIGN STANDARDS IN SECTION 21.07.100, *RESIDENTIAL DESIGN STANDARDS*. BUILDINGS CONTAINING MIXED-USE DWELLINGS IN THE MIXED-USE DISTRICTS SHALL COMPLY WITH THE MIXED-USE DEVELOPMENT STANDARDS IN SECTION 21.04.0300.]

2. Dwelling, Multifamily

a. *Definition*

A residential building or multiple residential buildings comprising three or more dwelling units on one lot. The definition includes the terms “apartment” or “apartment building.”

b. *Use-Specific Standards*

i. Multifamily developments that consist of three or more units in one building shall comply with [THE RESIDENTIAL DESIGN STANDARDS IN] section 21.07.100G., *Standards for Multifamily Residential*, except as provided in subsection b.iii. below.

ii. Dwellings with single-family style and two-family style construction in m[M]ultifamily developments [THAT CONSIST OF ONE OR TWO UNITS IN A BUILDING] shall comply with [THE RESIDENTIAL DESIGN STANDARDS IN] section 21.07.100E., *Standards for Single-Family and Two-Family Residential Dwellings*.

iii. Dwellings with townhouse style construction in multifamily developments shall comply with section 21.07.100F., *Standards for Townhouse Residential*.

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 one other single-family dwelling unit on an adjacent lot.

b. *Use-Specific Standards*

i. Residential Design Standards

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

ii. Common Party Wall Agreement

A common party wall agreement shall be recorded. The agreement shall provide for maintenance of the structure and other improvements in good condition, and for maintenance of the uniformity and common appearance of the exterior of all structures and landscaping.

iii. Access; No Vertical Stacking

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

iv. Side Setback Requirement

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

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

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1 **b. Use-Specific Standards**

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

5 *i. Compliance with Applicable Regulations*

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

12 *ii. Responsibility for Compliance*

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

16 *iii. Minimum Site Size*

17 MHCs shall be on sites of at least two acres.

18 *iv. Maximum Site Density*

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

20 *v. Impermanent Foundations*

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

23 *vi. Mobile Home or Manufactured Home Spaces*

24 **(A) Occupancy**

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

29 **(B) Minimum Size**

30 In manufactured home communities created after [effective
31 date], a[A]ll single mobile home or manufactured home spaces
32 shall have a minimum of 3,500 square feet of land area[. A] and
33 all duplex mobile home or manufactured home space shall have
34 a minimum of 5,000 square feet of land area.

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

36 **(1)** No part of any mobile home, manufactured home,
37 accessory building, or its addition shall be placed closer
38 than 15 feet from any other mobile home, manufactured
39 home, or its addition, or no closer than ten feet if that
40 mobile home, manufactured home, accessory building,
41 or its addition being placed meets NFPA 501A and HUD
42 #24CFR3280 standards.

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

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- 1 homes, manufactured homes, and accessory structures
2 shall be placed at least five feet from the front space
3 line. Steps shall not be considered in determining the
4 separations required by this subsection.
- 5 (D) *Access*
6 Each mobile home or manufactured home space shall have
7 direct access to an internal street. Direct access to exterior
8 public streets is prohibited.
- 9 vii. *Streets and Drainage Facilities*
10 All streets within an MHC shall comply with the following standards:
- 11 (A) *Street Surface*
12 All streets shall be surfaced with all-weather materials, such as
13 asphalt, or concrete, to a minimum surface width of 34 feet.
- 14 (B) *Right-of-Way Width*
15 Any street that services 100 spaces or more shall be classified
16 as a major street. Major streets shall have a minimum right-of-
17 way width of 50 feet. All other streets shall have a minimum
18 right-of-way width of 40 feet. Streets are not required to be
19 dedicated as public rights-of-way.
- 20 (C) *Cul-De-Sac Streets*
21 No street shall dead end except for cul-de-sac streets that are no
22 more than 650 feet in length and have a minimum turning radius
23 of 50 feet at the termination point of the cul-de-sac.
- 24 (D) *Intersections*
25 No street shall extend more than 650 feet in length between
26 street intersections. Intersecting streets shall cross at 90-degree
27 angles from an alignment point 100 feet from the point of
28 intersection. No street intersection shall be closer than 130 feet
29 to any other street intersection.
- 30 (E) *Street Frontage*
31 Double-frontage spaces are prohibited, except that reverse-
32 frontage spaces may back against streets bordering the MHC.
- 33 (F) *Street Layout*
34 Streets shall be laid out so that their use by through traffic will be
35 discouraged.
- 36 (G) *Street Grades*
37 Street grades shall not exceed six percent. Street grades within
38 100 feet of intersections shall not exceed four percent.
- 39 (H) *Street Curves and Visibility*
40 The radius of street curves (between intersections) shall exceed
41 100 feet. Streets shall be constructed to provide clear visibility
42 as measured along a centerline of the street for a minimum
43 distance of 150 feet.

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

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1 Fuel oil supply tanks shall be placed in compliance with applicable
2 building and fire codes. Liquefied gas containers shall be securely
3 anchored to a permanent and stable holding structure or adequately
4 secured to a mobile home or manufactured home.

5 *xiii. Campers and Travel Trailers*
6 Occupied campers and travel trailers are not subject to paragraphs
7 8.b.vi., *Mobile Home or Manufactured Home Spaces*, and 8.b.viii., *Water*
8 *and Sewage Systems*, of this subsection. Any permitted spaces
9 intended for occupied campers and travel trailers shall be placed in an
10 area segregated from permanent mobile home or manufactured home
11 spaces. Any area within a MHC that is occupied by campers and travel
12 trailers shall be served by a service building containing public toilet
13 facilities and water supply.

14 *xiv. Animals in MHCs*
15 The outdoor keeping of animals other than dogs is prohibited.

16 *xv. Convenience Establishments in MHCs*
17 Convenience establishments of a commercial nature, including stores,
18 coin-operated laundry and dry cleaning establishments and laundry and
19 dry cleaning agencies, beauty shops and barbershops, may be permitted
20 in MHCs subject to the following restrictions. Such establishments and
21 the parking area primarily related to their operations shall not occupy
22 more than ten percent of the area of the community, shall be subordinate
23 to the residential use and character of the park, shall be located,
24 designed and intended to serve frequent trade or service needs of
25 persons residing in the community, and shall present no visible evidence
26 of their commercial character from any portion of any district outside the
27 community. Such convenience areas shall be considered accessory
28 uses to the principal use of mobile homes or manufactured homes, may
29 be permitted without a zoning change, and shall be discontinued if the
30 MHC is discontinued.

31 *xvi. Sites in Flood Hazard Overlay District*
32 All MHCs of which all or a portion are within the Flood Hazard Overlay
33 District shall meet the following requirements:

34 **(A)** Over-the-top ties shall be provided at each of the four corners of
35 the mobile home or manufactured home and two ties per side at
36 intermediate locations. Mobile homes more than 50 feet long
37 shall require one additional tie per side.

38 **(B)** Frame ties shall be provided at each corner of the frame, and
39 five ties per side at intermediate points. Mobile homes or
40 manufactured homes more than 50 feet long shall require four
41 additional ties per side.

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

44 **(D)** Any additions to the mobile home or manufactured home shall
45 be similarly anchored.

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

32 B. Group Living

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

39 1. Assisted Living Facility

40 a. Definition

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

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- 1 **b. Use-Specific Standards for Small Assisted Living Facilities**
2 *i. Housekeeping Unit*
3 A small assisted living facility serving five or fewer residents shall be
4 considered a single housekeeping unit.
- 5 *ii. Administrative Variance Needed*
6 In the R-1, R-1A, R-2A, and R-2D zones, a small assisted living facility
7 serving five or fewer residents is permitted by right. An administrative
8 variance pursuant to section 21.03.250J. is required to serve six to eight
9 residents.
- 10 **c. Use-Specific Standards for Large Assisted Living Facilities**
11 Large assisted living facilities shall comply with the use-specific standards set
12 forth for “adult care facilities with 9 or more persons” below.
- 13 **2. Correctional Community Residential Center**
14 **a. Definition**
15 A community residential facility, other than a correctional institution, for the short-
16 term or temporary detention of people in transition from a correctional institution,
17 performing restitution, or undergoing rehabilitation and/or recovery from a legal
18 infirmity. This does not include people who pose a threat or danger to the public
19 for violent or sexual misconduct or who are imprisoned or physically confined
20 under guard or 24-hour physical supervision.
- 21 **b. Use-Specific Standards**
22 *i. Standards for Centers Established After January 1, 1995*
23 The following standards apply to all correctional community residential
24 centers established after January 1, 1995:
- 25 **(A)** No new correctional community residential center may be
26 located within one mile of an existing center or within 500 feet of
27 an existing academic school or public park.
- 28 **(B)** Program occupancy limits shall be as determined by the state
29 department of corrections.
- 30 **(C)** Maximum resident occupancy at a center shall be determined by
31 requiring a minimum of 150 square feet of building area per
32 resident. This measurement shall be calculated by including all
33 bedroom, kitchen, bathroom, living, recreation, and other areas
34 within the facility intended for common use by the residents.
- 35 **(D)** Each center shall have a minimum of 50 square feet of outdoor
36 recreation area per maximum resident occupancy.
- 37 **(E)** Centers that house felons are only permitted by conditional use
38 in the I-1 and PLI districts. Centers allowed in other districts may
39 only house residents convicted of misdemeanors.
- 40 **(F)** No additional correctional community residential centers may be
41 located in the DT zoning districts or in a B-3 zoning district in the
42 area bounded on the north by Ship Creek, on the south by
43 Chester Creek, on the east by Orca Street extended, and on the
44 west by Cook Inlet.

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

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

6 **5. Transitional Living Facility**

7 **a. Definition**

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

18
19 **21.05.040 PUBLIC/INSTITUTIONAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

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

25 **A. Adult Care**

26 **1. Definition**

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

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

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

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

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

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

43 **a. Access**

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- 1 The site shall provide for direct access from a street constructed to class A
2 improvement area standards.
- 3 **b. *Minimum Lot Size***
- 4 *i.* Unless otherwise authorized by the planning and zoning commission, the
5 minimum lot size for a nursing facility shall be:
- 6 **(A)** Six to ten beds: 15,000 square feet.
- 7 **(B)** Eleven or more beds: 20,000 square feet.
- 8 *ii.* The minimum lot size for adult care facilities with 9 or more persons, and
9 for large assisted living facilities shall be:
- 10 **(A)** Nine to sixteen beds: the minimum lot size of the underlying
11 district.
- 12 **(B)** Seventeen or more beds: 20,000 square feet.
- 13 **c. *Vegetated Open Space***
- 14 A minimum of 15 percent of the lot shall remain as a planted open area,
15 landscaped area, or natural vegetation area, to exclude buildings, driveways,
16 parking areas, sidewalks, etc., unless the director determines that retention of
17 less than 15 percent allows for sufficient buffering of adjacent uses.
- 18 **d. *Adjacent Residential***
- 19 A facility in a non-residential district that is adjacent to a residential use or district
20 shall provide L3 buffer landscaping along the lot line dividing the two.
- 21 **e. *Ambulance and Delivery Areas***
- 22 Ambulance and delivery areas shall be screened from adjacent residential areas
23 by L3 buffer landscaping or a fence no less than six feet high.
- 24 **f. *Snow Storage***
- 25 Snow storage space adjacent to surface parking lots and pathways shall be
26 identified on the site plan. In residential districts, to facilitate snow removal, snow
27 storage areas equal to at least 15 percent of the total area of the site used for
28 parking, access drives, walkways, and other surfaces that need to be kept clear
29 of snow, shall be designated on the site plan. Such areas designated for snow
30 storage shall be landscaped only with grasses and flowers and shall have flat or
31 concave ground surface with positive drainage away from structures and
32 pavements. Except for facilities in single-family or two-family structures, storage
33 of snow is not allowed in the front setback. Storage of snow may be in 50
34 percent of the side and rear setbacks, if trees and other vegetation designated
35 for preservation will not be damaged. If snow is to be hauled off-site, temporary
36 snow storage areas shall be shown on the site plan.
- 37 **g. *Continuing Conditional Uses***
- 38 These standards shall not apply to any use continuing as a lawful conditional use
39 on April 18, 2006.
- 40 **4. Additional Standards for Conditional Uses (also apply to “Nursing Facility” and**
41 **“Large Assisted Living Facility”)**
- 42 **a. *Use-Specific Standards Apply***

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

3 **b. *Vegetated Open Space***

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

9 **c. *Factors for Consideration***

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

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

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

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

29 *iv.* Whether the conditional use advances housing opportunities for disabled
30 individuals in a residential community without jeopardizing residential
31 aspects of the neighborhood with commercial aspects of operation.

32 *v.* Whether the proposed size of the facility is necessary for the financial
33 viability of the facility.

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

38 *vii.* Quantifiable risks to the health, safety, and quality of life of area
39 residents and users.

40 *viii.* Administrative and economic burden on the municipality, in either
41 approval or denial of the conditional use.

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

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1 **B. Child Care**

2 **1. Child Care Center**

3 **a. Definition**

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

7 **b. Use-Specific Standards**

8 *i. Access*

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

11 *ii. Usable Outdoor Space*

12 Usable outdoor space shall be provided pursuant to AMC section
13 16.55.450. Exempt child care centers, as per chapter 16.55, are not
14 required to meet the usable outdoor space requirement.

15 *iii. Vegetated Open Space*

16 In all zoning districts [EXCEPT FOR THE R-1, R-1A, R-2A, R-2D, AND I-
17 1,] a minimum of 25 [15] percent of the lot area shall remain as planted
18 open area, landscaped area, or natural vegetation area, to exclude
19 buildings, driveways, parking areas, sidewalks, etc., unless the decision-
20 making body [DIRECTOR] determines that retention of less than 25 [15]
21 percent allows for sufficient buffering of adjacent uses. [IN THE R-1, R-
22 1A, R-2A, R-2D, AND I-1, A MINIMUM OF 25 PERCENT OF THE LOT
23 SHALL REMAIN AS REQUIRED ABOVE, UNLESS THE PLANNING
24 AND ZONING COMMISSION DETERMINES THAT RETENTION OF
25 LESS THAN 25 PERCENT ALLOWS FOR SUFFICIENT BUFFERING
26 OF ADJACENT USES.]

27 *iv. Adjacent Residential*

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

32 *v. Snow Storage*

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

44 *vi. Continuing Conditional Uses*

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

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- 1 **c. *Additional Standards for Conditional Uses***
2 *i. Use-Specific Standards Apply*
3 These uses shall meet the use-specific standards above in addition to
4 any requirements imposed by a conditional use approval.
- 5 *ii. Additional Standards*
6 Additional restrictions as to the size of the use, hours of operation, or
7 other restrictions necessary to ensure compatibility with the
8 neighborhood and minimize offside impacts, may be imposed by the
9 planning and zoning commission.
- 10 *iii. Vegetated Open Space*
11 A minimum of 25 percent of the lot shall remain as open area, to include
12 landscaping or natural vegetation. The open area shall not include
13 buildings, driveways, parking areas, sidewalks, or similar structures,
14 unless the planning and zoning commission determines retention of less
15 than 25 percent of the lot as open area allows for sufficient buffering of
16 adjacent uses.

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

- 22 **b. *Use-Specific Standards***
23 *i. Minor Commercial Activity*
24 Child care homes are intended to be minor commercial activities, shall
25 not detract from the principal use allowed in the district, and shall not
26 place an undue burden on any private or public infrastructure greater
27 than anticipated from a permitted development.
- 28 *ii. Usable Outdoor Space*
29 Child care homes shall provide usable outdoor space as required by
30 section 16.55.450.
- 31 *iii. Continuing Conditional Uses*
32 This section shall not apply to any use continuing as a lawful conditional
33 use on February 28, 2006.

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

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

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- 1 **b. Use-Specific Standards**
- 2 *i. Burial of Human Remains in Other Areas Prohibited*
- 3 Human remains, other than cremated remains, may not be buried,
- 4 entombed, or interred, above or below ground, except in an approved
- 5 cemetery.
- 6 *ii. Platting of Burial Plots*
- 7 Burial plots shall be platting in accordance with section 21.03.210D.,
- 8 *Abbreviated Plat Procedure.*
- 9 *iii. Density of Burial Plots*
- 10 Notwithstanding the minimum lot area for any zoning district, there shall
- 11 be no more than 1,500 burial plots per gross acre.
- 12 *iv. Interment Below Groundwater Table Prohibited*
- 13 No burial plots shall be established where interment would occur below
- 14 the groundwater table.
- 15 *v. Traffic Access*
- 16 A cemetery or mausoleum shall have direct access to a street
- 17 designated as a collector or greater capacity.
- 18 *vi. Dimensional Standards*
- 19 Notwithstanding the general dimensional standards in chapter 21.06, the
- 20 following standards shall apply to all cemeteries and mausoleums.
- 21 **(A) Minimum Site Area**
- 22 Five acres.
- 23 **(B) Minimum Setbacks**
- 24 **(1) Front setback: 10 [TEN] feet.**
- 25 **(2) Side setback: 10 [TEN] feet.**
- 26 **(3) Rear setback: 10 [TEN] feet.**
- 27 **(C) Maximum Height of Structures**
- 28 35 feet.
- 29 *vii. Setbacks*
- 30 Graves and burial plots shall not be allowed within setback areas.
- 31 *viii. Parking, Driveways, and Streets*
- 32 Parking shall be provided according to section 21.07.090, *Off-Street*
- 33 *Parking and Loading*, except that the traffic engineer may authorize a
- 34 pavement surface of gravel for drives and streets that provide direct
- 35 access to graves and burial plots. Internal driveways and streets
- 36 providing direct access to a public right-of-way or connecting to principal
- 37 structures shall be paved with asphalt or concrete.
- 38 **2. Community Center**
- 39 **a. Definition**
- 40 A facility that is intended primarily to serve the meeting, cultural, social services,
- 41 administrative, athletic, or entertainment needs of the community as a whole,

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- 1 operated by the government or as a non-profit facility, and generally open to the
2 public.
- 3 **b. Use-Specific Standards (also apply to “Religious Assembly”)**
- 4 *i. Applicability*
5 The standards of this subsection shall apply to all community centers
6 and religious assemblies within a residential zoning district.
- 7 *ii. Minimum Lot Area and Width*
8 Notwithstanding the general dimensional standards of chapter 21.06,
9 community centers and religious assemblies subject to this subsection
10 shall have a minimum lot area of 14,000 square feet and a minimum lot
11 width of 100 feet [AT ANY POINT].
- 12 *iii. Traffic Access*
13 Community centers and religious assemblies shall have at least one
14 property line of the site that is at least 50 feet in length, and it shall abut a
15 street designated as a collector or greater on the OSHP. All ingress and
16 egress traffic shall be directly onto such street.
- 17 *iv. Buffering Standards*
18 L3 buffer landscaping is required along all property lines where the
19 community center or religious assembly site abuts a residential use in a
20 residential zone.
- 21 *v. Vegetated Open Space*
22 In all zoning districts a minimum of 25 percent of the lot area shall remain
23 as planted open area, landscaped area, or natural vegetation area, to
24 exclude buildings, driveways, parking areas, sidewalks, etc., unless the
25 decision-making body determines that retention of less than 25 percent
26 allows for sufficient buffering of adjacent uses.
- 27 **3. Crematorium**
- 28 **a. Definition**
29 A furnace or establishment for the cremation of corpses, human and animal. A
30 crematorium is never an accessory use.
- 31 **b. Use-Specific Standard**
32 All facilities shall be maintained within a completely enclosed building, and shall
33 be sufficiently insulated so that, to the maximum extent feasible, no noise or odor
34 can be detected off-premises.
- 35 **4. Governmental Administration and Civic Buildings**
- 36 **a. Definition**
37 An office of a governmental agency or foreign government that provides
38 administrative and/or direct services to the public, such as, but not limited to,
39 employment offices, public assistance offices, or motor vehicle licensing and
40 registration services.
- 41 **b. Use-Specific Standards**
- 42 *i.* Government administration and civic buildings or additions to existing
43 government administration and civic buildings shall have the following
44 review process:

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- 1 (A) Construction of less than 7,000 square feet is permitted.
- 2 (B) Construction of 7,000 to 25,000 square feet is subject to an
- 3 administrative site plan review.
- 4 (C) Construction over 25,000 square feet is subject to a major site
- 5 plan review.
- 6 (D) Lease of existing space is permitted.
- 7 *ii.* The priority location for major federal, state, and municipal administrative
- 8 offices and civic buildings is in the central business district. Satellite
- 9 government offices and civic functions are intended to be located in other
- 10 regional centers, mixed-use centers, or town centers designated in the
- 11 comprehensive plan. When a government administrative a civic building
- 12 use is proposed at another location, approval is contingent on a finding
- 13 by the planning and zoning commission, using the approval criteria of a
- 14 public facility site selection process (21.03.140), that locating the major
- 15 use in the Central Business District or a satellite use in a designated
- 16 center would not be feasible or would not serve the public interest.

17 **5. Homeless and Transient Shelter**

18 **a. Definition**

19 A facility designed to provide minimum necessities of life on a limited, short-term

20 basis for individuals and families during periods of dislocation or emergency

21 pending formulation of longer-term planning. Facility elements may include

22 providing the physical care required, including shelter, food, necessary medical

23 and clothing needs, directly or by referral to appropriate agency; and planning for

24 more permanent housing and employment, including contact with community

25 resources.

26 **6. Neighborhood Recreation Center**

27 **a. Definition**

28 A facility providing recreation/pool facilities and/or meeting rooms, and typically

29 oriented to the recreational needs of the residents of a particular subdivision or

30 housing project.

31 **7. Religious Assembly**

32 **a. Definition**

33 A building or structure, or group of buildings or structures, intended primarily for

34 the conducting of organized religious services. Accessory uses may include,

35 without limitation, parsonages, meeting rooms, and child care provided for

36 persons while they are attending religious functions. Schools associated with

37 religious assemblies are not an accessory use.

38 **b. Use-Specific Standards**

39 *i. Standards*

40 Religious assembly uses shall comply with the use-specific standards set

41 forth above under “community center.”

42 *ii. Columbaria*

43 Columbaria, which are structures having recesses in the walls to receive

44 urns containing ashes of the dead, or columbarium walls, are permitted

45 accessory uses with religious assemblies.

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1 iii. *Maximum Height*

2 Except for those elements exempted in subsection 21.06.030D.5., a
3 religious assembly may not exceed the height permitted in the zoning
4 district in which it is located. However, in districts where the maximum
5 height is less than 40 feet, the maximum height for a religious assembly
6 [OR A PORTION THEREOF] may increase to 40 feet, so long as the
7 building is setback from any point on the property line at least twice the
8 maximum actual height.

9 **D. Cultural Facility**

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

14 1. **Aquarium**

15 a. **Definition**

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

18 2. **Botanical Gardens**

19 a. **Definition**

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

22 3. **Library**

23 a. **Definition**

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

25 4. **Museum or Cultural Center**

26 a. **Definition**

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

32 5. **Zoo**

33 a. **Definition**

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

36 **E. Educational Facility**

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

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- 1 **1. Boarding School**
- 2 **a. Definition**
- 3 A school where students are provided with on-site meals and lodging.
- 4 **b. Use-Specific Standards**
- 5 Boarding schools shall comply with the use-specific standards set forth below for
- 6 “elementary school.” Any associated dormitories shall comply with the use-
- 7 specific standards for “dormitory” in section 21.05.070, *Accessory Uses and*
- 8 *Structures*.
- 9 **2. College or University**
- 10 **a. Definition**
- 11 A degree-granting institution, other than a vocational or trade school, that
- 12 provides education beyond the high school level. The use includes, but is not
- 13 limited to, classroom buildings, offices, laboratories, lecture halls, athletic
- 14 facilities, and dormitories. Colleges tend to be in campus-like settings or on
- 15 multiple blocks.
- 16 **3. Elementary School**
- 17 **a. Definition**
- 18 A public, private, parochial, or charter school offering academic instruction for
- 19 students typically between the kindergarten and sixth grade levels, but not higher
- 20 than the seventh grade. Pre-school is not included and is categorized in this title
- 21 as “child care facility.”
- 22 **b. Use-Specific Standards (also apply to “Boarding School” and “Middle and**
- 23 **High School”)**
- 24 **i. Purpose**
- 25 The standards of this subsection are intended to ensure the compatibility
- 26 of schools with surrounding neighborhoods and to minimize the impacts
- 27 of school uses on adjacent properties.
- 28 **ii. Applicability**
- 29 The standards of this subsection shall only apply to schools with capacity
- 30 for 100 students or more.
- 31 **iii. Public Schools**
- 32 Public schools are subject to the facility standards of the Anchorage
- 33 School District, in addition to the requirements of this title for the zoning
- 34 district in which they are located. For issues in which the Anchorage
- 35 School District site development and design criteria are more stringent
- 36 than the standards of this section, the School District standards shall
- 37 control.
- 38 **iv. Minimum Lot Dimensions and Setbacks**
- 39 All schools are subject to the following standards:
- 40 **(A)** School buildings in residential districts shall:
- 41 **(1)** Cover not more than 35 percent of their site area; and
- 42 **(2)** Provide 50-foot side and rear setbacks.
- 43 **(B)** Minimum lot requirements in all districts shall be as follows:

Attachment A

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

Attachment A

1 heavy equipment operation, piloting boats or aircraft, repair and service of
2 appliances, motor vehicles, boats, aircraft, light or heavy equipment, accounting,
3 data processing, and computer repair. Incidental instruction services in
4 conjunction with another primary use shall not be considered a vocational or
5 trade school.

6 **b. Use-Specific Standard**

7 *i.* In the DT districts, vocational or trade schools shall be prohibited at the
8 ground level.

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

12 **F. Health Care Facility**

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

16 **1. Health Services**

17 **a. Definition**

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

23 **b. Use-Specific Standards**

24 Applicable health service establishments shall comply with the medical facility
25 accessible parking requirements; see subsection 21.07.090J.4.

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

27 **a. Definition**

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

36 **b. Use-Specific Standards**

37 Hospital/health care facilities shall comply with the medical facility accessible
38 parking requirements of subsection 21.07.090J.4.

39 **3. Nursing Facility**

40 **a. Definition**

41 A facility providing housing and nursing care for aged or chronically or incurably
42 ill persons who are unable to function independently or with only limited
43 assistance.
44

45 **b. Use-Specific Standards**

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- 1 *i.* Nursing facilities allowed by right or by site plan review shall comply with
2 the use-specific standards set forth for “adult care facilities with 9 or
3 more persons” above. Facilities allowed by conditional use shall comply
4 with the additional standards for conditional uses set forth in “adult care
5 facilities” above.
- 6 *ii.* Nursing facilities shall be subject to the multi-family building development
7 and design standards in section 21.07.100.
- 8 *iii.* Nursing facilities shall comply with the medical facility accessible parking
9 requirements of subsection 21.07.090J.4.

10 **G. Parks and Open Areas**

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

15 **1. Community Garden**

- 16 **a. Definition**
17 A private or public facility for the cultivation of fruits, flowers, vegetables, or
18 ornamental plants by more than one individual or family, for personal use and not
19 for commercial gain.

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

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

25 **H. Public Safety Facility**

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

29 **1. Community or Police Substation**

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

34 **b. Use-Specific Standards**

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

39 **2. Correctional Institution**

- 40 **a. Definition**
41 A facility, other than a correctional community residential center, providing for the
42 imprisonment or physical confinement of prisoners under guard or 24-hour
43 physical supervision, such as prisons, prison farms, jails, reformatories,

Attachment A

- 1 penitentiaries, houses of detention, detention centers, honor camps, and similar
2 facilities.
- 3 **b. Use-Specific Standards**
- 4 *i. Traffic Access*
- 5 A site more than one-half acre in size shall provide for direct access from
6 a street of collector or greater capacity.
- 7 *ii. Screening or Buffering*
- 8 The planning and zoning commission may require fencing and
9 landscaping.
- 10 **3. Fire Station**
- 11 **a. Definition**
- 12 A station housing fire and rescue personnel including indoor and outdoor space
13 for administrative offices, storage of equipment, and associated vehicles and
14 servicing facilities.
- 15 **4. Public Safety Facility**
- 16 **a. Definition**
- 17 A facility, usually owned and operated by a government agency, for the purpose
18 of providing public safety and emergency services, training for public safety and
19 emergency personnel, and related administrative services. Examples include,
20 but are not limited to, a police station, an emergency operations center, or a fire
21 or police training center.
- 22 **I. Transportation Facility**
- 23 This category includes facilities that receive and discharge passengers and freight. Accessory
24 uses may include freight handling areas, concessions, offices, parking and maintenance, and
25 fueling facilities. Specific use types include:
- 26 **1. Airport**
- 27 **a. Definition**
- 28 A publicly owned area of land or water that is used or intended for use for the
29 landing and take-off of aircraft, and includes its buildings and facilities, if any.
- 30 **2. Airstrip, Private**
- 31 **a. Definition**
- 32 Privately owned land or water maintained as a runway for fixed-wing aircraft.
- 33 **b. Use-Specific Standard**
- 34 Private airstrips are allowed conditionally in residential districts only if approach
35 and noise buffer areas are provided.
- 36 **3. Heliport**
- 37 **a. Definition**
- 38 An area designed to be used for the landing or takeoff of helicopters, which may
39 include all necessary passenger and cargo facilities, fueling, and emergency
40 service facilities.
- 41 **4. Rail Yard**
- 42 **a. Definition**

Attachment A

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

8 **5. Railroad Freight Terminal**

9 **a. Definition**

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

12 **6. Railroad Passenger Terminal**

13 **a. Definition**

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

17 **7. Transit Center**

18 **a. Definition**

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

23 **J. Utility Facility**

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

29 **1. Utility Facility**

30 **a. Definition**

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

35 **2. Utility Substation**

36 **a. Definition**

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

41 **b. Use-Specific Standards**

42 The facility shall be designed and constructed to ensure visual and aesthetic
43 compatibility with the surrounding neighborhood. Compatibility may be achieved
44 either by using similar architectural design and materials as building(s) in the
45 surrounding neighborhood, or by screening the facility with L3 buffer landscaping.

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1 **K. Telecommunication Facilities**

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

5 **1. Definitions**

6 **a. Type 1 Tower**

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

11 **b. Type 2 Tower**

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

15 **c. Type 3 Tower**

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

19 **d. Type 4 Tower**

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

30 **2. Use-Specific Standards**

31 **a. Setbacks**

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

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

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

42 **(C)** Type 3: equal to or greater than the distance measured from the
43 tower structure axis to the outermost guy wire anchor. The guy
44 wire levels and anchor radius must match manufacturer's criteria
45 for the proposed application.

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

 - (A)** Guy wire with a nominal diameter of 0.25 inches or less--25 feet, provided the setback may be reduced to 0 feet if the anchor structure is enclosed within a sight obscuring fence.
 - (B)** Guy wire with a nominal diameter greater than 0.25 inches but less than 0.625 inches--25 feet, provided the setback may be reduced to **five [5]** feet if the anchor structure is enclosed within a sight obscuring fence.
 - (C)** Guy wire with a nominal diameter equal to or greater than 0.625 inches--25 feet.
 - b. Tower Structure Height**

 - i.* Height for a tower structure directly fixed to the ground shall be determined by measurement from grade to the highest point on the tower structure, including any installed antennas and lighting and supporting structures.
 - ii.* Base height shall be as set forth below:

 - (A)** Residential districts--65 feet
 - (B)** Commercial and Mixed-Use districts--130 feet
 - (C)** Industrial districts--150 feet
 - (D)** AF district--200 feet
 - (E)** All other districts--100 feet
 - iii.* At no time shall the height of a tower installed on a building be more than either two times the height of the existing building, or more than the allowable tower height as set by the zoning district, excluding the building, whichever is greater. The height calculations include any installed antennas and lighting and supporting structures. Tower structures shall not exceed the height limits set forth in subsection 21.04.060C. of this title nor interfere with Federal Aviation Administration Regulations on airport approaches.
 - iv.* **Co-location [COLLOCATION]** shall grant an additional 15 feet above the base height for each qualifying antenna to a maximum of 30 feet of additional height. Increases in tower structure height by operation of this paragraph shall not reclassify a tower structure from a local interest tower to a community interest tower.
 - v.* If any community interest tower on a site exceeds 200 feet in height, the tower site shall be separated from any other principal or conditional use community interest tower site with tower(s) exceeding 200 feet in height by at least 5,280 feet (one mile).

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

3 **c. Residential Zoning Districts**

4 Type 1, 2, and 3 towers in residential districts shall only be located on a lot with
5 an existing non-residential use or a lot with a multifamily residential use. Type 4
6 towers in residential districts are permitted on any residentially zoned lot, subject
7 to section 21.05.040K.2.k.

8 **d. Co-location [COLLOCATION]**

9 i. The **co-location [COLLOCATION]** tower structure, pole, monopole or any
10 other similar facility, must be designed to accommodate no less than the
11 following communications equipment: 12 antennas with a flat plate wind
12 loading of not less than **four [4]** square feet per antenna; a standard
13 mounting structure, stand off arms, platform or other similar structure that
14 is sufficient to hold the antennas; cable ports at the base and antenna
15 levels of the tower structure; and, sufficient room within or on the tower
16 structure for 12 runs of 7/8" coaxial cable from the base of the tower
17 structure to the antennas. If the proposed **co-location [COLLOCATION]**
18 design does not meet the standards for the 12 antennas, but still
19 provides for **co-location [COLLOCATION]**, the director may apply a
20 lesser **co-location [COLLOCATION]** standard if it meets the intent of
21 promoting **co-location [COLLOCATION]**. The applicant must provide
22 evidence that the design will be built to the strength necessary to
23 accommodate potential collocating antennas, and must show that the
24 site is large enough for all potential equipment, such as equipment
25 sheds, to support the collocating antennas.

26 ii. Applicants for **co-location [COLLOCATION]** shall provide proof in a form
27 found acceptable to the municipal attorney that more than one service
28 provider can locate in the **co-location [COLLOCATION]** facility.

29 **iii.** All community and local interest towers shall, for a reasonable
30 compensation, be made available for use by as many other licensed
31 carriers as can be technically collocated thereon when the use will not
32 result in substantial injury to the owner, or in substantial detriment to the
33 service to the customers of the owners. All licensed carriers shall
34 cooperate with each other in collocating additional facilities upon such
35 towers. All licensed carriers shall exercise good faith in collocating with
36 other licensed carriers and in the sharing of towers, including the sharing
37 of technical information to evaluate the feasibility of **co-location**
38 **[COLLOCATION]**. Reasonable compensation shall be **the usual and**
39 **customary rates commonly applied at the time of application [AS**
40 **INDICATED IN THE MUNICIPALITY AT THE TIME OF THE REQUEST**
41 **FOR COLLOCATION, SUBJECT TO PROOF BY THE PETITIONER].**

42 iv. Any request by a licensed carrier to a tower owner for **co-location**
43 **[COLLOCATION]** shall be either approved or denied within six months of
44 the date of the request.

45 **e. General Standards**

46 i. *Parking*
47 Off-street parking space is not required, however if it is provided, parking
48 spaces may be shared with other principal uses on the site. The parking

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1 spaces shall be paved with concrete or asphalt compound or shall be
2 covered with a layer of crushed rock of no more than one inch in
3 diameter to a minimum depth of three inches. Parking space illumination
4 shall be provided only to extent that the area is illuminated when the
5 parking space is in use. The illumination shall be the lowest possible
6 intensity level to provide parking space lighting for safe working
7 conditions.

8 *ii. Security*

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

11 *iii. Installation*

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

16 *iv. Tower Lighting*

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

22 *v. Tower Color*

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

28 *vi. Notice and interference*

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

33 *vii. Identification Placard*

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

- 37
38
39 **(A)** The name and address of the tower structure owner;
- 40 **(B)** The name and address of the tower structure manager, if
41 different from the owner;
- 42 **(C)** The date of erection of the tower structure; and
- 43 **(D)** The owner's name and address of each antenna on the tower
44 structure.

45 **f. Administrative Permit Required**

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

9 **g. Tower Permit Revocation**

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

15 **h. Annual Inventory**

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

24 **i. Time Period for Construction**

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

28 **j. Administrative Site Plan Review**

29 *i. Applicability*

30 When an administrative site plan is required by tables 21.05-1 or 21.05-
31 2, this subsection shall apply. A site plan review is required of all such
32 towers since they have aesthetic and visual impacts on their neighbors,
33 and the public interest is best served by allowing these neighbors and
34 the public at large a chance to comment on and provide input concerning
35 the location and design of these towers. All such towers shall conform to
36 the requirements of this section and to the requirements of the zoning
37 district in which the tower is located.

38 *ii. General*

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

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

46 *iii. Submittal Information*

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

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1 design and installation shall be amended or redesigned as directed by the
2 director.

3 **I. Abandonment**

4 Any antenna or tower structure that is not operated for a continuous period of 12
5 months shall be considered abandoned, and the owner of such antenna or tower
6 structure shall remove the same within 180 days of receipt of notice from the
7 director notifying the owner of such abandonment. Failure to remove an
8 abandoned antenna or tower structure within said 180 days shall be grounds for
9 the municipality to remove the tower structure or antenna at the owner's
10 expense. If there are two or more users of a single tower structure, then this
11 provision shall not become effective until all users cease using the tower
12 structure.

13 **m. Conditional Use Standards**

14 *i. General and Applicability of Conditional Use Requirement*

15 Applications for conditional use permits under this section shall be
16 subject to the general conditional use procedures of subsection
17 21.03.080B, but not the approval criteria of subsection 21.03.080C.
18 Applications for conditional use permits under this section shall comply
19 with the standards contained in this section.

20
21 **(A)** In granting a conditional use permit, the planning and zoning
22 commission may impose conditions to the extent the commission
23 concludes such conditions are necessary to minimize any
24 adverse effect of the proposed tower structure or antenna on
25 adjoining properties.

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

29 *ii. Submittal Information*

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

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

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

39 **(A)** Height of the proposed tower structure;

40 **(B)** Proximity of the tower structure to residential structures and
41 residential district boundaries;

42 **(C)** Nature of uses on adjacent and nearby properties;

43 **(D)** Surrounding topography;

44 **(E)** Surrounding tree coverage and foliage;

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

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- 1 (G) The applicant demonstrates that an alternative technology that
2 does not require the use of tower structures or structures, such
3 as a cable microcell network using multiple low-powered
4 transmitters/receivers attached to a wireline system, is
5 unsuitable. Costs of alternative technology that exceed new
6 tower structure or antenna development shall not be presumed
7 to render the technology unsuitable.
- 8 v. *Modifications*
9 Standards for modifications to community interest and local interest
10 towers allowed as a conditional use are as follows:
- 11 (A) Repairs and maintenance to the tower structure may be
12 performed consistent with subsection 21.12.040F.
- 13 (B) The replacement, repair or addition of antennas, dishes and
14 other transmitting or receiving devices to a tower shall not be
15 considered a modification of final approval as set forth in
16 subsection 21.03.080D. and shall be considered a use
17 contemplated within the original approved or de facto conditional
18 use where the replacement, repair, or addition of antennas,
19 dishes, and other transmitting or receiving devices:
- 20 (1) Will serve the same user or successor entity under the
21 original conditional use;
- 22 (2) Will serve the same general purpose as was served
23 under the original conditional use;
- 24 (3) Is consistent with the original conditional use.
- 25 n. *Amateur Radio Stations And Receive Only Antennas*
26 i. Amateur radio stations are exempt from the location, tower type, and
27 height limitations contained in this title provided:
- 28 (A) The antenna and tower structure are part of a federally-licensed
29 amateur radio station, and
- 30 (B) In residential zoning districts there is no use of the tower
31 structure by a third party commercial antenna operator.
- 32 ii. The following are exempt from this title:
- 33 (A) Installation and use of antenna(s) for use by a dwelling unit
34 occupant for personal, home occupation, or utility telemetry
35 purposes, or by an electric or gas utility on an existing power
36 pole or cabinet to monitor or control equipment thereon; and
- 37 (B) Noncommercial receive only antennas.
- 38 iii. Notwithstanding the above, any antenna or tower structure that is not
39 operated for a continuous period of 12 months shall be considered
40 abandoned, and the owner of such antenna or tower structure shall
41 remove the same within 180 days of receipt of notice from the director

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1 notifying the owner of such abandonment. Failure to remove an
2 abandoned antenna or tower structure within said 180 days shall be
3 grounds for the municipality to remove the tower structure or antenna at
4 the owner's expense.

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

9 **21.05.050 COMMERCIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

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

15 **A. Agricultural Uses**

16 This category includes activities that primarily involve producing or keeping plants on a
17 commercial basis. Accessory uses may include dwellings for proprietors and employees, barns,
18 storage, and sales of products produced on-site. Specific use types include:

19 **1. Commercial Horticulture**

20 **a. Definition**

21 An establishment engaged in the growth and sale of vegetables, produce, fruit
22 crops, vines, shrubs, trees (including Christmas trees), sod, and nursery plants,
23 conducted within or outside an enclosed building. This use includes, but is not
24 limited to, crop farms, orchards, groves, tree plantations, commercial
25 greenhouses, nurseries, and a temporary stand for the sale of products grown on
26 the premises.

27 **B. Animal Sales, Service, and Care**

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

31 **1. Animal Shelter**

32 **a. Definition**

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

37 **b. Use-Specific Standards (also apply to "Retail and Pet Services", "Kennel, 38 Commercial", and "Veterinary Clinic")**

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

40 All facilities, including all treatment rooms, cages, pens, kennels, training
41 rooms and exercise runs, shall be maintained within a completely
42 enclosed, soundproof building.

43 *ii. Standards When Not Adjacent to a Residential District*

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1 Outdoor runs shall be located on site and shall be screened from the
2 view of all adjacent streets and properties by fencing or vegetation.

3 *iii. Waste Management*
4 Waste shall be managed in accordance with AMC section 15.20.020.
5

6 **2. Kennel, Commercial**

7 **a. Definition**

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

10 **b. Use-Specific Standards**

11 Commercial kennels shall comply with the use-specific standards above for
12 “animal shelter.”

13 **3. Large Domestic Animal Facility, Principal Use**

14 **a. Definition**

15 An establishment for keeping, harboring, riding, boarding, stabling, training,
16 exercising, breeding, or related use of four or more large domestic animals, and
17 the associated structure(s) such as a paddock or stable. Includes riding stable
18 facilities for the care and exercise of horses and related equestrian activities.
19 Such establishment may be a commercial establishment or may be in
20 conjunction with a residence but exceed the incidental and subordinate nature of
21 an accessory use.

22 **b. Use-Specific Standards**

23 *i. Access*

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

26 *ii. Lot Coverage*

27 Lot coverage shall be that of the underlying zoning district except that the
28 planning and zoning commission may allow up to **10 [TEN] percent**
29 **[(10%)]** additional lot coverage above the maximum allowed in the
30 district.

31 *iii. Adjacent Lots*

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

38 *iv. Setbacks*

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

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- 1 (A) Seventy-five [(75)] feet from residences existing on February 28,
2 2006, not including any residence in common ownership with the
3 large domestic animal facility; or
- 4 (B) Ten [(10)] feet from any abutting lot line, not including interior lot
5 lines between lots in common ownership, if the separation area
6 is vegetated with level 3 buffer landscaping.
- 7 v. *Fences*
8 Barbed wire shall not be used for fencing of any large domestic animal
9 facilities.
- 10 vi. *Other Requirements*
11 Large domestic animal facilities shall:
- 12 (A) Meet the requirements of AMC chapter 15.20 regarding animal
13 waste, AMC subsection 15.55.060B. concerning separation
14 requirements from water supply wells, and section 21.07.020
15 concerning stream protection setbacks;
- 16 (B) Obtain an animal control facility license;
- 17 (C) Obtain certification of compliance with a state of Alaska,
18 Anchorage Soil and Water Conservation District conservation
19 plan, or obtain a letter from the District showing demonstrated
20 intent to come into compliance with a conservation plan within
21 one year; and
- 22 (D) Comply with licensing and other laws concerning the keeping of
23 animals as set forth in AMC titles 15, 17, and 21.
- 24 vii. *Additional Conditions*
25 The planning and zoning commission may impose additional conditions
26 upon a conditional use permit that are found necessary to protect any
27 person or neighboring use from unsanitary conditions or unreasonable
28 noise or odors, or to protect the public health and safety.
- 29 4. **Retail and Pet Services**
30 a. **Definition**
31 An establishment primarily engaged in the sale, bathing, and/or grooming of
32 domestic animals, such as dogs, cats, fish, birds, and reptiles, excluding exotic
33 animals and farm animals such as horses, goats, sheep, and poultry. Accessory
34 uses may include overnight stays incidental to the primary use.
- 35 b. **Use-Specific Standards**
36 Retail and Pet Services shall comply with the use-specific standards above for
37 “animal shelter.”
- 38 5. **Veterinary Clinic**
39 a. **Definition**
40 An establishment for the medical care and treatment of animals by a licensed
41 veterinarian.
- 42 b. **Use-Specific Standards**

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1 Veterinary clinics shall comply with the use-specific standards above for “animal
2 shelter.”

3 C. Assembly

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

9 1. Civic/Convention Center

10 a. Definition

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

15 b. Use-Specific Standard

16 Any use that involves the retail sale of alcohol is subject to the **special** land use
17 permit for alcohol process; see section 21.05.020A.

18 2. Club/Lodge/Meeting Hall

19 a. Definition

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

23 b. Use-Specific Standard

24 Any use that involves the retail sale of alcohol is subject to the **special** land use
25 permit for alcohol process; see section 21.05.020A.

26 D. Entertainment and Recreation

27 This category includes uses that provide continuous recreation or entertainment activities,
28 outdoors or indoors. Accessory uses may include concessions, snack bars, parking, and
29 maintenance facilities. Specific use types include:

30 1. Amusement Establishment

31 a. Definition

32 An establishment offering entertainment, game playing, or similar amusements to
33 the public within a fully enclosed building. This shall include without limitation
34 arcades, bowling alleys, billiard parlors, bingo parlors, laser tag parlors, water
35 parks, miniature golf courses, and indoor shooting ranges.

36 b. Use-Specific Standard

37 Any use that involves the retail sale of alcohol is subject to the **special** land use
38 permit for alcohol process; see section 21.05.020A.

39 2. Entertainment Facility, Major

40 a. Definition

41 Major entertainment facilities uses are designed to accommodate activities that
42 generally draw 501 persons or more to specific events or shows. Activities are
43 generally of a spectator nature. Examples include amphitheatres, performing

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1 arts centers, stadiums, sports arenas, coliseums, auditoriums, and fairgrounds.
2 Accessory uses may include restaurants, bars, concessions, parking and
3 maintenance facilities.

4 **b. Use-Specific Standard**
5 Any use that involves the retail sale of alcohol is subject to the **special** land use
6 permit for alcohol process; see section 21.05.020A.

7 **3. Fitness and Recreational Sports Center**

8 **a. Definition**
9 A facility primarily featuring equipment for exercise and other active physical
10 fitness conditioning or recreational sports activities, such as swimming, skating,
11 racquet sports, aerobic dance, gymnasium facilities, yoga, and other kinds of
12 sports and fitness facilities.

13 **4. General Outdoor Recreation, Commercial**

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

19 **b. Use-Specific Standard**
20 L3 buffer landscaping shall be provided wherever this use is adjacent to a
21 residential district.

22 **5. Golf Course**

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

30 **6. Motorized Sports Facility**

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

34 **b. Use-Specific Standards**

35 **i. Special Land Use Permit for Alcohol**
36 Any use that involves the retail sale of alcohol is subject to the **special**
37 land use permit for alcohol process; see section 21.05.020A.

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

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

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- 1 (A) If the projected or actual noise level exceeds the standards set at
2 AMC section 15.70.080A., a noise analysis shall be prepared
3 identifying noise mitigation measures.
- 4 (B) The applicant shall prepare an operation plan to monitor and
5 enforce:
- 6 (1) Prohibition on consumption of alcoholic beverage on the
7 premises; and
- 8 (2) Mandatory transportation of racing machines to the site;
- 9 (C) The applicant shall submit a dust and litter control plan and
10 describe the methods to be used to collect trash on the site.
- 11 (D) The applicant shall identify one or more individuals who shall be
12 responsible for enforcement of the noise, operation, and dust
13 and litter control plans developed pursuant to this subsection.
- 14 iv. *Dimensional Standards*
15 Notwithstanding the general dimensional standards of chapter 21.06:
- 16 (A) The planning and zoning commission may designate minimum
17 setback areas around the perimeter of the site as it deems
18 necessary to minimize glare and noise impact on adjacent uses,
19 to separate incompatible uses, and to restrict casual access to
20 the site.
- 21 (B) The maximum height of structures shall be 35 feet.
- 22 v. *Site Location, Development, and Operation*
23 (A) No motorized facility shall be located within 500 feet of any
24 residential or mixed-use district.
- 25 (B) In order to prevent casual access to and from the site or to
26 mitigate adverse effects of the motorized sports facility upon
27 adjacent uses, the planning and zoning commission may require
28 the enclosure of the entire site by a screening structure and/or
29 landscaping, as described in section 21.07.080.
- 30 (C) Public sanitation facilities (restrooms) shall be provided on-site
31 and operated in a manner consistent with AMC section
32 15.20.020.
- 33 vi. *I-1 District Standards*
34 Motorized sports facilities are conditionally allowed in the I-1 district on
35 parcels with a minimum of 20 acres. The maximum engine size allowed
36 is 250 cc's for wheeled vehicles and 550 cc's for snow machines.
- 37 7. **Movie Theater**
38 a. **Definition**
39 An indoor theater for showing motion pictures.

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1 **8. Nightclub**

2 **a. Definition**

3 An enterprise, that, for consideration, provides entertainment to its patrons in the
4 form of floorshows; dance revues; live, recorded, or electronically enhanced
5 music; patron dancing; or performances by live or recorded professional or
6 amateur entertainers. Discotheques, nightclubs, bars, lounges, dance halls,
7 bistros, teen clubs, and any facility that meets the terms of this definition are
8 often, but not exclusively, open during one or more of the hours between 11:00
9 p.m. and 3:00 a.m. This definition excludes theaters or auditoriums with fixed
10 seating, religious assemblies, adult-oriented establishments as defined by AMC
11 section 10.40.050, publicly owned and operated recreation centers or parks, and
12 public and private schools. Nightclubs may be licensed or unlicensed.
13 Unlicensed nightclubs do not offer or sell to patrons either alcoholic beverages,
14 as defined by AS 04.21.080, or adult entertainment, as defined by AMC section
15 10.40.050.

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

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

20 *ii.* Licensed nightclubs are subject to the **special** land use permit for alcohol
21 process to allow the retail sale of alcohol; see section 21.05.020A.

22 **c. Use-Specific Standards for Unlicensed Nightclubs**

23 *i. Purpose*

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

31 *ii. Minimum Distance from Certain Uses*

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

36 **(A)** A school or instructional service serving any combination of
37 grades kindergarten through 12 [K-12 SCHOOL];

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

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

41 *iii. Administrative Permit Required*

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

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

4 **9. Shooting Range, Outdoor**

5 **a. Definition**

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

8 **b. Use-Specific Standards**

9 *i. Intent*

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

12 *ii. Setbacks*

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

17 *iii. Site Size*

18 The minimum site size shall be 20 acres.

19 *iv. Shooting Area*

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

23 *v. On-site Uses*

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

27 **10. Skiing Facility, Alpine**

28 **a. Definition**

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

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

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

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

36 *iv.* Ski patrol facilities;

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

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

40 *vii.* Alpine slide;

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

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

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

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

18 **b. Use-Specific Standard**
19 Any use that involves the retail sale of alcohol is subject to the **special** land use
20 permit for alcohol process; see section 21.05.020A.

21 **E. Food and Beverage Services**

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

25 **1. Bar**
26 **a. Definition**
27 An establishment that prepares and retails alcoholic beverages for consumption
28 on the premises. These establishments may also manufacture malt beverages
29 and provide limited food services.

30 **b. Use-Specific Standard**
31 Any use that involves the retail sale of alcohol is subject to the **special** land use
32 permit for alcohol process; see section 21.05.020A.

33 **2. Food and Beverage Kiosk**

34 **a. Definition**
35 An establishment in a freestanding building, trailer, or vehicle on an impermanent
36 foundation that sells coffee or other beverages and food from a window to
37 customers who are either pedestrians or seated in their automobiles, for
38 consumption off the premises, and that provides no indoor seating.

39 **b. Use-Specific Standards**
40 Kiosks in all districts shall comply with the following standards:

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- 1 **i.** Any food and beverage kiosk with drive-through service shall comply
2 with the “drive-through service” accessory use standards in subsection
3 21.05.070D.7. [VEHICLE STACKING SPACES SHALL BE PROVIDED
4 PURSUANT TO SECTION 21.07.090I.]
- 5 **ii.** Kiosks shall be on wheels to facilitate movement onto and off the site,
6 and may not be located on a permanent foundation. The wheels shall be
7 screened with opaque skirting or screening so as to not be visible.
- 8 **iii.** Kiosks may be located on the same lot as another principal use.
- 9 **iv.** Kiosks shall comply with the “drive-through service” accessory use
10 standards in section 21.05.070D.7.
- 11 **v.** Kiosks that provide outdoor seating shall provide parking for that seating,
12 as required by section 21.07.090, *Off-Street Parking and Loading*.
- 13 **vi.** All signs shall comply with chapter 21.11, *Signs*.

14 **3. Restaurant**

15 **a. Definition**

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

19 **b. Use-Specific Standards**

- 20 **i.** Any use that involves the retail sale of alcohol is subject to the **special**
21 land use permit for alcohol process; see section 21.05.020A.
- 22
- 23 **ii.** Any restaurant with drive-through service shall comply with the “drive-
24 through service” accessory use standards in section 21.05.070D.7.

25

26 **F. Office**

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

30 **1. Broadcasting Facility**

31 **a. Definition**

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

34 **2. Financial Institution**

35 **a. Definition**

36 Establishments that provide retail banking, mortgage lending, and financial
37 services to individuals and businesses. Accessory uses may include automatic
38 teller machines, offices, and parking. Financial institutions may or may not have
39 drive-through service depending on the zoning district in which they are located;
40 see section 21.05.070, *Accessory Uses and Structures*.

41 **b. Use-Specific Standards**

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

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

6 *iii.* Any financial institution with drive-through service shall comply with the
7 "drive-through service" accessory use standards in subsection
8 21.05.070D.7.

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

10 **a. Definition**

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

18 **G. Personal Services, Repair, and Rental**

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

23 **1. Business Service Establishment**

24 **a. Definition**

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

28 **2. Funeral Services**

29 **a. Definition**

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

33 **3. General Personal Services**

34 **a. Definition**

35 An establishment, whether for consideration or not, that provides care, advice,
36 aid, maintenance, repair, treatment, or similar semi-technical, technical, or
37 experienced assistance, other than the practice of a profession and wholesale or
38 retail sale of goods. Examples include, but are not limited to: dry-cleaning drop-
39 off; photography studios; check cashing; shoe repair; beauty and barber shops;
40 locksmith; repair of household appliances; and tanning salons. This use
41 excludes maintenance and repair of vehicles and industrial equipment or
42 machinery.

43 **4. Small Equipment Rental**

44 **a. Definition**

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

8 **b. Use-Specific Standard**

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

10 **H. Retail Sales**

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

14 **1. Auction House**

15 **a. Definition**

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

17 **2. Building Materials Store**

18 **a. Definition**

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

24 **3. Convenience Store**

25 **a. Definition**

26 An establishment engaged primarily in the sale of convenience goods, such as
27 pre-packaged food items, tobacco, over-the-counter drugs, periodicals, and other
28 household goods.

29 **b. Use-Specific Standards**

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

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

34 **4. Farmers Market**

35 **a. Definition**

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

41 **5. Fueling Station**

42 **a. Definition**

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

4 **6. General Retail**

5 **a. Definition**

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

12 **b. Use-Specific Standards**

13 Any general retail use, such as a pharmacy, with drive-through service shall
14 comply with the "drive-through service" accessory use standards in subsection
15 21.05.070D.7.

16 **7. Grocery or Food Store**

17 **a. Definition**

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

23 **b. Use-Specific Standards**

24 Any use that involves the retail sale of alcohol is subject to the **special** land use
25 permit for alcohol process; see section 21.05.020A.

26 **8. Liquor Store**

27 **a. Definition**

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

30 **b. Use-Specific Standards**

31 Any use that involves the retail sale of alcohol is subject to the **special** land use
32 permit for alcohol process; see section 21.05.020A.

33 **9. Pawnshop**

34 **a. Definition**

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

40 **I. Vehicles and Equipment**

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

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- 1 1. **Aircraft and Marine Vessel Sales**
2 a. **Definition**
3 An establishment primarily engaged in the display and sale of aircraft and/or
4 marine vessels as well as associated parts and supplies.
- 5 2. **Parking Lot, Principal Use**
6 a. **Definition**
7 An off-street, surface parking lot [SURFACED, GROUND-LEVEL AREA] where
8 motor vehicles are parked for not more than 72 consecutive hours.
- 9 b. **Use-Specific Standard**
10 Principal use parking lots shall be designed in accordance with subsection
11 21.07.090H., *Parking and Loading Facility Design Standards*, and landscaped in
12 accordance with subsection 21.07.080F.6., *Parking Lot Landscaping*.
- 13 3. **Parking Structure, Principal Use**
14 a. **Definition**
15 A parking structure with two or more levels or stories [FLOORS] where motor
16 vehicles are parked for not more than 72 consecutive hours [USED PRIMARILY
17 FOR THE PARKING OF MOTOR VEHICLES]. The parking structure [FACILITY]
18 may be above[,] and/or below grade[, OR PARTIALLY BELOW GROUND], and
19 the levels may be partially or fully enclosed. A parking [THE] structure may
20 occupy a portion of a building which also includes commercial [INCLUDE
21 LIMITED RETAIL OR OFFICE] space such as offices or retail[, PARTICULARLY]
22 on the ground floor.
- 23 b. **Use-Specific Standard**
24 Parking structures shall comply with the requirements of subsection 21.07.090K.
- 25 4. **Vehicle Parts and Supplies**
26 a. **Definition**
27 The display and sale of new, reconditioned, or rebuilt parts, supplies, or
28 equipment for automobiles, motorcycles, trucks, vans, trailers, recreational
29 vehicles, mobile homes, or snowmobiles.
- 30 b. **Use-Specific Standard**
31 No dismantling or wrecking of vehicles or machinery may occur on site. Uses
32 that include dismantling and wreckage are classified by this title as “junkyards.”
- 33 5. **Vehicle-Large, Sales and Rental**
34 a. **Definition**
35 An establishment engaged in the display, sale, leasing, or rental of new or used
36 motor vehicles. Vehicles include, but are not limited to, automobiles, light trucks,
37 vans, trailers, recreational vehicles, and mobile homes.
- 38 b. **Use-Specific Standards**
39 i. This use may include the uses “vehicle service and repair, major” and
40 “vehicle service and repair, minor”.

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

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- 1 **6. Vehicle-Small, Sales and Rental**
- 2 **a. Definition**
- 3 An establishment engaged in the display, sale, leasing, or rental of small motor
- 4 vehicles. Vehicles include, but are not limited to: motorcycles, personal
- 5 watercraft (jet skis), utility trailers, snowmobiles, and all-terrain vehicles (ATVs).
- 6
- 7 **b. Use-Specific Standards**
- 8 *i.* This use may include the uses “vehicle service and repair, major” and
- “vehicle service and repair, minor”.
- 9
- 10 **7. Vehicle Service and Repair, Major**
- 11 **a. Definition**
- 12 An establishment engaged in the major repair and maintenance of automobiles,
- 13 motorcycles, trucks, vans, trailers, recreational vehicles, or snowmobiles.
- 14 Vehicles served by this type of establishment, except for recreational vehicles,
- 15 shall have a gross vehicular weight rating (GVWR) of no more than 12,000 lbs.
- 16 Services include all activities listed in “vehicle service and repair, minor”, as well
- 17 as engine, transmission or differential repair or replacement; body, fender, or
- upholstery work; and painting.
- 18
- 19 **b. Use-Specific Standards**
- 20 Vehicle service bays facing a rear or side setback shall be screened from
- 21 adjacent residential properties by a screening fence of at least six feet in height.
- Required landscaping shall be between the fence and the property line.
- 22
- 23 **8. Vehicle Service and Repair, Minor**
- 24 **a. Definition**
- 25 An establishment engaged in light maintenance activities such as engine tune-
- 26 ups; oil change and lubrication; carburetor cleaning; muffler replacement; brake
- 27 repair; car washing; seasonal tire shops; and detailing and polishing. Vehicle
- 28 parts are sold and are ordinarily installed on the premises. Vehicles served by
- 29 this type of establishment, except for recreational vehicles, shall have a gross
- vehicular weight rating (GVWR) of no more than 12,000 lbs.
- 30
- 31 **b. Use-Specific Standards for Carwash Bays and Vehicle Repair Bays**
- 32 *i.* Vehicle wash or service bays facing a rear or side setback shall be
- 33 screened from adjacent residential properties by a screening fence of at
- 34 least six feet in height. Required landscaping shall be between the fence
- and the property line.
- 35
- 36 *ii.* Outdoor vacuuming facilities shall be inaudible at the property line of a
- residential district.
- 37
- 38 **J. Visitor Accommodations**
- 39 This category includes visitor-serving facilities that provide temporary lodging in guest rooms or
- 40 guest units, for compensation, and with an average length of stay of less than 30 days.
- 41 Accessory uses may include pools and other recreational facilities for the exclusive use of guests,
- limited storage, restaurants, bars, meeting facilities, and offices. Specific use types include:
- 42
- 43 **1. Camper Park**
- 44 **a. Definition**
- 45 A lot or parcel of land, or portion thereof, temporarily occupied or intended for
- temporary occupancy by recreational vehicles or tents for travel, recreational, or

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1 vacation usage for short periods of stay, and containing a potable water source
2 and washroom facilities. These establishments may provide laundry rooms,
3 recreation halls, and playgrounds. These uses are not intended for vehicle
4 storage.

5 **b. Use-Specific Standards**
6 *i. Location and Access*
7 No entrance to, or exit from, a camper park shall be through a residential
8 district or shall provide access to any street other than collector or street
9 of greater capacity.

10 *ii. Occupancy and Length of Stay*
11 Spaces in camper parks may be used by campers, recreational vehicles,
12 equivalent facilities constructed on automobiles, tents, or short-term
13 housing or shelter arrangements or devices. The occupants of such
14 space shall remain in that space a period not to exceed 30 days.

15 **2. Extended-Stay Lodgings**

16 **a. Definition**
17 A visitor lodging establishment with six or more guest rooms offering suites with
18 kitchens, business traveler communications conveniences, and intended
19 primarily for periods of stay of one week or more. This does not include bed-and-
20 breakfasts, which are classified as an accessory use under section 21.05.070.

21 **b. Use-Specific Standards**
22 *i.* A kitchen area shall be provided in all units.
23 *ii.* The facility shall provide a lobby area with a minimum of 750 square feet.
24 *iii.* In the R-4 district, extended-stay lodgings shall have a minimum lot size
25 of 14,000 square feet and shall have principal access from a street of
26 collector class or greater.

27 **3. Hostel**

28 **a. Definition**
29 An overnight lodging facility in which beds (pillows), rather than rooms, are
30 rented. Sleeping accommodations are primarily dormitory-style and shared
31 kitchen facilities may be available to the guests.

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

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

37 **4. Hotel/Motel**

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

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- 1 **b. Use-Specific Standards**
- 2 *i.* Any use that involves the retail sale of alcohol is subject to the **special**
- 3 land use permit for alcohol process; see section 21.05.020A.
- 4 *ii.* Hotels in mixed-use districts shall have a majority of their guestrooms
- 5 accessible by means of interior corridors.
- 6 *iii.* In the R-4 district, hotels shall have a minimum lot size of 14,000 square
- 7 feet and shall have principal access from a street of collector class or
- 8 greater.
- 9 **5. Inn**
- 10 **a. Definition**
- 11 A building or group of buildings containing between six and 19 guest rooms, or
- 12 up to 60 pillows, for overnight lodging for compensation, where at least one meal
- 13 per day is provided to the guests, there is a central meeting room or lounge
- 14 available to all of the guests, and there are no shared kitchen facilities.
- 15 **b. Use-Specific Standards**
- 16 *i.* Any use that involves the retail sale of alcohol is subject to the **special**
- 17 land use permit for alcohol process; see section 21.05.020A.
- 18 *ii.* Inns in the R-4A district shall be subject to the applicable multi-family
- 19 building development and design standards in section 21.07.100., and
- 20 the multi-family building parking standards in section 21.07.090. In the
- 21 R-4A district, inns shall adhere to the maximum floor area ratio permitted
- 22 for multi-family dwellings.
- 23 **6. Recreational and Vacation Camp**
- 24 **a. Definition**
- 25 An overnight recreational camp, such as a children's camp, family vacation
- 26 camp, or outdoor retreat. These establishments provide accommodation
- 27 facilities, such as cabins and fixed camp sites, and incidental recreational and
- 28 educational facilities.

29 **21.05.060 INDUSTRIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

30 This section defines the general industrial use categories and specific industrial use types listed in tables

31 21.05-1 and 21.05-2. This section also contains use-specific standards that apply to specific use types.

32 The use-specific standards apply regardless of whether the use type is permitted as a matter of right,

33 subject to a site plan review process, or subject to the conditional use process.

34 **A. Industrial Service**

35 This category includes establishments engaged in the repair or servicing of agricultural, industrial,

36 business, or consumer machinery, equipment, products, or by-products. Firms that service

37 consumer goods do so by mainly providing centralized services for separate retail outlets.

38 Contractors and building maintenance services and similar uses perform services off-site. Few

39 customers, especially the general public, come to the site. Accessory activities may include retail

40 sales, offices, parking, and storage. Specific use types include:

- 41 **1. Data Processing Facility**
- 42 **a. Definition**

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- 1 An establishment where electronic data is processed by employees, including,
2 without limitation, data entry, storage, conversion or analysis, subscription and
3 credit card transaction processing.
- 4 **2. Dry-Cleaning Establishment**
- 5 **a. Definition**
- 6 An establishment maintained for on-site laundry and/or dry cleaning, using a
7 perchlorethylene process or similar nonflammable, non-aqueous solvent, of
8 fabrics, textiles, wearing apparel, or articles of any sort including related
9 maintenance or operation of equipment and machinery.
- 10 **3. General Industrial Service**
- 11 **a. Definition**
- 12 Establishments engaged in the repair or servicing of agricultural, industrial,
13 business, or consumer machinery, equipment, products, or by-products.
14 Examples include: welding shops; machine shops; tool repair; electric motor
15 repair; repair of scientific or professional instruments; repair of heavy machinery;
16 heavy truck servicing and repair; aircraft servicing and repair; tire retreading or
17 recapping; exterminators; and vending machine sales and service. Accessory
18 activities may include retail sales, offices, parking, and storage.
- 19 **b. Use-Specific Standard**
- 20 L4 screening landscaping is required where adjacent to residential zones.
- 21 **4. Governmental Service**
- 22 **a. Definition**
- 23 A facility housing government shops, maintenance, and repair centers, and
24 equipment storage yards.
- 25 **b. Use-Specific Standard**
- 26 L4 screening landscaping is required where adjacent to residential zones.
- 27 **5. Heavy Equipment Sales and Rental**
- 28 **a. Definition**
- 29 An establishment engaged in the display, sale, leasing, or rental of heavy
30 equipment of 12,000 or more pounds gross vehicular weight (GVW). This
31 category does not include recreational vehicles or larger trucks that typically are
32 sold at automobile dealerships; such vehicles are covered by "vehicle-large,
33 sales and rental" above.
- 34 **6. Research or Industrial Laboratory**
- 35 **a. Definition**
- 36 A facility that is designed or equipped for basic or applied research or
37 experimental study, testing, or analysis in the natural sciences or engineering,
38 including any educational activities associated with and accessory to such
39 research. The use does not include facilities for the manufacture or sale of
40 products except as incidental to the main purpose of the laboratory.
- 41 **B. Manufacturing and Production**
- 42 This category includes industrial establishments involved in the manufacturing, processing,
43 fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially
44 completed materials may be used in the manufacturing process. Products may be finished or
45 semi-finished and are generally made for the wholesale market, for transfer to other plants, or to

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1 order for firms or consumers. Such uses may include industries furnishing labor in the case of
2 the refinishing of manufactured articles. Goods are generally not displayed or sold on site, but if
3 so, they are a subordinate part of total sales. Accessory activities may include limited retail sales,
4 offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair
5 facilities, truck fleets, and caretaker's quarters. Specific uses types include:

6 **1. Commercial Food Production**

7 **a. Definition**

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

14 **2. Cottage Crafts**

15 **a. Definition**

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

22 **b. Use-Specific Standards**

23 *i. Production and Sale of Cottage Crafts*

24 Cottage crafts may only be produced within a wholly-enclosed
25 permanent structure. Cottage crafts production may occupy up to 1,500
26 square feet of gross building area, and may include up to an additional
27 300 square feet gross building area on the same lot devoted to the
28 display and retail sale of the crafts produced. The retail/display area
29 shall be located on the ground floor and in the front part of the building
30 facing the primary street on which the lot is located.

31 *ii. Prohibitions*

32 The outdoor storage of materials related to the production and sale of
33 cottage crafts is prohibited. The use of equipment, materials, or
34 processes that create hazards, noise, vibration, glare, fumes, or odors
35 detectable to the normal senses off-site is prohibited.

36 **3. Manufacturing, Heavy**

37 **a. Definition**

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

47 **b. Use-Specific Standard**

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

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- 1 **4. Manufacturing, Light**
2 **a. Definition**
3 An establishment engaged in the manufacture, predominantly from previously
4 prepared materials, of finished products or parts, including processing,
5 fabrication, assembly, treatment and packaging of such products, and incidental
6 storage, sales, and distribution of such products, but excluding basic industrial
7 processing. Examples include, but are not limited to: airplane, automobile, or
8 truck assembly; repair of railroad equipment; beverage manufacture and
9 brewery; boatbuilding; cabinet shops; machine or blacksmith shops;
10 metalworking or welding shops; paint shops; processing and/or dressing of skins;
11 steel fabrication shops or yards; and printing, publishing, and lithography.
- 12 **b. Use-Specific Standard**
13 L4 screening landscaping is required where adjacent to residential zones.
- 14 **5. Natural Resource Extraction, Organic and Inorganic**
15 **a. Definition**
16 The development or extraction of organic and/or inorganic material from its
17 natural occurrences on affected land. This use includes placer mining operations
18 in which rock byproduct is removed from the premises. This use shall also
19 include commercial or industrial operations involving removal of timber, native
20 vegetation, peat, muck, topsoil, fill, sand, gravel, or rock, or any other mineral
21 and other operations having similar characteristics. This use includes only
22 operations of a scale involving 50,000 cubic yards or more of material. Site
23 preparation as part of the development of a subdivision under a subdivision
24 agreement is not included.
- 25 **b. Use-Specific Standards (also apply to “Natural Resource Extraction, Placer**
26 **Mining”)**
27 **i. General Standards**
28 The following general standards apply in all districts:
- 29 **(A) Limit on Site Size**
30 Except for placer mining, general natural resource extraction is
31 allowed only on sites of five acres or more.
- 32 **(B) Water Discharge Permit**
33 Placer mining operations are subject to a wastewater discharge
34 permit issued by the state department of environmental
35 conservation.
- 36 **(C) Required Submittals**
37 In addition to the general submittal requirements applicable to all
38 site plans specified in the title 21 user’s guide, additional
39 submittal requirements are specified in that guide for natural
40 resource extraction. The site plan shall be subject to review and
41 approval of the department of project management and
42 engineering for drainage, erosion, and sedimentation control; for
43 conformance with the requirements of the National Pollutant
44 Discharge Elimination System (NPDES) permit and other
45 applicable EPA guidelines; and for compliance with generally
46 accepted sound engineering principles.
- 47 **(D) Standards for Approval**

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1 In addition to the conditional use standards of approval at
2 21.03.080C, the planning and zoning commission may approve a
3 natural resource extraction conditional use only if the
4 commission finds that the use also meets the following
5 standards:

6 (1) Principal access to the site shall minimize the use of
7 residential streets, and access roads shall be treated in
8 a manner to make them dust free. Where access roads
9 intersect collectors or arterials, suitable traffic controls
10 shall be established.

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

13 (3) The extraction operations will not generate noise, dust,
14 surface water runoff or traffic that will unduly interfere
15 with surrounding land uses.

16 (4) The restoration plan for the site ensures that, after
17 extraction operations cease, the site will be left in a safe,
18 stable, and aesthetically acceptable condition. The site
19 shall either be restored generally to its pre-excavation
20 contours, or as appropriate for the future use of the land.

21 (5) The proposed use meets such additional standards for
22 natural resource extraction conditional uses as the
23 director may establish by regulation pursuant to AMC
24 chapter 3.40.

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

26 **a. Definition**

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

31 **b. Use-Specific Standards**

32 Placer mining shall comply with the use-specific standards set forth above for
33 "natural resource extraction, organic and inorganic."

34 **C. Marine Facility**

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

39 **1. Aquaculture**

40 **a. Definition**

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

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-
- 1 **2. Facility for Combined Marine and General Construction**
- 2 a. **Definition**
- 3 An establishment engaged in the manufacture, construction, and repair of marine
- 4 and non-marine related products.
- 5 **3. Marine Operations**
- 6 a. **Definition**
- 7 Establishments engaged in light industrial manufacturing, processing, or storage
- 8 operations, that are water-dependent and water-related. Examples include, but
- 9 are not limited to: cargo handling facilities, including docking, loading, and related
- 10 storage; fabrication, storage, and repair of fishing equipment; facilities for marine
- 11 construction and salvage; facilities for marine pollution control, petrochemical
- 12 cleanup, and servicing of marine sanitation devices; facilities for processing of
- 13 products harvested from the ocean; facilities for manufacturing ice; marine
- 14 industrial welding and fabricating; seafood packaging, packing, storage, loading,
- 15 and distribution facilities; shipbuilding and facilities for construction, maintenance,
- 16 and repair of vessels; marine repair yards, boat fabrication, boat storage, and
- 17 marine machine shops; marine transport services, including ferries, public
- 18 landings and boat launches, commercial vessel berthing, excursion services,
- 19 hovercraft, and boat rentals; recreational and commercial fishing and boating
- 20 activities; tugboat, fireboat, pilot boat; coast guard, and similar services; uses that
- 21 provide pedestrian access to the waterfront; wharves, docks, ramps, and piers;
- 22 marine police, harbormaster, and other marine enforcement agencies; harbor
- 23 and marine supplies and services, and ship supply, such as fueling and
- 24 bunkering of vessels; and aids to navigation.
- 25 **4. Marine Wholesaling**
- 26 a. **Definition**
- 27 Establishments engaged in wholesale and distribution operations of marine-
- 28 related products.
- 29 **D. Warehouse and Storage**
- 30 This category includes uses involved in the storage or movement of goods for themselves or
- 31 other firms. Goods are generally delivered to other firms or the final consumer, except for some
- 32 will-call pickups. There is little on-site sales activity with the customer present. Accessory uses
- 33 may include offices, truck fleet parking, and maintenance areas. Specific use types include:
- 34 **1. Bulk Storage of Hazardous Materials**
- 35 a. **Definition**
- 36 An establishment primarily engaged in the bulk storage and/or distribution of
- 37 hazardous materials, including liquefied fuel such as petroleum gas, for
- 38 wholesale sale.
- 39 b. **Use-Specific Standards**
- 40 Any new facilities for the storage and/or dispersion of hazardous materials, or
- 41 expansion of existing facilities for the storage and/or dispersing of hazardous
- 42 materials, shall occur at least 1,000 feet from a residential or mixed-use district,
- 43 school, hospital, or place of public assembly.
- 44 **2. Impound Yard**
- 45 a. **Definition**
- 46 An area used for the storage of vehicles seized for any reason, including but not
- 47 limited to traffic accidents, improper parking, and abandonment. No dismantling

Attachment A

1 or disassembly of vehicles is permitted in an impound yard. The vehicle so
2 stored may be sold from the impound yard by auction or otherwise, in
3 accordance with state law.

4 **b. Use-Specific Standards**

5 Impound yards shall comply with the use-specific standards set forth for "storage
6 yard" below.

7 **3. Motor Freight Terminal**

8 **a. Definition**

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

11 **b. Use-Specific Standards**

12 *i.* Loading, parking, and maneuvering space shall be entirely on private
13 property.

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

16 **4. Self-Storage Facility**

17 **a. Definition**

18 A completely enclosed structure(s) containing three or more areas or rooms
19 available for lease or rent for the purpose of the general storage of household
20 goods and business or personal property, where the lessee of the unit is
21 provided direct access to deposit or store items. Also known as a "ministorage
22 facility." A self-storage facility may have associated outdoor vehicle storage, but
23 a stand-alone vehicle storage establishment is classified under "storage yard".

24 **b. Use-Specific Standards**

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

26 *i. Size of Site*

27 The self-storage site shall contain no less than one-half acre and no
28 more than ten acres.

29 *ii. Traffic Access and Curb Cuts*

30 The site shall have direct driveway access from a street constructed to
31 appropriate municipal standards as described in chapter 21.08.
32 Location, number, and width of curb cuts shall be subject to the approval
33 of the traffic engineer or the state department of transportation and public
34 facilities.

35 *iii. Dimensional Standards*

36 Notwithstanding the general dimensional standards in chapter 21.06, the
37 following specific standards apply:

38 **(A) Maximum Lot Coverage By All Buildings**

39 75 percent in industrial districts; 50 percent in all other districts.

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

41 35 feet. Structures over 35 feet in height shall require
42 conditional use approval.

Attachment A

1 **[ENTRY QUEUE**

2 THERE SHALL BE A MINIMUM ON-SITE QUEUE LANE LENGTH OF
3 50-FEET AND 24-FEET WIDE FOR VEHICLES ENTERING A
4 SECURITY GATE. THE WIDTH OF THE GATE SHALL BE EXCLUDED
5 FROM THIS REQUIREMENT.]

6 iv. *Paving and Drainage*

7 (A) All parking areas and driveways, interior aisles, and walkways
8 shall be paved to municipal standards. In class B areas, the
9 areas may be graveled with D-1.

10 (B) Provisions shall be made to prevent any contamination of the
11 domestic water supply or to prevent excessive or contaminated
12 surface runoff from the site onto adjacent lands or streams.
13 Drainage flow patterns shall be shown on the site plan or a
14 separate approved map. If plans indicate that surface drainage
15 will be carried off site, the site plan shall be subject to the
16 approval of the department of project management and
17 engineering. Drainage shall comply with section 21.07.040.

18 v. *Permitted Accessory Uses*

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

21 vi. *Storage of Hazardous Substances*

22 The storage of explosives, radioactive materials, or any other hazardous
23 chemicals, or flammable materials as defined by municipal code, is
24 prohibited.

25 vii. *Prohibited Uses Within Storage Units*

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

29 (A) The servicing, repair, or fabrication of vehicles, boats, trailers,
30 lawn mowers, appliances, or any other equipment with the
31 exception of battery or tire removal and replacement. These
32 must be conducted in accordance with all federal, state, and
33 local laws. All hazardous materials must be disposed of properly
34 by the owner of the vehicle.

35 (B) The operation of power tools, spray-painting equipment, table
36 saws, lathes, compressors, welding equipment, kilns, or other
37 similar equipment.

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

40 viii. *Fencing and Landscaping*

41 (A) Except as noted below, all site boundaries shall be fenced with a
42 sight-obscuring fence structure at least eight feet high. No
43 fencing shall be required on the portion of site boundaries where
44 a structure, excluding containerized storage units, abuts either
45 side of the lot line.

Attachment A

- 1 (B) The fence shall be constructed of concrete, solid wood, or chain
2 link with a neutral color fabric screening or vinyl covering, and
3 shall be approved by the department for compatibility with
4 surrounding properties. The structure shall be maintained in a
5 safe, sound, and orderly condition, and shall be kept free of any
6 advertising matter other than signs permitted by this title. Only
7 one foot of security wire, such as concertina, razor, or barbed
8 wire, is permitted to be exposed and visible outside the fence.
- 9 (C) Where a self storage or vehicle storage facility abuts a
10 commercially zoned district or a street of collector classification
11 or greater on the OSHP, L2 visual enhancement landscaping
12 shall be required external to the sight-obscuring fence. Where
13 lot lines for these facilities abut a residential district, L3 buffer
14 landscaping shall be required. No landscaping shall be required
15 on the portion of site boundaries where a structure, excluding
16 containerized storage units, abuts either side of the lot line or an
17 industrial district, unless otherwise required by this title.
- 18 ix. *Vehicle Storage Yards*
19 The yard may not be used to display or advertise any merchandise for
20 sale, including vehicles. No salvaging, dismantling, or disassembly of
21 vehicles is permitted in a vehicle storage yard.
- 22 x. *Financial Guarantees*
23 The department may require a financial guarantee to ensure installation
24 of required landscaping, fencing, paving, or mitigation of any
25 environmental impacts or contamination to the site or surrounding land in
26 accordance with section 21.08.060, *Subdivision Agreements*.
- 27 xi. *Existing Self Storage and Vehicle Storage Operations*
28 Self-storage and vehicle storage operations existing on or before
29 October 26, 2004 shall be deemed to have approved site plans and not
30 be nonconforming uses or structures. Notwithstanding the provisions of
31 chapter 21.12, *Nonconformities*, where self-storage and vehicle storage
32 operations exist and have been in continuous existence since October
33 26, 2004, that use may continue provided the owner thereof complies
34 with the following:
- 35 (A) *Site Enhancement Plan Required*
36 Any self-storage or vehicle storage operation existing prior to
37 October 26, 2004 that does not comply with the requirements of
38 this section related to sight-obscuring fencing, required
39 landscaping external to said fencing, and elimination of security
40 razor or concertina security wire at the top of a fence shall obtain
41 approval by the director of, and agree to implement, a site
42 enhancement plan for the property. This site enhancement plan
43 shall be submitted to the director before April 26, 2014. The plan
44 shall be fully implemented by October 26, 2014. The intent of
45 this site enhancement plan is to bring the property as closely as
46 reasonably possible into compliance with the above noted
47 subsection without impeding existing operations.

Attachment A

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- (B)** *Contents of Site Enhancement Plan*
The site enhancement plan shall include:
- (1)** A graphic and legal description of the plan 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 of this section, 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 an 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 placed in accordance with other sections of this title.
 - (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 shall come into compliance with the intent of this section.
 - (3)** A description of current operations and uses that take place on the site.
- (D)** *Implementation of Approved Site Enhancement Plan*
The director shall set a reasonable period of time for implementation of the approved site enhancement plan, but in all cases the implementation shall be complete by October 26, 2014. Adequacy of the site enhancement plan shall be based on evidence presented by the owner, which may include the following:

Attachment A

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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 or her case.
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- (E) *Decision by Director*
Upon receipt of a site enhancement plan pursuant to subsection xii.(A). above, the director shall make a determination within 60 days of submittal of the site enhancement plan. The decision of the director shall be in writing and sent by certified mail to the address listed in the owner's application.
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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.
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5. **Storage Yard**
- a. **Definition**
Any lot or portion of a lot that is used for the sole purpose of the outdoor storage of fully operable motor vehicles, construction equipment, construction materials, or other tangible materials and equipment.
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- b. **Use-Specific Standards (also apply to "Impound Yard" and "Junkyard")**
- i. **Location of Site**
- (A) A storage yard or impound yard shall not be located within 300 feet of any academic school, hospital, governmental facility (except governmental service), or any other place of public assembly.

Attachment A

- 1 (B) A junkyard shall not be located within 500 feet of any academic
2 school, hospital, governmental facility (except governmental
3 service), residential subdivision, or place of public assembly.
- 4 ii. *Minimum Lot Size and Width*
5 Notwithstanding the general dimensional standards set forth in chapter
6 21.06, the minimum lot size for a junkyard shall be two acres. The
7 minimum lot width shall be 150 feet.
- 8 iii. *Limits on Outdoor Storage*
9 Outdoor storage shall not exceed 35 feet in height. No outdoor storage
10 shall occur within the required front or side setback as set forth in
11 chapter 21.06.
- 12 iv. *Containerized Storage Units*
13 The following standards shall apply to the use of containerized storage
14 units:
- 15 (A) A containerized storage unit shall be a factory-built shipping
16 container.
- 17 (B) Containerized storage units may be utilized for storage, provided
18 they are limited to one unit in height (no stacking).
- 19 (C) A containerized storage unit shall be subject to the requirements
20 for any required permitting, as set forth in the Anchorage
21 Municipal Code of Ordinances.
- 22 v. *Screening*
23 L4 screening landscaping is required where adjacent to residential
24 districts.
- 25 vi. *Drainage; Protection of Water Supply*
26 Provisions shall be made to prevent any contamination of the domestic
27 water supply or excessive surface runoff from the property into adjoining
28 lands or streams. The drainage plan that carries water off the site shall
29 be subject to the approval of the department of project management and
30 engineering. Failure to prevent such contamination of the domestic
31 water supply or to prevent excessive surface runoff from the site onto
32 adjoining lands or streams shall be cause for the conditional use to be
33 rescinded and the junkyard to be removed at the cost of the owner of the
34 land upon which it is located.
- 35 vii. *Existing Vehicle Storage Yards*
36 Storage yards in existence on October 26, 2004 and that fall under the
37 definition of "vehicle storage yard", which means "the outdoor storage of
38 vehicles (under 12,000 lbs. gross vehicle weight rating), boats, and
39 recreational vehicles", may continue to exist pursuant to the
40 requirements of subsection D.4.b.xii. above.
- 41 **6. Warehouse**
42 **a. Definition**
43 A structure containing an area available for the purpose of storing raw materials,
44 goods, or property.

Attachment A

1 **b. Use-Specific Standard**
2 L3 buffer landscaping is required where adjacent to residential districts.

3 **7. Wholesale Establishment**

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

10 **E. Waste and Salvage**

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

17 **1. Composting Facility**

18 **a. Definition**
19 A facility where organic matter, including leaves, grass, manures, and non-meat,
20 non-biosolids waste, amassed primarily from off-site, is processed by composting
21 and/or processing for commercial purposes. Activities may include management,
22 collection, transportation, staging, composting, curing, storage, marketing, or use
23 of collected compost.

24 **b. Use-Specific Standards**

25 *i.* Composting facilities shall be set back at least 660 feet from any lot line
26 abutting a residential or and mixed-use district and any residential use
27 (except a residential use occupied by the owner, operator or any
28 employee of such composting facility) as such zone districts or
29 residential uses exist at the time of the establishment of the composting
30 facility.

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

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

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

39 **2. Hazardous Waste Treatment Facility**

40 **a. Definition**
41 The processing of hazardous waste by means other than incineration, for the
42 purposes of rendering the waste non-dangerous or less dangerous, safer for
43 transport, amenable for storage, and/or able to be reused for energy production.

Attachment A

- 1 **b. Use-Specific Standards**
 2 Hazardous waste treatment facilities shall be located at least 1,000 feet from any
 3 residential or mixed-use district.
- 4 **3. Incinerator or Thermal Desorption Unit**
 5 **a. Definition**
 6 *i. Incinerator*
 7 An establishment that uses thermal combustion processes to destroy or
 8 alter the character or composition of medical waste, hazardous waste,
 9 sludge, soil, or municipal solid waste (not including animal or human
 10 remains). This definition does not include “rag burners” or oil heaters.
- 11 *ii. Thermal Desorption Unit*
 12 A facility that removes volatile and semi-volatile contaminants from soils,
 13 sediments, slurries, and filter cakes using direct or indirect heat
 14 exchange. This definition does not include short-term (less than six
 15 months) on-site remediation operations.
- 16 *iii. Not Accessory Uses*
 17 Incinerators and thermal desorption units that are accessory to other
 18 principal uses shall [MUST] meet these use-specific standards.
- 19 **b. Use-Specific Standards**
 20 *i. Separation Requirements from Residential Zoning Districts and*
 21 *Academic Schools*
 22 No incinerator facility or thermal desorption unit shall be located less
 23 than 400 meters from a residentially zoned district, a dedicated park, or
 24 an elementary, middle, or high school.
- 25 *ii. Standards for Incinerators*
 26 **(A) Hazardous Waste Prohibited**
 27 Incinerators covered under this section shall not accept any
 28 materials that meet the definition of hazardous waste as defined
 29 by the U.S. Environmental Protection Agency (EPA) of the state
 30 department of environmental conservation (ADEC).
- 31 **(B) Separation Distances between Incinerator Facilities**
 32 Separation distances between incinerator facilities shall be as
 33 follows:

TABLE 21.05-3: MINIMUM SEPARATION DISTANCES BETWEEN INCINERATOR FACILITIES				
Rated Capacity (lbs./hour)	Distance from Nearest Emission Source (meters)			
	400	700	1,000	1,200
Under 500	X			
500--1,000		X		
1,001--1,500			X	
1,501--2,000				X
Facilities with unequal capacity: the largest capacity shall determine the minimum distance. Facilities with a rated capacity greater than 2,000 pounds per hour shall perform an analysis of the health risk pursuant to subsection iv.(B). below, and shall meet the standards of subsection iv.(A).(2). below.				

Attachment A

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

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iv. *Standards for Both Incinerators and Thermal Desorption Units*
(A) Distance Requirements
All new incinerator facilities shall be located at least 400 meters from an existing TDU, and vice versa, unless one of the following two standards is met:

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

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

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

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(2) It can be demonstrated, through an analysis of the health risk described in subsection iv.(B). below, that the combined risk of all incinerators and thermal desorption units operating within 400 meters of the proposed facility will not pose a lifetime health risk greater than one excess cancer case per 100,000 for individuals living within adjacent residentially zoned areas or attending elementary, middle, or high schools.

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

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

Attachment A

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- (2) Models shall utilize a full year of local meteorological data (e.g., National Weather Service observations taken at the Anchorage International Airport). If several years worth of meteorological data are obtained, the year providing the highest ambient concentrations shall be used;
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- (3) All emission factors used in conjunction with the model shall be documented. Acceptable emission factors may be obtained from either a source test conducted by the manufacturer of the same or similar model as the one proposed to be used or must reference a published report (e.g., an article in a peer review scientific journal or EPA publication);
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- (4) The report shall describe the modeling results in terms of the annual concentration of each identified toxic compound at the boundary of the adjacent residential zoning districts as well as the location and magnitude of the maximum annual average concentrations found within each adjacent residential district; and
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- (5) The report shall also describe the health risks attributable to these concentration levels based on the latest cancer risk values from the EPA's Integrated Risk Information System (IRIS) database. Cancer risks shall be based on the risk of one additional cancer above the background cancer rate per 100,000 individuals.
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- (C) *Standards for Facilities Not Meeting Separation Requirements*
The planning and zoning commission may approve a conditional use for an incinerator facility or thermal desorption unit that is less than 400 meters from an existing facility, but meets the standards of either (A).(1). or (A).(2). above, only if the commission finds that the storage plan for the material to be burned and the waste generated by the incineration activity is adequate to prevent any runoff, groundwater contamination, airborne dust, or other means for contaminants to migrate off the site.
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- (D) *Additional Submittal Requirements for a Conditional use Permit*
In addition to standard materials required for all conditional use applications, all applicants for a conditional use for an incinerator facility or TDU shall submit the following information pertaining to the burning process:
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- (1) A description of the operation, including equipment to be used.
- 43
- (2) The type and quantity of material that will be processed.
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- (3) Operating hours and conditions.
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- (4) Plans for storing the material to be burned.

Attachment A

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- 1 (5) A disposal plan for waste generated from the process.
- 2 (6) The location of points of vehicular access to the site and
- 3 projected traffic counts for each.
- 4 (7) A description of the federal or state permitting process
- 5 required for operation of the incinerator or TDU.
- 6 (8) Such other materials as the director may require by
- 7 regulation pursuant to AMC chapter 3.40.
- 8 (E) *Additional Conditions of Approval*
- 9 (1) The planning and zoning commission shall attach such
- 10 conditions to the approval of a conditional use for an
- 11 incinerator or TDU as it finds are necessary to conform
- 12 the use to the standards set forth above.
- 13 (2) All conditional uses granted under this subsection are
- 14 subject to revocation if the planning and zoning
- 15 commission determines, based on a recommendation by
- 16 the municipal department of health and human services,
- 17 that the operator of the incinerator or TDU failed to
- 18 operate according to the specifications shown in the
- 19 plans approved by the planning and zoning commission,
- 20 or operate in conformance with the state department of
- 21 environmental conservation or municipal air quality
- 22 regulations. In order to determine whether or not this
- 23 condition is met, the director of the municipal department
- 24 of health and human services shall have authority to
- 25 require monitoring for compliance with the conditional
- 26 use permit and to annually obtain copies of the
- 27 operator's monitoring or testing records.
- 28 (3) The petitioner shall obtain all applicable permits from the
- 29 U.S. Environmental Protection Agency, state department
- 30 of environmental conservation, and municipal
- 31 department of health and human services.

32 4. **Junkyard or Salvage Yard**

33 a. **Definition**

34 Any lot, or portion of a lot, that is used for the purpose of the outdoor storage,

35 handling, dismantling, salvage, wrecking, keeping, or sale of used, discarded,

36 wrecked, or abandoned airplanes, appliances, vehicles, boats, building and

37 building materials, machinery or equipment, or parts thereof, including but not

38 limited to scrap metals, wood, lumber, plastic, fiber, or other tangible materials

39 defined under "junk" (see general definitions in chapter 21.14). Auto wrecking

40 yards and salvage or scrap yards are included in this use. This does not include

41 a composting facility or "vehicle repair/rebuilding, outdoor, hobby".

42 b. **Use-Specific Standards**

43 Junkyards and salvage yards shall comply with the use-specific standards

44 applicable to "storage yard" set forth above.

Attachment A

1 **5. Land Reclamation**

2 **a. Definition**

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

8 **b. Use-Specific Standards**

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

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

18 **(A)** A site plan showing:

19 **(1)** Drainage.

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

22 **(3)** Water table information.

23 **(4)** Points of vehicular access to the site.

24 **(B)** An erosion and sediment control plan.

25 **(C)** A description of the soil types encountered on the site.

26 **(D)** A landscaping plan for the period of land reclamation operations
27 and for final restoration of the site.

28 **(E)** A security plan to prevent casual trespass.

29 **(F)** Proposed hours of operation.

30 **(G)** A description of land reclamation and processing operations
31 proposed for the site.

32 **(H)** Projected traffic counts for each point of vehicular access to the
33 site.

34 **(I)** An estimate of the quantity of materials to be imported to the site
35 and timetable, with supporting calculations conforming to
36 generally accepted engineering principles.

37 **(J)** A statement of the types of materials that will be accepted at the
38 site.

Attachment A

- 1 (K) Such other materials as the director may require by regulation
2 pursuant to AMC chapter 3.40.
- 3 iii. The site plan and erosion and sediment control plan required in
4 subsection ii. above shall be subject to review and approval for drainage,
5 erosion and sedimentation control; for conformance with the *208*
6 *Areawide Water Quality Management Plan*; and for compliance with
7 generally accepted sound engineering principles.
- 8 iv. A building or land use permit is required for land reclamation.
- 9 v. In addition to the conditional use standards of approval at 21.03.080C.,
10 the planning and zoning commission may approve a land reclamation
11 use only if the commission finds that the use also meets the following
12 standards:
- 13 (A) Principal access to the site shall minimize the use of residential
14 streets, and access roads shall be treated in a manner so as to
15 make them dust free. Where access roads intersect arterials,
16 suitable traffic controls shall be established.
- 17 (B) The site will not accept materials that are hazardous or
18 flammable.
- 19 (C) The site will not accept junk as defined in chapter 21.14.
- 20 (D) The site will not accept soils contaminated with petroleum
21 products or byproducts.
- 22 (E) The reclamation operations will not pose a hazard to the public
23 health and safety.
- 24 (F) The reclamation operations will not generate noise, dust, surface
25 water runoff, groundwater pollution, or traffic that will unduly
26 impact surrounding land uses.
- 27 (G) The restoration plan for the site ensures that, after reclamation
28 operations cease, the site will be left in a safe, stable, and
29 aesthetically acceptable condition.
- 30 (H) The proposed use meets such additional standards for land
31 reclamation conditional uses as the director may establish by
32 regulation pursuant to AMC chapter 3.40.
- 33 vi. The planning and zoning commission may attach such conditions to the
34 approval of a land reclamation conditional use as it finds are necessary
35 to mitigate potential negative impacts on adjacent uses.
- 36 6. Landfill
37 a. **Definition**
38 The burial of hazardous or non-hazardous agricultural, residential, institutional,
39 commercial, or industrial waste, including areas for the disposal of building and
40 organic material and solid waste processing. This use does not include land
41 reclamation.

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- 1 **b. Use-Specific Standards**
- 2 *i.* Landfills shall be set back at least 660 feet from any non-industrial use,
- 3 and that required setback shall be planted with L4 screening
- 4 landscaping.
- 5 *ii.* Landfills shall contain and treat on-site all run-off that comes into contact
- 6 with the waste material, in such manner that the run-off will not
- 7 contaminate surface or ground water.
- 8 *iii.* Landfills shall not be located in any floodway.
- 9 *iv.* No landfill shall commence operation until a nuisance control plan,
- 10 specifying all measures to be taken to control nuisance conditions (such
- 11 as odor, noise, scattered solid waste, wildlife) has been approved by the
- 12 director.
- 13 **7. Snow Disposal Site**
- 14 **a. Definition**
- 15 An area used for the concentrated storage and disposal of snow transported to
- 16 that site from other locations.
- 17 **b. Use-Specific Standards**
- 18 *i.* *Location*
- 19 Snow disposal sites shall be located at least 25 feet from a class A or
- 20 class B wetland, and at least 100 feet from a stream or water body.
- 21 *ii.* *Dimensional Standards*
- 22 Notwithstanding the general dimensional requirements of chapter 21.06,
- 23 the following specific standards shall apply to this use.
- 24 **(A)** *Minimum Lot Size*
- 25 The minimum lot size shall be 36,000 square feet.
- 26 **(B)** *Maximum Height of Structures*
- 27 The maximum height of snow piles shall be 35 feet.
- 28 **(C)** *Minimum Setback Requirement*
- 29 The minimum setback of snow piles shall be 25 feet if adjacent
- 30 to a public right-of-way or to an industrial zoning district, and 50
- 31 feet if adjacent to a non-industrial zoning district.
- 32 *iii.* *Snow Storage Area*
- 33 The snow storage area shall be well defined on-site in order to prevent
- 34 storage of snow on adjacent properties or landscaped areas. This may
- 35 be accomplished through location, landscaping, fencing, and/or signs.
- 36 *iv.* *Screening Fence or Berm*
- 37 An earthen berm or a screening structure, either at least six feet high,
- 38 shall be constructed within every setback adjacent to a public right-of-
- 39 way or to a non-industrial zoning district. Site enhancement landscaping,
- 40 or another ground cover acceptable to the planning and zoning
- 41 commission, shall be planted on the berm and within the area between
- 42 the berm and the lot line for the site. The planning and zoning
- 43 commission may require construction of a berm or fence within other

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1 setback areas in order to restrict casual access, to confine the operations
2 within the site, to reduce noise and glare and to ensure compatibility of
3 the operation with adjacent uses.

4 v. *Drainage and Water Quality Facilities*
5 The on-site and off-site drainage network shall handle water runoff and
6 snow melt without impacting adjacent properties. Drainage and
7 meltwater disposal shall comply with the municipal *Design Criteria*
8 *Manual* sections regarding snow disposal sites and drainage.

9 vi. *Noise, Dust and Litter*
10 (A) *Noise*
11 If the level of noise from the activity at the snow disposal site,
12 measured at the property line of any residential or noise-
13 sensitive use such as a public building, academic school, or
14 other place of public assembly within one half mile of the snow
15 disposal site, shall exceed the standards stated in AMC
16 subsection 15.70.080A., then the site plan shall identify
17 mitigation measures.

18 (B) *Dust and Litter Control*
19 A dust control and litter plan shall be established and
20 implemented. Trash collection/removal shall be done in a
21 manner so that there are no dust or litter impacts to adjacent
22 properties or public rights-of-way.

23 **8. Solid Waste Transfer Facility**

24 a. **Definition**
25 An establishment for the processing, transfer, and/or disposal of hazardous or
26 non-hazardous solid waste.

27 b. **Use-Specific Standards**
28 All such uses shall comply with the following standards:

29 i. *Location of Site*
30 A solid waste transfer facility shall not be located within 500 feet of any
31 academic school, hospital, governmental facility (except governmental
32 service), residential subdivision, or place of public assembly.

33 ii. *Minimum Lot Size and Width*
34 Notwithstanding the general dimensional standards set forth in chapter
35 21.06, the minimum lot size for a solid waste transfer facility shall be two
36 acres. The minimum lot width shall be 150 feet.

37 iii. *Limits on Outdoor Storage*
38 Outdoor storage shall not exceed 35 feet in height. No outdoor storage,
39 operations, or donations shall occur within the required front or side
40 setback as set forth in chapter 21.06.

41 iv. *Screening*
42 In addition to any landscaping required under section 21.07.080,
43 *Landscaping, Screening, and Fences*, the facility shall be surrounded by
44 a solid, opaque fence that is at least eight feet high, located no less than

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1 100 feet from any public right-of-way, and located no less than 50 feet
2 from an adjacent property.

3 **21.05.070 ACCESSORY USES AND STRUCTURES**

4 **A. Purpose**

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

8 **B. General Standards**

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

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

11 a. All principal uses allowed in a zoning district shall be deemed to include the
12 accessory uses, structures, and activities set forth in this section, unless
13 specifically prohibited.

14 b. See also sections 21.05.030 through 21.05.060 above, in which incidental or
15 accessory uses are sometimes included in the description of a specific principal
16 use category or use type. When a definition does include permitted accessory or
17 incidental uses, such accessory or incidental uses shall be subject to the general
18 standards set forth in this subsection B., the zoning district limitations in
19 subsection C. below, as well as any use-specific standards set forth in
20 subsections D. and E. below.

21 **2. Compliance with Ordinance Requirements**

22 a. All accessory uses and structures shall be subject to the standards set forth in
23 this section and the dimensional standards of chapter 21.06. If the case of any
24 conflict between the standards of this section and any other requirement of this
25 title, the standards of this section shall control.

26 b. Any use listed in subsections 21.05.030 through 21.05.060 is allowed as an
27 accessory use to a residential use if the accessory use meets the standards of a
28 “home occupation” at subsection 21.05.070D.12. If the use exceeds the
29 standards of a “home occupation”, then the use is no longer considered
30 accessory and shall meet any applicable standards of subsections 21.05.010
31 through 21.05.070, which dictate in which districts the use is allowed, and any
32 use-specific standards.

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

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

38 a. **Same Lot**
39 The accessory use or structure shall be conducted and/or located on the same
40 lot as the principal use.

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- 1 **b. *Location of Accessory Structures***
2 No accessory structure shall be erected or maintained in any required setback,
3 except that:
- 4 *i.* Buildings accessory to a residential use and allowed by this section
5 21.05.070 may be erected in a required rear setback that is adjacent to
6 an alley;
- 7 *ii.* Two sheds, each 150 square feet or less, a maximum of 12 feet in
8 height, and not attached to a foundation, may be erected in a required
9 side or rear setback; and
- 10 *iii.* Dog runs and dog houses not attached to a foundation and allowed by
11 this section 21.05.070 may be erected in a required side or rear setback.

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

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

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

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

20 **1. Explanation of Table Abbreviations**

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

26 **b. *Administrative Site Plan Review***
27 “S” in a cell indicates that the accessory use requires administrative site plan
28 review in the respective zoning district in accordance with the procedures of
29 section 21.03.190B, *Administrative Site Plan Review*.

30 **c. *Conditional Uses***
31 “C” in a cell indicates that, in the respective zoning district, the accessory use is
32 allowed only if reviewed and approved as a conditional use in accordance with
33 the procedures of section 21.03.080, *Conditional Uses*.

34 **d. *Prohibited Uses***
35 A blank cell indicates that the accessory use is prohibited in the respective
36 zoning district.

37 **e. *Use-Specific Standards***
38 Regardless of whether an accessory use is allowed by right or subject to
39 administrative site plan review or conditional use, there may be additional
40 standards that are applicable to the use. The existence of these use-specific
41 standards is noted through a section reference in the last column of the table.

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1 References refer to subsection D. below. These standards apply in all districts
2 unless otherwise specified.

3 **f. Unlisted Accessory Uses or Structures**
4 An accessory use or structure that is not listed in tables 21.05-4 and 21.05-5
5 shall comply with all standards set forth in subsection B. above.

6 **g. Tables of Permitted Accessory Uses and Structures**
7

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

P = Permitted S = Administrative Site Plan Review

Accessory Uses	R-1	R-1A	R-2A	R-2D	R-2F	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	Definitions and Use-Specific Standards
Accessory dwelling unit (ADU)			P	P	P	P				P	P	P	P	P	P	21.05.070.D.1.
Bed and breakfast (up to 3 guestrooms)	P	P	P	P	P	P	P			P	P	P	P	P	P	21.05.070.D.2.
Bed and breakfast (4 or 5 guestrooms)	S	S	S	S	S	S	S			S	S	S	S	S	S	21.05.070.D.2.
Beekeeping	P	P	P	P	P	P	P	P		P	P	P	P	P	P	21.05.070.D.3.
Computer-aided learning center							P	P	P							21.05.070.D.5.
Dormitory							S	S	S	S	S	S	S	S	S	21.05.070.D.6.
Family self-sufficiency Service							P	P	P							21.05.070.D.8.
Farm, hobby										P	P	P	P	P		21.05.070D.9.
Garage or carport, private residential	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.10.
Home- and garden-related use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.11.
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.12.
Large domestic animal facility										P	P	P	P	P	P	21.05.070D.13.
Outdoor keeping of animals	P	P	P	P	P	P	P			P	P	P	P	P	P	21.05.070.D.14.
Parking of business vehicles, outdoors, accessory to a residential use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070D.17.
Private outdoor storage of non-commercial equipment accessory to a residential use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070.D.18.
Vehicle repair/rebuilding, outdoor, hobby	P	P	P	P	P	P				P	P	P	P	P	P	21.05.070.D.19.

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TABLE 21.05-5: TABLE OF ACCESSORY USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																					
P = Permitted S = Administrative Site Plan Review C = Conditional Use Review																					
Accessory Uses	B-1A	B-3	DT-1	DT-2	DT-3	R-	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	MI	AF	DR	PR	PLI	W	Definitions and Use-Specific Standards
Bed and breakfast (up to 3 guestrooms)									P	P											21.05.070.D.2.
Bed and breakfast (4 or 5 guestrooms)									S	S											21.05.070.D.2.
Beekeeping																		P	P		21.05.070.D.3.
Caretaker's residence													P	P				P	P		21.05.070D.4
Computer-aided learning center								P													21.05.070.D.5.
Dormitory									S	S			C						P		21.05.070.D.6.
Drive-through service	P [1]	P				P	P			P			P	P	P						21.05.070.D.7.
Family self-sufficiency Service								P													21.05.070.D.8.
Garage or carport, private residential	P	P				P	P	P	P	P			P		P		P		P		21.05.070.D.10.
Home- and garden-related use	P	P				P	P	P	P	P			P		P		P		P		21.05.070.D.11.
Home occupation	P	P				P	P	P	P	P			P		P		P		P		21.05.070.D.12.
Outdoor keeping of animals																	P				21.05.070.D.14.
Outdoor display accessory to a commercial use	P	P					P	P	P	P			P	P	P						21.05.070.D.15.
Outdoor storage accessory to a commercial use		P					P						P	P	P						21.05.070.D.16.

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TABLE 21.05-5: TABLE OF ACCESSORY USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS																					
P = Permitted					S = Administrative Site Plan Review							C = Conditional Use Review									
Accessory Uses	B-1A	B-3	DT-1	DT-2	DT-3	R-	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	MI	AF	DR	PR	PLI	W	Definitions and Use-Specific Standards
Private outdoor storage of non-commercial equipment accessory to a residential use																	P				21.05.070.D.18.
Vehicle repair/rebuilding, outdoor, hobby																	P				21.05.070.D.19.

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

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

1. Accessory Dwelling Unit (ADU)

a. Definition

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

b. Use-Specific Standards

i. Purpose and Intent

The purpose and intent of this section is to:

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

ii. Application, Review, and Approval Procedures

- (A) Any landowner operating or seeking to establish an ADU shall obtain a building or land use permit from the building official. The permit shall constitute an ADU permit.
- (B) With the permit application, the landowner shall submit an affidavit on a form provided by the municipality, affirming that at least one landowner will occupy the principal dwelling or the accessory unit, and that the ADU will conform to the requirements of the permit and the requirements of this section.
- (C) The permit and the affidavit shall be filed as a deed restriction with the Anchorage recording district to indicate the presence of

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- 1 the ADU, the requirement of owner-occupancy, and conformity
2 with the requirements of the permit and the requirements of this
3 chapter.
- 4 (D) The department shall receive a fee from the applicant pursuant
5 to the title 21 user's guide.
- 6 (E) For purposes of securing financing, potential landowners may
7 request and receive a letter of pre-approval from the municipality
8 indicating the property is eligible for an ADU permit if the
9 potential landowner completes the application process and
10 construction in accordance with this section.
- 11 *iii. Requirements*
12 All ADUs shall meet the following requirements:
- 13 (A) *Purpose*
14 Requirements for accessory dwelling units address the following
15 purposes:
- 16 (1) Ensure that accessory dwelling units maintain and are
17 compatible with the single-family appearance and
18 character of the principal residence, lot, and
19 neighborhood;
- 20 (2) Ensure that accessory dwelling units are smaller in size
21 than the principal dwelling on the lot, and preserve yards
22 and open space;
- 23 (3) Provide adequate parking while maintaining the single-
24 family residential character of the neighborhood,
25 avoiding negative impacts to on-street parking, and
26 minimizing the amount of paved surface on a site; and
- 27 (4) Provide clear and flexible standards that make it
28 practical and economical to develop accessory dwelling
29 units that are in compliance with this code, and offer an
30 accessible, affordable housing option to the community.
- 31 (B) *Requirements for Developing an ADU*
32 ADUs shall be allowed in all residential zoning districts except R-
33 1, R-1A, R-3, R-4, and R-4A.
- 34 (1) One ADU may be added to or created within a detached
35 single family dwelling on a lot, tract, or parcel, but only if
36 the detached single-family dwelling is the sole principal
37 structure on that lot, tract, or parcel.
- 38 (2) One ADU detached from a single-family dwelling is
39 permitted on a lot, tract, or parcel, but only if:
- 40 (a) The lot, tract, or parcel is 20,000 square feet or
41 greater and the ADU is attached to or above a

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

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- (9) *Design and Appearance*
- (a) All ADUs shall be designed to maintain the appearance of the primary unit as a single family dwelling. The accessory dwelling unit shall maintain the architectural style and character of the single-family residence. Exterior siding, roofing, and trim shall match the appearance of the materials on the principal dwelling unit. Roof style shall match the predominant style of the principal dwelling unit. Exterior window trim, window proportions (width to height), patterns, and orientation (horizontal to vertical) shall match those of the principal dwelling unit.
- (b) The construction of an additional entry door on the side of a principal structure facing a street for entrance into an accessory dwelling unit is prohibited, unless no other entry door already exists on that side. Entrances are permitted on non-street-facing sides of the principal structure.
- (10) *Utilities*
- To the extent allowed by law and utility tariff, the ADU shall be connected to the water, sewer, gas, and electric utilities of the single family dwelling unit. However, lots with on-site water or septic systems may have a separate water and/or septic system for the ADU.
- (C) *Additional Requirements for Detached ADUs*
- (1) The ADU shall be at least 60 feet from the primary front lot line, or at least 10 feet behind the primary façade of the principal dwelling unit.
- (2) The maximum height of a detached ADU shall be 25 feet.
- (D) *Density*
- ADUs are not included in the density calculations for a site.
- (E) *Expiration of Approval of an ADU*
- Approval of an ADU expires when:
- (1) The ADU is altered and is no longer in conformance with this code;
- (2) The property ceases to maintain all required off-street parking spaces;
- (3) A landowner of the property does not reside in either the principal or the accessory dwelling unit;
- (4) The ADU is abandoned by the landowner through written notification to the municipality on a form provided by the municipality; or,

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

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- 1 **2. Bed and Breakfast**
2 **a. Definition**
3 A bed and breakfast is a private residence that offers overnight accommodations
4 and limited food service to overnight guests, for which compensation is paid on a
5 daily or weekly basis.
- 6 **b. Use-Specific Standards**
7 *i. General Standards*
8 **(A)** Bed and breakfast establishments are allowed only in attached
9 or detached single-family and two-family dwellings, not including
10 mobile homes.
- 11 **(B)** The host-operator of the bed and breakfast enterprise shall
12 establish and maintain the single-family or the bed and breakfast
13 unit of a two-family structure as his or her primary domicile at all
14 times while it is operated as a bed and breakfast.
- 15 **(C)** A bed and breakfast may have up to five guestrooms, as allowed
16 by tables 21.05-4 and 21.05-5. If an ADU also exists on the
17 premises, the ADU shall count as one of the allowed
18 guestrooms. No more than the permitted number of guestrooms
19 shall be offered for use at any one time.
- 20 **(D)** Only one daily meal shall be offered to guests at any bed and
21 breakfast establishment.
- 22 **(E)** Individual guests are prohibited from staying at a particular bed
23 and breakfast establishment for more than 30 consecutive days.
- 24 **(F)** A bed and breakfast shall not be permitted concurrently on any
25 lot with an child or adult care facility, or assisted living facility.
- 26 **(G)** The accessory use shall protect and maintain the integrity of the
27 residential neighborhood. A bed and breakfast shall not detract
28 from the principal use in the district and shall not place a burden
29 on any private or public infrastructure (i.e., streets or utilities)
30 greater than anticipated from permitted development.
- 31 **(H)** Every bed and breakfast shall meet the off-street parking
32 requirements stated in section 21.07.090 and in its administrative
33 permit.
- 34 **(I)** Every bed and breakfast supported by on-site well and
35 wastewater disposal systems shall conform to the requirements
36 of AMC chapter 15.65, pertaining to wastewater disposal
37 regulations, and shall obtain a one-time only health authority
38 certificate.
- 39 *ii. Administrative Permit*
40 A bed and breakfast shall require an administrative permit pursuant to
41 section 21.03.030. An application for a bed and breakfast permit shall
42 not be complete unless it is accompanied by proof of a current business
43 license, a **certificate of on-site systems approval [HEALTH AUTHORITY**

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1 **APPROVAL CERTIFICATE** (for on-site systems only), and a site plan
2 and building floor plans meeting the requirements of this title.

3 **3. Beekeeping**

4 **a. Definition**

5 Keeping honey bees, *Apis mellifera*, for the purpose of education and/or
6 producing honey or other products related to bees.

7 **b. Use-Specific Standards**

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

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

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

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

15 *ii.* No more than four hives shall be placed on lots smaller than 10,000
16 square feet.

17 **4. Caretaker's Residence**

18 **a. Definition**

19 A dwelling unit on the site of a non-residential use and occupied only by a guard
20 or the person who oversees the operation of the non-residential facility (and
21 his/her family).

22 **5. Computer-Aided Learning Center**

23 **a. Definition**

24 A facility that provides access to personal computer equipment for use in self-
25 instruction. The use is accessory to housing facilities run by public or non-profit
26 agencies.

27 **b. Use-Specific Standard**

28 Computer-aided learning centers shall comply with the use-specific standards set
29 forth below for "family self-sufficiency service."

30 **6. Dormitory**

31 **a. Definition**

32 A facility intended or used as group living quarters for students, religious orders,
33 employees, and the like, directly affiliated with a permitted principal use such as
34 a school, college, convent, or similar institutional use.

35 **b. Use-Specific Standards**

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

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

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- 1 7. **Drive-Through Service**
2 a. **Definition**
3 The physical facilities of an establishment that encourage or permit customers to
4 receive services or obtain goods while remaining in their motor vehicles. A drive-
5 through facility consists of two parts—the queuing lane and a service station
6 where the service occurs. The queuing and service facilities of motor vehicle-
7 related uses such as fueling stations, car washes, and vehicle service and repair
8 are not included in the definition “drive-through service” as an accessory use,
9 and are addressed elsewhere in this title.
- 10 b. **Use-Specific Standards**
11 The purpose of these standards is to allow for drive-through facilities by reducing
12 the impacts they may create, such as noise, glare, and fumes from idling cars,
13 noise from voice amplification equipment, or traffic interferences with vehicle and
14 pedestrian circulation. Drive-through services are allowed as accessory uses to
15 the following primary uses: restaurant, pharmacy, financial institution, general
16 personal services and food and beverage kiosk. The following standards apply
17 to all drive-through services:
- 18 i. **Queuing [STACKING] Spaces**
19 Vehicle queuing [STACKING] spaces shall be provided pursuant to
20 section 21.07.090L, [21.07.090I.]
- 21 ii. **Impact on Adjacent Uses**
22 (A) A drive-through shall be located, sized, and designed to
23 minimize traffic, noise, air emissions, and glare impacts on
24 surrounding properties.
- 25 (B) No drive-through stacking spaces shall be located between the
26 building and an abutting right-of-way.
- 27 (C) When a drive-through use abuts a residential lot in a residential
28 district, L2 visual enhancement landscaping shall be provided
29 along that lot line.
- 30 (D) The noise generated on the site by talk boxes shall be inaudible
31 at any residential property line.
- 32 8. **Family Self-Sufficiency Service**
33 a. **Definition**
34 A governmentally operated or sponsored social service agency that provides
35 aide to economically disadvantaged families in finding training, employment, and
36 housing. The use is accessory to housing facilities run by public or non-profit
37 agencies.
- 38 b. **Use-Specific Standards (also applies to “Computer-Aided Learning**
39 **Center”)**
40 i. **General Standards**
41 The following general standards apply to these uses in all districts:
- 42 (A) **Building**
43 The structure used to house the facility shall maintain at least
44 twenty residential units and devote at least 85 percent of the
45 building's maximum gross floor area to residential use.

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- 1 (B) *Ownership*
2 The operating agency shall have ownership of the structure. No
3 other entity may rent, lease, buy, or otherwise obtain space in
4 the building for the purposes of operating facilities regulated
5 under this subsection.
- 6 (C) *Staff*
7 During the operation hours, there shall be at least one
8 instructor/monitor on-site and responsible to the operating
9 agency.
- 10 (D) *Clients*
11 Facility users are not required to be residents of the building
12 housing the facility. The facility users shall be restricted to the
13 tenants of the operating agency or beneficiaries of assisted
14 housing from the operating agency.
- 15 ii. *District-Specific Standards*
16 The following specific standards apply to the referenced districts:
- 17 (A) In the R-3, R-4, R-4A, and NMU districts, computer-aided
18 learning centers may be conditionally allowed if they have a
19 maximum gross floor area of 1,000 square feet.
- 20 (B) In the R-3, R-4, R-4A, and NMU districts, family self-sufficiency
21 service facilities may be conditionally allowed if they have a
22 maximum gross floor area of 1,500 square feet.
- 23 9. **Farm, Hobby**
24 a. **Definition**
25 The production of crops for sale. This may include a temporary stand for sales
26 on the premises.
- 27 10. **Garage or Carport, Private Residential**
28 a. **Definition**
29 A detached accessory or portion of a principal structure that is used for the
30 parking and storage of vehicles owned and operated by the residents thereof.
- 31 b. **Use-Specific Standards**
32 i. Garages may encroach into the rear or side setback when that setback
33 abuts an alley.
- 34 ii. Such accessory uses shall serve only the residents of the property and
35 shall not be used for commercial purposes except as part of a home
36 occupation approved under subsection D.12. below.
- 37 iii. In class A improvement areas and in the R-7 district, all garages or
38 carports accessory to a single residential use, whether attached to or
39 detached from the principal structure, shall cumulatively be no larger
40 than 50 percent of the total gross floor area of the principal structure.
- 41 iv. In class B improvement areas, except for the R-7 district, all garages or
42 carports accessory to a single residential use, whether attached to or

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1 detached from the principal structure, shall cumulatively be no larger
2 than 5% of the lot area, up to a maximum of 5,000 square feet.

3 **11. Home- and Garden-Related Use**

4 **a. Definition**

5 Accessory uses subordinate to the use of a residential dwelling. Examples
6 include, but are not limited to, greenhouses, gardens, storage sheds, garden
7 sheds, tool sheds, workshops, private barbeque pits, spas, and hot tubs.

8 **b. Use-Specific Standards**

9 *i.* All spas and hot tubs shall be set back a minimum of 10 feet from all
10 property lines, and shall not be counted in calculating lot coverage.

11 *ii.* In class A improvement areas and in the R-7 district, all detached
12 accessory structures under this use shall cumulatively be no larger than
13 50 percent of the total gross floor area of the principal structure.

14 *iii.* In class B improvement areas, except for the R-7 district, all detached
15 accessory structures under this use shall cumulatively be no larger than
16 5% of the lot area, up to a maximum of 5,000 square feet.

17 **12. Home Occupation**

18 **a. Definition**

19 An activity that results in a product or service, carried out for consideration or not,
20 and conducted as a customary, incidental, and accessory use in a dwelling unit.
21 This use expressly does not include bed and breakfasts, hobby farms, small and
22 large assisted living facilities, or adult or child care homes.

23 **b. Use-Specific Standards**

24 A home occupation may be conducted in a dwelling unit or in a building
25 accessory to a dwelling unit provided that:

26 *i.* A permanent resident of the dwelling unit is engaged in the home
27 occupation on the premises;

28 *ii.* Only one nonresident may be engaged in the home occupation on the
29 premises;

30 *iii.* The use of a dwelling unit for a home occupation shall be clearly
31 incidental and subordinate to its residential use. This standard is met by
32 and limited to one of the following:

33 **(A)** No more than the lesser of 25 percent or 500 square feet of the
34 floor area of the principal dwelling is devoted to any home
35 occupation; or

36 **(B)** No more than 300 square feet of an accessory building is
37 devoted to any home occupation; or

38 **(C)** No more than 250 square feet of the principal dwelling and 250
39 square feet of the accessory building are devoted to any home
40 occupation.

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- 1 iv. Except for as provided in b.vii. below and in chapter 21.11, *Signs*, there
2 shall be no change to the outside of the building or premises, nor shall
3 there be other visible evidence of the conduct of such home occupation;
- 4 v. Vehicles making deliveries shall not be parked at the site for a period
5 exceeding one hour;
- 6 vi. No traffic or deliveries shall be generated by such home occupation in
7 greater volume than would normally be expected in a residential
8 neighborhood;
- 9 vii. All vehicles used in connection with the home occupation shall, except
10 for delivery vehicles allowed above, be of the type commonly used for
11 personal non-commercial transportation. Home occupations shall
12 comply with the requirements of subsection D.17. below;
- 13 viii. The peace and quiet of the neighborhood shall not be disturbed. No
14 equipment or process shall be used in such home occupation that
15 creates noise, vibration, glare, fumes, or odors detectable to the normal
16 senses at the property line. No equipment or process shall be used
17 which creates visual or audible interference in any radio or television
18 receivers off the premises, or causes a fluctuation in line voltage off the
19 premises. No hazardous or toxic materials shall be stored on the
20 property as part of the home occupation;
- 21 ix. The hours of operation during which an employee or co-worker, clients,
22 or customers are allowed to come to the home in connection with the
23 business activity are limited to between 7:00 a.m. and 10:00 p.m.
24 Monday through Saturday. Care and feeding of animals is exempted
25 from this provision; and
- 26 x. A home occupation shall not be permitted on any lot with an
27 [ACCESSORY DWELLING UNIT,] adult or child care facility, or assisted
28 living facility.
- 29 xi. Any storage of wholesale or retail stock in trade in conjunction with the
30 home occupation shall not exceed ten percent of the area devoted to the
31 home occupation, except on lots 40,000 sf or larger in class B districts as
32 defined in 21.08.050B. On lots meeting this exception, storage of stock
33 in trade may equal the area devoted to the home occupation, if the
34 storage is screened from neighboring lots and separated from the
35 neighboring lot line by at least the established district setback.
- 36 c. ***Uses Prohibited as Home Occupations***
37 A home occupation shall not include, but is not limited to excluding, the following:
38 veterinary or animal hospital; restaurant; and vehicle repair, unless allowed
39 below under “vehicle repair/rebuilding, outdoor, hobby.”
- 40 13. **Large Domestic Animal Facility (4 or more animals)**
41 a. ***Definition***
42 The keeping, harboring, riding, boarding, stabling, training, exercising, breeding,
43 or related use of four [(4)] or more large domestic animals regardless of animal
44 ownership, and the associated structure(s) such as a paddock, stable, or barn.
45 Operation of a large domestic animal facility is not a home occupation.

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- 1 **b. Use-Specific Standards**
- 2 i. *Lot Size*
- 3 The minimum lot size for a large domestic animal facility of four **[(4)]**
- 4 animals is 40,000 square feet. An additional 10,000 square feet is
- 5 required for each animal over four. Application for an administrative
- 6 variance from the minimum lot size may be made to the planning
- 7 department. Through the administrative variance process, the director
- 8 may approve a deviation of no more than **10 [TEN] percent [(10%)]**, with
- 9 the concurrence of the department of health and human services and the
- 10 development services department.
- 11 ii. *Adjacent Lots*
- 12 Adjacent lots may be used in square footage calculations for site size
- 13 only. If the adjacent lots are not under single ownership, the lot owners
- 14 shall submit a recorded joint usage agreement for review and approval
- 15 by the director. In such cases, setback requirements shall not apply to
- 16 the interior lot lines between the applicable lots, and a primary use need
- 17 not be located on the adjacent lot.
- 18 iii. *Setbacks*
- 19 Notwithstanding the setbacks of the underlying zoning district, covered
- 20 structures associated with a large domestic animal facility, such as a
- 21 stable or barn, shall be set back at least **25 [twenty-five (25)]** feet from
- 22 any abutting lot line, not including interior lot lines between lots in
- 23 common ownership. Uncovered enclosures shall meet one of the
- 24 following setback options:
- 25 **(A)** Seventy-five **[(75)]** feet from residences existing on February 28,
- 26 2006, not including any residence in common ownership with the
- 27 large domestic animal facility; or
- 28 **(B)** Ten **[(10)]** feet from any abutting lot line, not including interior lot
- 29 lines of lots in common ownership, if the separation area is
- 30 vegetated with **L [LEVEL]** 3 buffer landscaping.
- 31 iv. *Structures*
- 32 The square footage of any single large domestic animal facility structure
- 33 shall not exceed **10 [TEN] percent [(10%)]** of the lot size, up to a
- 34 maximum of 8,000 square feet.
- 35 v. *Fences*
- 36 Barbed wire shall not be used for fencing of any large domestic animal
- 37 facility.
- 38 vi. *Commercial Activity*
- 39 Commercial activity associated with large domestic animal facilities, such
- 40 as boarding or riding lessons, is permitted.
- 41 vii. *Other Requirements*
- 42 Large domestic animal facilities shall:
- 43 **(A)** Meet the requirements of AMC chapter 15.20 regarding animal
- 44 waste, AMC subsection 15.55.060B. concerning separation

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- 1 requirements from water supply wells, and section 21.07.020
2 concerning stream protection setbacks;
- 3 (B) Obtain an animal control facility license;
- 4 (C) Obtain certification of compliance with a state of Alaska,
5 Anchorage Soil and Water Conservation District conservation
6 plan, or obtain a letter from the District showing demonstrated
7 intent to come into compliance with a conservation plan within
8 one year; and
- 9 (D) Comply with licensing and other laws concerning the keeping of
10 animals as set forth in AMC titles 15, 17, and 21.
- 11 c. **Large Domestic Animal Facilities That Do Not Meet These Standards**
12 Large domestic animal facilities that exceed the use-specific standards listed
13 above for site area, structure size, or number of animals, may be allowed by
14 conditional use, pursuant to subsection 21.03.080. In such case, the facility shall
15 be considered a second principal use on the lot and shall comply with subsection
16 21.05.050B.3.
- 17 14. **Outdoor Keeping of Animals**
- 18 a. **Definition**
19 Restraining or restricting the movement of animals outside of a principal
20 structure, by any means not involving the continued presence and/or participation
21 of a human being.
- 22 b. **Use-Specific Standards**
- 23 i. Animals, other than dogs, shall not be kept outdoors in mobile home
24 parks.
- 25 ii. One to three large domestic animals may be kept outdoors on lots of
26 20,000 square feet or greater, but any structures or enclosures for
27 keeping such animals shall meet the setback standards of subsection
28 21.05.070D.13.b.iii.
- 29 iii. The following standards apply to the outdoor keeping of all animals
30 except for dogs, domestic cats, and large domestic animals:
- 31 (A) On lots of 40,000 square feet [ONE ACRE] or greater, structures
32 [OR ENCLOSURES] for the outdoor keeping of animals shall not
33 encroach into the setbacks of the zoning district, and structures
34 and enclosures shall be at least 10 [25] feet from any lot line.
- 35 (B) On lots smaller than 40,000 square feet [ONE ACRE], the
36 following shall apply:
- 37 (1) The outdoor keeping of roosters, turkeys, guinea fowl,
38 peacocks, or geese is prohibited.
- 39 (2) Up to five [THREE (3)] animals may be kept on lots of
40 6,000 [10,000] square feet or less, with an additional one
41 [(1)] animal per additional 1,000 [3,000] square feet of lot

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- 1 area. A facility license may be required pursuant to title
2 17.
- 3 (3) Structures [OR ENCLOSURES] for the outdoor keeping
4 of animals shall not encroach into the setbacks of the
5 zoning district, and structures and enclosures shall be at
6 least 10 feet from any lot line.
- 7 (4) It shall be unlawful for any owner or custodian of an
8 animal under this section to permit it to make chronic
9 animal noise, as defined in AMC section 17.05.010.
- 10 (5) [THE OUTDOOR KEEPING OF ANIMALS REQUIRES A
11 BIENNIAL ADMINISTRATIVE PERMIT PURSUANT TO
12 SECTION 21.03.030.]
- 13 (6) THE PERMIT SHALL SPECIFY ANY RESTRICTIONS,
14 LIMITATIONS, CONDITIONS, AND/OR PROHIBITIONS
15 WHICH THE MUNICIPALITY DEEMS REASONABLY
16 NECESSARY TO PROTECT ANY PERSON OR
17 NEIGHBORING USE FROM UNSANITARY
18 CONDITIONS, UNREASONABLE NOISE OR ODORS,
19 OR TO PROTECT THE PUBLIC HEALTH AND
20 SAFETY. EXAMPLES OF SUCH CONDITIONS
21 INCLUDE LIMITATIONS ON THE HOURS THE
22 ANIMALS MAY BE KEPT OUTDOORS, OR
23 MEASURES TO CONTROL ANIMAL ODORS.
- 24 (7) SUCH PERMIT MAY BE MODIFIED FROM TIME TO
25 TIME OR REVOKED FOR FAILURE TO CONFORM TO
26 SUCH RESTRICTIONS, LIMITATIONS, CONDITIONS,
27 OR PROHIBITIONS. SUCH MODIFICATION OR
28 REVOCATION SHALL BE EFFECTIVE FROM AND
29 AFTER TEN (10) DAYS FOLLOWING THE MAILING
30 OF WRITTEN NOTICE THEREOF BY CERTIFIED MAIL
31 TO THE PERSON OR PERSONS KEEPING OR
32 MAINTAINING SUCH ANIMALS.]

- 33 15. **Outdoor Display Accessory to a Commercial Use**
- 34 a. **Definition**
- 35 Outdoor display of goods and/or materials for sale, accessory to a commercial
36 principal use. Merchandise may be directly available to the consumer for
37 purchase.
- 38 b. **Use-Specific Standards**
- 39 No materials may be displayed in areas intended for vehicular [OR
40 PEDESTRIAN] circulation, required parking, required open space, required
41 unobstructed clear width of pedestrian walkways, or required landscaping.
- 42 16. **Outdoor Storage Accessory to a Commercial Use**
- 43 a. **Definition**
- 44 Outdoor storage, but not display for sale, of goods and/or materials accessory to
45 a commercial principal use. Merchandise in outdoor storage shall not be directly
46 available to the consumer without the assistance of an employee.

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- 1 **b. Use-Specific Standards**
2 Except in industrial districts and except for outdoor storage associated with a
3 large commercial establishment which is governed by subsection
4 21.07.120E.10., outdoor storage of goods and/or materials accessory to a
5 commercial principal use shall be allowed subject to the following standards:
- 6 *i.* Each outdoor storage area shall not be located closer to the front
7 property line than the front plane of the principal building.
- 8 *ii.* Goods stored in an approved outdoor storage area shall be limited to
9 those sold or used on the premises as part of an associated primary use.
- 10 *iii.* Each outdoor storage area shall be screened from view from all property
11 lines and adjacent rights-of-way by an opaque fence between six and
12 eight feet in height that incorporates at least one of the predominant
13 materials used in the principal structure. The fence may exceed eight
14 feet in height where the difference in grade between the right-of-way and
15 the outdoor storage area makes a taller wall necessary to effectively
16 screen the area. Materials may not be stored higher than the height of
17 the principal structure. The outer perimeter of the fence or wall shall be
18 landscaped with L2 visual enhancement landscaping. A landscaped
19 earth berm may be used instead of or in combination with a required
20 fence or wall, provided it meets the same height requirements.
- 21 *iv.* If the outdoor storage area is covered, then the covering shall include at
22 least one of the predominant roofing materials and exposed roofing
23 colors on the principal structure.
- 24 *v.* Flammable liquids or gases in excess of 1,000 gallons shall be stored
25 underground.
- 26 *vi.* No materials may be stored in areas intended for vehicular or pedestrian
27 circulation or parking.
- 28 **17. Parking of Business Vehicles, Outdoors, Accessory to a Residential Use**
29 **a. Definition**
30 The outdoor storage or parking of a vehicle used for and/or bearing visible
31 evidence of a commercial/business purpose, but not regulated by subsection
32 21.05.070E.8.
- 33 **b. Use-Specific Standard**
34 Only two [ONE] vehicles bearing visible evidence of a business/commercial
35 purpose are [IS] permitted per residence.
- 36 **18. Private Outdoor Storage of Noncommercial Equipment Accessory to a Residential**
37 **Use**
38 **a. Definition**
39 The private outdoor storage of noncommercial equipment, including
40 noncommercial trucks, boats, aircraft, off-road vehicles, recreational vehicles
41 (RVs), or travel trailers.
- 42 **b. Use-Specific Standard**
43 The private outdoor storage of noncommercial equipment is permitted in the front
44 setback only in the driveway, but not within five feet of any property line, and is

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1 prohibited in any side or rear setback, except in a side or rear setback abutting
2 an alley. In class B districts, the setback shall be 25[] feet from any property line
3 where the adjacent property is not in common ownership.

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

5 **a. Definition**

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

8 **b. Use-Specific Standards**

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

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

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

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

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

19 The use of a connex trailer or similar structure is only allowed in industrial and PLI
20 districts, except that loading or unloading, and use during construction is allowed in any
21 district. Self-storage establishments in compliance with the development standards of
22 21.05.060D.4., *Self-Storage Facility*, are exempt from this restriction.

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

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

26 **3. Cloth Garages**

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

31 **4. Outdoor Storage of Inoperative Vehicles**

32 In all zoning districts, the outdoor storage of any vehicle that meets the definition of “junk
33 vehicle” at AMC section 15.20.010¹ is prohibited except as provided in section
34 21.05.070.D.19, *Vehicle Repair/Rebuilding, Outdoor, Hobby*, section 21.05.060E.4.,
35 *Junkyard or Salvage Yard*, and section 21.05.050I.7. or I.8., *Vehicle Repair, Major and*
36 *Minor*.

37 **5. Use of Mobile Home, Recreational Vehicle, or Travel Trailer as Residence**

38 Except as allowed by 21.05.080B.3.e., i[]n all zoning districts, mobile homes,
39 recreational vehicles, and travel trailers may not be used as an accessory use for a
40 permanent or temporary residence. However, an RV or travel trailer may be used as
41 visitor accommodation for not more than 90 days in any calendar year.

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

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

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

11 **7. Commercial Motor Vehicle Repair**

12 Commercial motor vehicle repair, including engine, body, or other repair or repainting of
13 more than one vehicle at any one time or owned by a person not residing at that address,
14 is prohibited in all residential districts.

15 **8. Parking of Commercial Vehicles, Outdoor**

16 The outdoor storage or parking of a vehicle or trailer is prohibited in all residential
17 districts, for a period of one or more nights, if the vehicle or trailer is licensed or regularly
18 used for business purposes, and is either:

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

25 **21.05.080 TEMPORARY USES AND STRUCTURES**

26 **A. Purpose**

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

31 **B. General Temporary Use Standards**

32 **1. Required Permits**

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

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1 **2. Uses Allowed**

2 Except as specified below, any use allowed in a district, pursuant to tables 21.05-1 and
3 21.05-2, is allowed on a temporary basis in that district. Such temporary uses shall
4 comply with the requirements of subsection D. below. Any such temporary use that is
5 established for more than 90 days within one calendar year shall be considered a
6 permanent use and shall make all improvements required by this title.

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

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

10 **a. Licensed Commercial Uses**

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

14 **b. Real Estate Sales Offices**

15 Sales offices are allowed on residential development sites in any zoning district
16 until all lots or houses are sold. Use of the sales office to market sites outside of
17 the project is prohibited, UNLESS SPECIFICALLY APPROVED AS PART OF
18 THE TEMPORARY USE PERMIT.

19 **c. Special Events**

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

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

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

27 **e. Temporary Living in a Mobile Home, Motor Home, or Other Recreational
28 Vehicle**

29 Notwithstanding title 23, o[O]ne mobile home, motor home, or other recreational
30 vehicle with a fully operable self-contained sanitation system may be used on a
31 lot in the R-5, R-6, R-7, R-8, R-9, R-10, and TA districts as temporary living
32 quarters for not more than 18 months while a permanent dwelling is being
33 constructed or repaired, if the following requirements are met:

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

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

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- 1 (B) Site access is sufficient and shall be used to transport refuse and
2 excess waste year-round for proper off-site disposal;
- 3 (C) Electrical utility service is on-site for use during the permit period
4 and no generators shall be used;
- 5 (D) The applicant has a current building or land use permit, a copy of
6 which shall be attached to the certification; and
- 7 (E) If temporary connection to an on-site septic system is to be used,
8 proof is attached that an approved septic system is in place.
- 9 ii. Only one motor home or other recreational vehicle shall be permitted for
10 use as temporary living quarters on any parcel of land during the
11 construction or repair of a permanent dwelling.
- 12 iii. The motor home or recreational vehicle placement on the lot shall
13 comply with the setbacks of the underlying zoning district.
- 14 f. **Other Temporary Uses**
- 15 i. Up to nine one-day garage/yard sales per year per dwelling unit.
- 16 ii. Gatherings of less than 100 people, such as block parties, nonprofit
17 bazaars, and fundraisers; and
- 18 iii. Temporary uses that occur wholly within an enclosed permanent
19 building.

20 C. Prohibited Temporary Uses and Structures

21 The following temporary uses and structures are prohibited:

22 1. Cloth Garages

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

27 D. General Requirements for All Temporary Uses and Structures

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

- 30 1. The temporary use or structure shall not have substantial adverse or noise impacts on
31 nearby residential neighborhoods.
- 32 2. The temporary use shall comply with all applicable general and specific regulations of this
33 section unless otherwise expressly stated.
- 34 3. Permanent alterations to the site, including site grading and installation of underground
35 utilities, are prohibited, unless specifically authorized under an approved temporary use
36 permit.
- 37 4. Unless otherwise stated in this title, the temporary use shall last no longer than 90 days.

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- 1 **5.** All temporary signs associated with the temporary use or structure shall be removed
2 when the activity ends.
- 3 **6.** The temporary use or structure shall not violate any applicable conditions of approval that
4 apply to a principal use on the site.
- 5 **7.** The temporary use regulations of this section do not exempt the applicant or operator
6 from any other required permits, such as health department permits.
- 7 **8.** If the property is undeveloped, it shall contain sufficient land area to allow the temporary
8 use or structure to occur, as well as any parking and traffic movement that may be
9 associated with the temporary use, without disturbing sensitive or protected resources,
10 including required buffers, 100-year floodplains, stream protection setbacks, wetlands,
11 areas of slope greater than 20 percent, and required landscaping.
- 12 **9.** If the property is developed, the temporary use shall be located in an area that is not
13 actively used by an existing approved principal use, and that would support the proposed
14 temporary use without encroaching or creating a negative impact on existing buffers,
15 open space, landscaping, traffic movement, pedestrian circulation, or parking space
16 availability.
- 17 **10.** Tents and other temporary structures shall be located **so as** not to interfere with the
18 normal operations of any permanent use located on the property.
- 19 **11.** Off-street parking shall be adequate to accommodate the proposed temporary use.
- 20 **12.** Applications for temporary structures to be located in or near the 100-year floodplain shall
21 be required to submit a plan to the director for the removal of such structure(s) in the
22 event of a flood notification. The plan shall include the following information:
- 23 **a.** The name, address, and phone number of the individual responsible for the
24 removal of the temporary structures;
- 25 **b.** The time frame prior to the event at which a structure will be removed;
- 26 **c.** A copy of the contract or other suitable instrument with a trucking company to
27 insure availability of removal equipment when needed; and
- 28 **d.** Designation, accompanied by documentation, of a location outside the floodplain
29 to which the temporary structure will be moved.
- 30
- 31
- 32

¹ 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

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elements: a. Broken glass; b. Missing wheels or tires; c. Missing body panels or parts; or d. Missing drive train parts.)