

# 1 CHAPTER 21.07: DEVELOPMENT AND DESIGN STANDARDS

## 2 21.07.010 GENERAL PROVISIONS

### 3 A. Purpose

4 The development and design standards set forth in this chapter shall apply to the physical layout  
5 and design of development in the municipality. These provisions address the physical  
6 relationship between development and adjacent properties, public streets, neighborhoods, and  
7 the natural environment, in order to implement the comprehensive plan vision for a more  
8 attractive, efficient, and livable community. The specific purposes of this chapter include:

9 1. To ~~encourage provide for~~ the ~~proper~~ use of the land by ~~promoting an appropriate~~ balance  
10 between the built environment and the ~~preservation and protection of~~ open space and  
11 natural resources;

12 2. To ~~adopt reasonable and appropriate regulation and~~ provide standards that ~~reasonably~~  
13 balance community goals, economic growth, quality of life, and development costs;

14 3. To protect public and private investment ~~through preservation of open spaces, protection~~  
15 ~~of natural resources including existing trees, providing buffers between incompatible uses~~  
16 ~~and along roadways, and encouraging the planting of new trees and vegetation as~~  
17 ~~deemed appropriate;~~

18 4. To promote ~~sound~~ management of water quality and quantity ~~through preservation of~~  
19 ~~natural areas and their hydrological functions and by encouraging soil management and~~  
20 ~~the use of native plant materials;~~

21 5. To provide a ~~healthy~~ sustainable living and working environment ~~by encouraging design~~  
22 ~~and development that reduces energy use and costs; minimizes pollution; provides~~  
23 ~~natural, cultural, and recreational amenities; and uses land and other resources efficiently~~  
24 ~~and sustainably;~~

25 6. ~~To provide appropriate standards to ensure a high quality appearance for the municipality and~~  
26 ~~promote good design while also allowing flexibility, individuality, creativity, and artistic~~  
27 ~~expression;~~

28 7.6. To provide development and design standards that address and are tailored to the  
29 municipality's northern climate and winter city character;

30 8.7. To strengthen and protect the image, identity, and unique character of the municipality  
31 and ~~thereby to~~ enhance its business economy;

32 9.8. To protect and enhance residential neighborhoods, ~~commercial and~~ districts; ~~residential,~~  
33 ~~commercial, industrial and recreational, and other areas~~ by encouraging ~~physical~~  
34 ~~development that is of~~ high quality ~~development that and~~ is compatible with the  
35 ~~surrounding area in~~ character, scale, and function ~~of the surrounding area;~~

36 10. ~~To encourage developments that relate to adjoining public streets, open spaces, and~~  
37 ~~neighborhoods with building orientation and physical connections that contribute to the~~  
38 ~~surrounding network of streets, walkways, pathways, and trails; and~~

39 11.9. To provide ~~multimodal connectivity~~ for the safe and efficient movement of people, goods,  
40 and services, ~~including roads, transit, and pedestrian facilities.~~

41 10. ~~To promote developments that relate to adjacent neighborhoods, streets, open spaces~~  
42 ~~and pedestrian and non-motorized facilities such as trails and walkways~~

Comment [EM1]: Disagree that these changes are appropriate.

Comment [EM2]: Disagree--this addition is meaningless. And why isn't "reasonably balance" appropriate?

Comment [EM3]: Disagree--this speaks directly to the comp plan's direction and the provisionally adopted version's attempt to retain existing vegetation and promote landscaping. Without the rest of this phrase, there is no understanding of how this chapter fulfills this purpose statement.

Comment [EM4]: Disagree--we don't just want to "manage" water quality; we want "sound management". And the second half of the statement explains how we will achieve this and what the requirements of the section are aiming to achieve.

Comment [EM5]: Disagree--most of these changes, including this one, divorce the purpose statements of the chapter from the requirements in the chapter, so you can't make the direct connection.

Comment [EM6]: Disagree--this statement explains the purposes of the design standards in sections 21.07.110, 21.07.120, and 21.07.130.

Comment [EM7]: Disagree--it is important to note the relationship between the municipality's character and its economy.

Comment [EM8]: Disagree--why are these changes necessary? The end result is the same intent, but said in a much more awkward fashion.

Comment [EM9]: Disagree--another important statement that explains some of the pedestrian requirements and some of the design requirements.

Comment [EM10]: Disagree--this statement links us to our transportation program (AMATS) which is federally required to be multi-modal.

Comment [EM11]: Disagree--original deleted purpose was more comprehensive.

**B. Buildings to Have Access**

Every building shall be on a lot abutting on a ~~constructed~~ public ~~street right of way~~ with principal access to such ~~street, right of way~~ or with access to ~~a constructed private street~~ an approved ~~private street by the appropriate fire authority, public works (PROJECT MANAGEMENT AND ENGINEERING) department, development services department, traffic department, and planning department.~~ This standard may be waived by approval of the ~~municipal engineer, traffic engineer, and the~~ director.

**Comment [EM12]:** Disagree--the reason for the word "constructed", is to prevent buildings from being built before there is physical road access to them. In paper-platted areas where the lots have already been sold but no infrastructure has been built, buildings should not be constructed until the roads are built.

**C. Addresses**

It is the responsibility of the property owner to affix street address numbers assigned by the municipality to the affected building(s) or on another structure (natural or otherwise) nearer to the street, to be plainly visible and legible from the street named in the address. Sub-addresses **shall [MUST]** also be visible when approaching the building and on each applicable entrance.

**Comment [EM13]:** Disagree--by changing "street" to "right-of-way", a building could now be built on a lot abutting a trail or a pedestrian easement with no street access, with principal access from that trail or easement.

**D. Alternative Equivalent Compliance**

**1. Purpose**

Alternative equivalent compliance is a procedure that allows development to meet the intent of the design-related provisions of this chapter through an alternative design. It is not a general waiver or weakening of regulations. Rather, the procedure permits a site-specific plan that is equal to or better than the strict application of a design standard specified in this title. This procedure is not intended as a substitute for a variance or administrative modification or as a vehicle for relief from standards in this chapter.

**Comment [EM14]:** Disagree--it must be clear who approves the private street, and all of the listed departments/divisions have a need to be involved to make sure municipal standards are upheld.

**2. Applicability**

The alternative equivalent compliance procedure shall be available only for 21.07.110, 120, and 130 of this chapter and for subsection 21.09.080 Building Design Standards (Girdwood), the following sections of this chapter:

**Comment [EM15]:** Disagree--again, all the listed divisions need to be involved to make sure public safety is upheld.

~~a. Section 21.07.100, Residential Design Standards;~~

~~b. Section 21.07.110, Public/Institutional and Commercial Design Standards;~~

~~c. Section 21.07.120, Large Commercial Establishments, and;~~

~~d.a. Subsection 21.09.080, Building Design Standards (Girdwood).~~

**3. Pre-Application Conference Required**

An applicant proposing to use alternative equivalent compliance under this section shall request and attend a pre-application conference prior to submitting the site plan for the development, to determine the preliminary response from the director. Based on that response, the site plan application shall include sufficient explanation and justification, in both written and graphic form, for the alternative compliance requested.

**4. Decision-Making Responsibility**

Final approval of alternative equivalent compliance under this section shall be the responsibility of the decision-making body responsible for deciding upon the application. ~~For example, proposed alternative equivalent compliance on a major site plan application shall be considered and decided upon by the urban design commission.~~ By-right projects that would not ordinarily require review under this title, yet which are proposing alternative equivalent compliance, shall receive written approval of the alternative equivalent compliance from the director.

**Comment [EM16]:** Disagree--people find examples helpful.

**5. Timing of Decision**

If the director is the decision-making body, the director shall render a written decision within 30 days of receipt of an application for alternative compliance. Should a decision not be rendered within 40-30 days, the application shall stand as approved.

Comment [EM17]: Disagree--there needs to be a little bit of leeway for strange emergencies.

**6. Criteria**

To grant a request for alternative equivalent compliance, the decision-making body shall find that all of the following criteria are met:

- a. The proposed alternative design achieves the intent of the subject design standard to the same or better degree than the subject standard.
- b. The proposed alternative design achieves the goals and policies of the comprehensive plan as set out in Title 21 to the same or better degree than the subject standard.
- c. The proposed alternative design results in benefits to the community that are equivalent to or better than compliance with the subject design standard.

Comment [EM18]: Disagree--see major issues list on major changes regarding the comprehensive plan.

**7. Effect of Approval**

Alternative compliance shall apply only to the specific site for which it is requested and does not establish a precedent for assured approval of other requests.

**21.07.020 NATURAL RESOURCE PROTECTION**

**A. Purpose**

The municipality contains many natural amenities, including streams, natural drainages, wildlife habitat areas, water bodies, scenic features such as mountains and coastal areas, wetlands, and hillsides, as well as significant amounts of native forest, tree cover, and open space, all of which contribute to the municipality's character, public health, quality of life, and property values. The requirements of this section are intended to ensure that the natural character of the municipality is reflected in patterns of development and redevelopment, and significant natural features are incorporated into open space areas, but takes into consideration that some of these features are relatively insignificant and that development can accommodate changes to these features without material harm to public health, quality of life or property values.

Comment [EM19]: Disagree--the end of the provisionally adopted sentence says "significant natural features", so it makes no sense to add language that says that "some of these features are relatively insignificant".

**B. Stream, Water Body, and Wetland Protection**

**1. Purpose**

The following requirements are intended to promote, preserve, and enhance the important hydrologic, biological, ecological, aesthetic, recreational, and educational functions provided by streams, associated riparian areas, water bodies, and wetlands, particularly by minimizing, to the extent feasible, impervious surface and by reducing erosion and the contamination of streams, wetlands, and water bodies by pollutants or invasive plants.

Comment [EM20]: Disagree--as purpose statements are not regulatory (as pointed out by consultant amendment in chapter 1), it is inappropriate to place this sort of qualifier in the purpose statement.

**2. Applicability**

This subsection 21.07.020B. shall apply to new development, except for the following development or activities:

- a. Maintenance and repair of existing public and private approved roads, utilities, and other public facilities within an existing right-of-way or easement, or otherwise within a setback;
- b. Flood prevention or rehabilitation work carried out by a government agency or approved by a government agency or emergency work to protect life and property;

Comment [EM21]: "approved private roads" reads better.

Comment [EM22]: Disagree--emergency situations are covered in the next subparagraph.

- c. Maintenance and repair of flood control structures and activities in response to a flood emergency; and
- d. Wetland, stream channel, and wildlife habitat restoration, construction, and/or enhancement that improves or restores the wetland or stream functions, provided that the proposed activity is approved by the appropriate agency such as the U.S. Corps of Engineers or the Alaska department of fish and game.

3. Relationship to Other Regulations

- a. This subsection 21.07.020B. does not repeal or supersede any existing federal, state, or local laws, easements, covenants, or deed restrictions. When this subsection imposes a higher or more restrictive standard than found in another applicable ordinance, statute, or regulation, this subsection shall apply but only to those activities subject to this subsection.
- b. No person shall engage in any activity that will disturb, remove, drain, fill, dredge, clear, destroy, or alter any area, including vegetation, within a wetland that falls in the jurisdiction of the federal government and its agencies, except as may be expressly allowed under a permit issued by the appropriate federal agency.
- c. The decision-making body shall not grant final approval to any development or activity, including subdivisions, in a wetland that falls within the federal government's jurisdiction until all necessary federal approvals and permits have been obtained, provided, however, that both the local and the federal processes can proceed concurrently at the option of the person make application relative to any wetlands.

Comment [EM23]: Disagree--this addition is unnecessary and redundant. The subsection can only apply to the subsection.

Comment [EM24]: Disagree—This statement creates confusion without adding any value. The important and logical progression of events is for the COE to make a decision regarding the developability of a wetland, and then the municipal approval. (this also saves property owners money—if the COE says no, they don't waste their money on municipal processes) The applications can be made concurrently, but the decisions must happen in the order stated here. Nowhere does the code say that the applications can't move concurrently—this brings confusion.

4. Buffer/Setback Requirements

a. Water Courses

- i. In all zoning districts, buildings, accessory structures, and parking lots shall be set back at least 50-25 feet horizontally from the ordinary high-water mark on each side of streams or, if not readily discernible, from each side of the defined bank of the stream. Except as provided in B.6. below, no disturbance is permitted in the 5025-foot setback area.
- ii. In all zoning districts, buildings, accessory structures, and parking lots shall be set back at least 10 feet horizontally from the edge of each side of drainageways and ephemeral channels defined or verified by the public works [PROJECT MANAGEMENT AND ENGINEERING] department. Except as provided in B.6. below, no disturbance is permitted in the 10-foot setback area. The public works [PROJECT MANAGEMENT AND ENGINEERING] department may require a greater setback, if in their professional judgment, the additional setback is necessary to provide for groundwater discharge zones or infiltration areas, the disturbance of which would alter natural flow characteristics, but in no event can additional setback be required beyond a total setback requirement of 25 feet.
- iii. Segments of streams or tributaries that are contained underground in pipes or culverts have no setback.
- iv. For parcels where there are wetlands contiguous with a stream, setback requirements are listed in table 2 of the *Anchorage Wetlands Management Plan*.

Comment [EM25]: Disagree—see major issues list

Comment [EM26]: Disagree—see major issues list

Comment [EBM27]: Disagree—this is contrary to the Anchorage Wetlands Management Plan, which, in certain circumstances, places larger buffers for wetlands that are adjacent to streams.

Comment [EBM28]: Disagree with the general reduction of widths in this section. The new proposed widths are substandard to provide adequate storm water filtering, floodway conveyance and control, and margin of safety for erosion potential.

This section generally involves a willing participant (usually a gov't agency) involved in stream restoration. It is unlikely this would be imposed upon a private development situation.

The provisionally-adopted widths should be retained.

b. Alternate Setback Option for Stream Corridor

- 1 i. A stream channel alteration project may develop a "stream corridor"  
2 containing appropriate meander widths distributed based on topographic  
3 design. Where established, the "stream corridor" shall be the stream  
4 setback for the purposes of municipal code.
- 5 ii. The stream corridor width shall be subject to **public works** [PROJECT  
6 MANAGEMENT AND ENGINEERING] department approval.
- 7 iii. Stream corridor widths shall be based on appropriate reference stream  
8 reaches, considering slope, soils, discharge, elevation, and channel  
9 pattern and function and shall not be less than 400-75 feet wide.
- 10 iv. The design of the stream channel alteration may meander within this  
11 corridor. Channel alteration design shall comply with subsections 6.c.  
12 and 6.d. below. The ordinary high water mark of the designed channel  
13 shall not come within 25-10 feet of the edge of the corridor, and not more  
14 than 20-25 percent of its length shall be within 25 ~~to 35~~ feet of the edge  
15 of the corridor.
- 16 v. Before site work begins, the stream corridor shall be established by a  
17 recorded survey or an approved plat.
- 18 c. **Wetlands**
- 19 i. To the maximum extent feasible, class A and those class B wetlands  
20 which, as a result of a U.S. Corps of Engineers decision or permit  
21 condition, are not authorized for development, shall be platted into  
22 separate tracts and not included as part of a development lot. Wetland  
23 classes are defined and delineated in the *Anchorage Wetlands*  
24 *Management Plan*.
- 25 ii. Except as provided in B.6. below, all buildings, accessory structures, fills  
26 and other storage of materials, and parking lots shall be set back at least  
27 15 feet horizontally from the delineated edge of all class A wetlands, and  
28 all portions of class B and C wetlands not authorized for development; no  
29 disturbance is permitted in the 15-foot setback area.
- 30 d. **Water Bodies**
- 31 In all districts, buildings, accessory structures, and parking lots shall be set back  
32 at least 25 feet horizontally from the edge of water bodies. The setback shall be  
33 vegetated, except for minimal areas to allow for access to those uses such as  
34 docks, boathouses, and floatplane storage and other uses that require direct  
35 access to a water body by their very nature or function.
- 36 e. **Credit for Other Requirements of this Title**
- 37 Stream, water body, and wetland setback areas shall be credited toward any  
38 applicable private open space requirements or landscaping requirements unless  
39 the decision making body or the director makes a specific finding that such  
40 setback areas fail to only if such setback areas serve the purposes of those  
41 requirements as set forth in this title.
- 42 5. **Boundary Delineation**
- 43 a. **Official Definitions and Standards**
- 44 i. In cases where water courses or water bodies are not mapped and  
45 recorded in official plans or other documents, delineation of such  
46 features shall be made according to **public works** [PROJECT  
47 MANAGEMENT AND ENGINEERING] department procedures, and shall

Comment [EM29]: Disagree--While the code does not limit the amount of water body edge that a person can devegetate in order to access their docks, etc., it must be clear that they are expected to not devegetate the whole edge, but to use only that area that is necessary.

Comment [EM30]: check with tom

1 be subject to formal verification by the **public works** [PROJECT  
2 MANAGEMENT AND ENGINEERING] department.

3 ii. In cases where wetlands are not mapped and recorded in official plans  
4 or other documents, including the *Anchorage Wetlands Management*  
5 *Plan*, delineation of such features shall be performed using procedures  
6 as described by the U.S. Corps of Engineers. Delineations shall be  
7 subject to formal verification by the department and/or the U.S. Corps of  
8 Engineers.

9 iii. In the even that wetlands are misclassified or incorrectly delineated, the  
10 Municipality shall promptly present the evidence of the misclassification  
11 and/or correct delineation to the U.S. Corps of Engineers for correction  
12 and actively cooperate in a reclassification process.

13 b. **Water Course Boundaries**

14 Water course boundaries shall be delineated at the ordinary high-water mark or,  
15 if not readily discernible, the defined bank of the stream, as those terms are  
16 defined in chapter 21.14. In those instances where the defined bank of the water  
17 course is not readily discernable, the **public works** [PROJECT MANAGEMENT  
18 AND ENGINEERING] department shall establish the effective ordinary high-  
19 water mark. The **public works** [PROJECT MANAGEMENT AND ENGINEERING]  
20 department shall maintain the official record of all water course boundaries.

21 c. **Wetland Boundaries**

22 i. **Mapped Wetlands**

23 Boundary delineation of wetlands shall be established by reference to  
24 the *Anchorage Wetlands Management Plan*, which is available for  
25 reference in the department ~~and which is hereby adopted and~~  
26 ~~incorporated into this title by reference. Plats shall depict class A and B~~  
27 ~~wetland boundaries, and boundaries of class C wetlands that are not~~  
28 ~~authorized for development.~~

29 ii. **Unmapped Wetlands**

30 The review of a development proposal may discover a potential wetland  
31 that has not been mapped or for which the boundaries have not been  
32 clearly established. In such instances, the boundaries of the wetland  
33 shall be delineated according to subsection 5.a.ii. above. Any new  
34 wetland boundaries delineated herein shall be submitted to the U.S.  
35 corps of engineers for approval.

36 6. **Development Standards**

37 a. **Activities, Uses, and Structures Allowed in a Required Water Course or**  
38 **Wetland Setback With Prior Approval, As Noted**

39 i. With the appropriate approvals and/or permits and in accordance with  
40 the conditions of subsection 6.c. below, maintenance, ~~including~~  
41 ~~placement of riprap, debris removal, glaciation control, sediment~~  
42 ~~removal, protection of adjacent or downstream property from flooding,~~  
43 ~~soil stabilization,~~ and erosion control, may be performed within the water  
44 course and/or the setbacks described in B.4. above. Appropriate  
45 approvals and/or permits may include a U.S. Corps of Engineers permit,  
46 a municipal flood hazard permit, or a storm water treatment plan  
47 approval.

Comment [EM31]: Disagree--this is a pet peeve of Mr. Jim Ferguson, who mentioned it to the Assembly Title 21 committee multiple times over multiple drafts. Each time, the issue was discussed and the committee agreed that additional wording was not necessary. If a property owner thinks that a wetland was erroneously mapped on their property, they can go to the city or the Corps for verification.

"Misclassification" or "incorrect delineation" has never been an issue in the past. The municipality and the COE work closely together and have a strict standard for wetlands delineations.

Comment [EM32]: Partially disagree—deleting adoption by reference is ok, as Wetlands Management Plan is an element of the comp plan and thus is applicable without this statement.

However, it is important that wetlands be shown on plats, and is also a requirement in chapter 3. Once lots are sold to individuals, there is no reference for them regarding wetlands, which leads to violations. The plat is an important reference when areas are not allowed to be filled by permit.

Comment [EM33]: Disagree--this language is helpful to understanding what "maintenance" is.

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- ii. Channel alteration, including restoration and relocation projects, with appropriate state and federal permits and in accordance with the conditions of 6.c. below, are allowed.
  - iii. Culvertization of water courses, with any appropriate permits, is allowed.
  - iv. Redevelopment or repair and maintenance of structures or uses existing on [effective date] is allowed in the setback where:
    - ~~(A)~~ (A) The director determines there is no practical or feasible alternative to encroaching into the setback; and
    - ~~(B)~~ (A) The redevelopment does not increase the encroachment over the existing situation.
  - v. On undeveloped platted lots existing before [effective date] where the director determines the setback precludes practical or feasible development of the lot, the director shall approve a site plan that allows developments that but minimizes encroachment into the setback.
- b. *Activities, Uses, and Structures Allowed in a Required Water Course or Wetland Setback Without Prior Approval, Unless Specifically Noted***
- i. The following structures and uses of land or structures are permitted generally perpendicular to the setback or stream edge within the stream, drainageway, ephemeral channel, wetland, and water body setback, where it is necessary in order to cross or enter the feature:
    - (A) Roads, driveways, trails, and other transportation and public recreation facilities;
    - (B) Utility facilities pursuant to 6.d. below;
    - (C) Drainage facilities, in accordance with subsection 21.07.040 and approved by the public works [PROJECT MANAGEMENT AND ENGINEERING] department.
  - ii. The following structures and uses of land or structures are permitted parallel to the stream within the outer 15 feet of the setback:
    - (A) Public recreation facilities other than trails;
    - (B) Utility facilities pursuant to 6.d. below;
    - (C) Drainage facilities, in accordance with subsection 21.07.040 and approved by the public works [PROJECT MANAGEMENT AND ENGINEERING] department; and
    - (D) Lawns, landscaping, play equipment, fences, pervious decks, unpaved patios, and other similar features that are based on a pervious surface.
  - iii. Trails are permitted parallel to the stream within the outer 35-15 feet of the setback. Through the design and permitting process, trails may be located closer to the stream for a justified reason, such as overcoming a physical, topographical, or land ownership constraint, or taking advantage of a viewpoint.

**Comment [EM34]:** Disagree--these structures/uses will be nonconforming, and nonconformities are intended to go away over time. So if there is a practical or feasible alternative to keeping a structure in a setback, the alternative should be chosen. For example, a shed that is not on a foundation that is in a setback but could be moved to outside the setback should be moved. A garage that is on a foundation in the setback would not be moved because it isn't practical or feasible.

**Comment [EM35]:** Disagree--doesn't change meaning but reads awkwardly.

**Comment [EM36]:** This distance was predicated on a 50 foot setback. If the setback is to be reduced to 25 feet, these standards should revert to current code.

1 *[Illustration to be added]*

2 iv. All disturbed areas associated with permitted activities shall be  
3 revegetated ~~with landscaping similar to the natural vegetation of the~~  
4 ~~area~~. Revegetation shall occur during the same growing season as the  
5 permitted activity, unless otherwise permitted by the director.

Comment [EM37]: Disagree--without this phrase, someone could cut down a bunch of trees and revegetate with grass, which would harm the health of the stream.

6 c. **Conditions**

7 All work within a water course or water course setback, whether permitted by-  
8 right or allowed through a specific approval process, shall meet the following  
9 conditions, along with any other required permits:

10 i. Materials used or the removal of ground cover shall not create turbidity  
11 or other water quality problems;

12 ii. There shall be no increase in flooding or erosion problems upstream or  
13 downstream;

14 iii. If applicable, flow lines of the altered section of the water course shall  
15 match those in the existing water course at the endpoints of the  
16 alteration;

17 iv. If applicable, the gradient/meander balance, grade control, and bed  
18 stability shall be adequate to maintain the natural stream function of  
19 water conveyance and sediment transport, in accordance with the  
20 judgment of the **public works** [PROJECT MANAGEMENT AND  
21 ENGINEERING] department; and

22 v. If applicable, the alteration shall have no negative effect on fish habitat.

23 d. **Prohibited Activities**

24 i. No person shall engage in any activity that will disturb, remove, fill, drain,  
25 dredge, clear, destroy, or alter an area, including vegetation, within water  
26 courses, water body edges, wetlands, or their associated setback areas,  
27 except as may be expressly allowed in this section or title.

28 ii. Except as allowed in 6.a., ~~and 6.b., and 6.c.~~ above, channel alteration is  
29 prohibited unless required in emergency situations. In emergency  
30 situations, the municipal engineer shall be notified on the next business  
31 day after channel alteration has begun. After inspection, the municipal  
32 engineer shall prescribe any measures necessary to meet the conditions  
33 of 6.c. above. For the purposes of this standard, an "emergency" is a  
34 situation which would result in an unacceptable hazard to life, a  
35 significant loss of property, or an immediate, unforeseen, and significant  
36 economic hardship if corrective action requiring a permit is not  
37 undertaken immediately.

38 iii. No storage or processing of hazardous materials or other substances  
39 that would constitute a violation of AMC chapter 15.40 is permitted.

Comment [EM38]: Disagree--all attempts should be made to keep natural resource protection setbacks untouched--only where there are no other options should they be used for other things like utilities and wells.

40 e. **Utilities**

41 Utilities and potable water wells, may be allowed in a setback area ~~only if the~~  
42 ~~decision making body determines that there is no practical alternative~~. Any  
43 disturbance of the setback area shall be reclaimed by regrading to original  
44 contours and revegetation ~~with native species~~. Provisions for reclamation of the  
45 disturbed area shall be included in any development or improvements agreement

Comment [EM39]: Disagree--native species is important to the health of the system. Also, without an indication of what to use to revegetate, someone could replace trees with grass.

1 | for the project, ~~with adequate collateral to guarantee the reclamation will be~~  
2 | ~~completed.~~ Utility corridors in setback areas shall be located at the outside edge  
3 | of the area or if crossing the setback laterally shall disturb only the minimum area  
4 | necessary to install the utility. Access roads for maintenance of utilities shall be  
5 | located outside the setback area to the maximum extent feasible. Access for  
6 | maintenance of utilities in setback areas shall be at specific points rather than  
7 | parallel to the utility corridor whenever possible.

Comment [EM40]: Disagree—this is important to make sure that violators are the ones who make restitution. If we do not hold violators accountable, the taxpayers will have to pay.

8 | **f. Recreation, Education, or Scientific Activities**

9 | Structures and improvements for recreational, educational, or scientific activities  
10 | such as trails, swimming beaches, docks, fishing access, and wildlife  
11 | management and viewing may be permitted in a setback area by the appropriate  
12 | government agency.

13 | **7. Preservation and Restoration of Vegetation**

14 | **a.** All existing vegetation within the stream or wetland setback area shall be  
15 | preserved and, where necessary to repair damaged riparian areas,  
16 | supplemented with additional native planting and landscaping.

17 | **b.** The removal of trees or vegetation that are a threat to the public health, safety, or  
18 | welfare; the removal of species identified as invasive by the state of Alaska; or  
19 | the removal of dead or naturally fallen trees or vegetation, shall be exempt from  
20 | this requirement.

21 | **8. Implementation of Anchorage Wetlands Management Plan**

22 | **a. Zoning and Platting Actions**

23 | Zoning and platting actions taken under this title shall be consistent with the  
24 | *Anchorage Wetlands Management Plan* and the applicable standards described  
25 | below.

26 | **i. "A" Wetlands**

27 | Wetlands designated "A" in the *Anchorage Wetlands Management Plan*  
28 | and in table 2 of that plan shall be protected as indicated in that table  
29 | and in chapter 4 of the *Anchorage Wetlands Management Plan*.

30 | **ii. "B" Wetlands**

31 | New development plans in "B" wetlands shall obtain a U.S. Corps of  
32 | Engineers permit, concurrent with or prior to necessary approval by the  
33 | platting board and/or the planning and zoning commission. In order to  
34 | maximize protection of wetlands designated "B," in addition to the criteria  
35 | normally considered in subdivision, site plan, and conditional use  
36 | applications, the platting authority or the planning and zoning  
37 | commission shall, prior to approval, make explicit findings that, or the  
38 | applicant shall certify with their U.S. Corps of Engineers permit that:

39 | **(A)** The proposed design and placement of roadways, utility lines,  
40 | and structures will not interfere with the natural drainage function  
41 | indicated in the required hydrologic studies or that such  
42 | interference can be adequately mitigated to maintain the natural  
43 | drainage function;

44 | **(B)** The soils in the area proposed for development shall adequately  
45 | support roadways and structures, or that properly designed  
46 | roads and foundations will be provided; and

1 (C) Habitat areas identified in federal, state, or municipal documents  
2 shall be adequately protected.

3 Maintenance of open space in its natural state shall be required where  
4 the platting authority or the planning and zoning commission determines  
5 that such open space is necessary to protect the hydrologic and habitat  
6 values of wetlands on the property being developed or on adjacent  
7 property. Areas where open space is to be preserved in its natural state  
8 shall be indicated on the plat or approved site plan. The platting  
9 authority and planning and zoning commission may require such land  
10 development techniques and such additional conditions as may be  
11 appropriate to carry out the intent of the *Anchorage Wetlands*  
12 *Management Plan* and such other wetlands studies as may be relevant.

13 iii. **"C" Wetlands**

14 When approving plats or conditional use permits in wetlands designated  
15 "C" under the plan, the platting authority or the planning and zoning  
16 commission shall, whenever applicable, include the recommended  
17 construction mitigation techniques and conditions and enforceable  
18 policies in table 2 of the *Anchorage Wetlands Management Plan*.

19 b. **Application of Plan to Approved Projects**

20 Conditional uses and preliminary plats approved prior to March 12, 1996, the  
21 date of adoption of the revised *Anchorage Wetlands Management Plan*, shall not  
22 have additional conditions imposed upon them as a result of requirements of the  
23 plan except as follows:

24 i. The "A" designation shall apply regardless of prior approvals.

25 ii. Approved plats or conditional uses in wetlands that are returned to the  
26 platting authority or planning and zoning commission for major  
27 amendment may be examined for conformity with goals and enforceable  
28 policies of the *Anchorage Wetlands Management Plan*.

29 iii. A new U.S. Corps of Engineers permit is required.

30 C. **Steep Slope Development**

31 1. **Purpose**

32 The purpose of this subsection 21.07.020C. is to establish standards that help achieve  
33 the following objectives for development on steep slopes, provided, however, this section  
34 shall apply only to naturally occurring steep slopes and not to those that result from such  
35 activities as gravel extraction, as such these provisions will generally be applied in the  
36 Hillside area in south and east Anchorage and in naturally occurring steep slope areas of  
37 Chugiak and Eagle River:

38 a. Prevent soil erosion and landslides;

39 b. Provide safe circulation of vehicular and pedestrian traffic to and within hillside  
40 areas and to provide access for emergency vehicles necessary to serve the  
41 hillside areas;

42 c. Encourage only minimal grading that relates to the natural contour of the land  
43 and discourage mass grading of large pads and excessive terracing;

- 1 d. Encourage building types, grading design, lot sizes, site design, density,  
2 arrangement, and spacing of buildings in developments in sloped areas that  
3 integrate into the natural terrain with minimal re-contouring, in accordance with  
4 adopted goals and policies;
- 5 e. Encourage innovative architectural, landscaping, circulation, and site design;
- 6 f. Encourage the protection of visually significant and/or prominent natural features,  
7 such as ridgelines and rock outcroppings;
- 8 g. Incorporate drainage design that does not adversely impact neighboring or  
9 nearby properties, downstream properties, receiving waters, and public  
10 infrastructure; and
- 11 h. Encourage the retention of natural, indigenous vegetation that provides wildlife  
12 habitat, helps retain runoff, and maintains the area's visual character.

13 **2. Applicability**  
14 Any lot with an average slope of 20 percent or greater, or where adverse conditions  
15 associated with slope stability, erosion, or sedimentation are present as determined by  
16 the municipal engineer, shall comply with the standards of this subsection 21.07.020C.  
17 Lots being subdivided shall comply with chapter 21.08, including subsection 21.08.030H.,  
18 *Subdivisions on Slopes*, if applicable.

19 **3. Standards**  
20 Except as allowed in subsection C.4. below, all proposed development subject to this  
21 section shall comply with the following standards.

22 **a. Determination of Original/Natural Grade**  
23 Original/natural grade shall be as defined in chapter 21.14. If there has been  
24 previous development on the lot (e.g., gravel extraction), the director shall  
25 determine original/natural grade, taking into account the previous development,  
26 the existing grade of surrounding lots, the availability of information on pre-  
27 development grade, and the feasibility of using pre-development grade.

28 **b. Slopes Greater than 30 Percent**  
29 That contiguous portion of any lot which is 5,000 square feet or larger with slopes  
30 steeper than 30 percent shall remain undisturbed, except as allowed in  
31 subsection C.4. below.

32 **c. Site Disturbance Envelope**  
33 i. There shall be a site disturbance envelope on each applicable lot. Earth  
34 disturbance and vegetation clearing shall be limited to the site  
35 disturbance envelope. Clearing, grubbing, or grading outside the site  
36 disturbance envelope is prohibited except to modify fuels in order to  
37 reduce fire risk, or to accommodate utility service connections.

- 38 ii. The size of the site disturbance envelope shall be as follows:
  - 39 (A) Lots less than 40,000 square feet: 60 percent of the lot area  
40 maximum.
  - 41 (B) Lots 40,000 square feet to two acres in area: 20,000 square feet  
42 maximum.

- 1 (C) Lots over two acres but less than five acres: 30,000 square feet  
2 maximum.
- 3 (D) Lots five acres or greater: 40,000 square feet maximum.
- 4 iii. Areas outside the site disturbance envelope shall not be used for  
5 stockpiling materials or excess fill, construction vehicle access, storage  
6 of vehicles during construction, or similar uses. Temporary construction  
7 fencing shall be installed around the perimeter of the site disturbance  
8 envelope, to be removed after the final certificate of zoning compliance is  
9 issued.
- 10 iv. The front setback of the lot may be reduced to 10 feet.
- 11 v. If the average slope of the site disturbance envelope is less than 20  
12 percent, the development is exempt from subsections 3.e., 3.f., 3.g., 3.h.,  
13 and 3.i.
- 14 d. **Cutting, Grading, and Filling**
- 15 i. Cutting and grading to create benches or pads for buildings or structures  
16 shall be limited to within the site disturbance envelope.
- 17 ii. Cut and fill slopes shall be entirely contained within the site disturbance  
18 envelope. The toe of any fill slope not utilizing an engineered retaining  
19 structure, and any engineered retaining structure shall be a minimum of  
20 15 feet from any property line, except for the property line abutting the  
21 street from which driveway access is taken.
- 22 iii. Cut and fill slopes shall be designed to provide a natural transition into  
23 the existing terrain by feathering and rounding.
- 24 e. **Raising or Lowering of Natural Grade**
- 25 The original, natural grade of a lot shall not be raised or lowered more than four  
26 feet at any point for construction of any structure or improvement, except:
- 27 i. The site's original grade may be raised or lowered a maximum of six feet  
28 if retaining walls are used to reduce the steepness of constructed slopes,  
29 provided that the retaining walls comply with the requirements set forth in  
30 this subsection.
- 31 ii. As necessary to construct a driveway from the street to a garage or  
32 parking lot [AREA], grade changes or retaining walls up to six feet may  
33 be allowed.
- 34 iii. For the purposes of this subsection 21.07.020C.3.e., basements and  
35 buildings set into a slope are not considered to lower the natural grade  
36 within their footprint.
- 37 f. **Retaining Walls**
- 38 Retaining walls may be used to maximize the usable area on a lot within the site  
39 disturbance envelope. Generally, a retaining wall shall be no higher than six feet,  
40 except that a wall varied in height to accommodate a variable slope shall have an  
41 average height no greater than six feet and a maximum height no greater than  
42 eight feet in any 100-foot length. Parallel retaining walls may be used to  
43 overcome steep slopes, provided the following standards are met:

- 1 i. The minimum distance between walls shall be six feet;
- 2 ii. The maximum allowable slope between walls shall be 3H:1V; and
- 3 iii. The area between the walls shall be landscaped with trees, shrubs, or
- 4 both at a rate of 0.5 landscape units per linear foot measured along the
- 5 length of the lower retaining wall.
- 6 iv. A higher wall is permitted:
- 7 i.(A) Where used internally at the split between one- and two-story
- 8 portions of a building; and
- 9 ii.(B) Where substantially hidden from public view at the rear of a
- 10 building, where it may not exceed the eave height of the building.
- 11 **g. Natural Drainage Patterns**
- 12 i. Site design shall not change natural drainage patterns, except as
- 13 provided below.
- 14 ii. All grading and drainage shall comply with section 21.07.040, title 23, the
- 15 *Design Criteria Manual* (current approved edition), and the municipality's
- 16 *Storm Water Treatment Plan Review Guidance Manual*.
- 17 iii. Except where otherwise provided in this section, development shall
- 18 preserve the natural surface drainage pattern unique to each site as a
- 19 result of topography and vegetation. Grading shall ensure that drainage
- 20 flows away from all structures. Natural on-site drainage patterns may be
- 21 modified on site only if the applicant shows that there will be no
- 22 significant adverse environmental impacts on site or on adjacent
- 23 properties. If natural drainage patterns are modified, appropriate
- 24 stabilization techniques shall be employed.
- 25 iv. Development shall not adversely impact adjacent and surrounding
- 26 drainage patterns.
- 27 **h. Ground Cover and Revegetation**
- 28 Ground cover and vegetation shall be maintained to control erosion and
- 29 sedimentation. All areas that are denuded for any purpose shall be revegetated
- 30 or the soils stabilized to prevent erosion and sedimentation prior to November 1
- 31 of the year of construction. No excavation shall be permitted after November 1
- 32 or before May 1 except under emergency conditions, as determined by the
- 33 building official.
- 34 **i. Building Design Standards**
- 35 The purpose of the building design standards is to minimize site disturbance,
- 36 avoid extreme grading required by large building pads on steep slopes, and
- 37 reduce the risk of damage from natural hazards.
- 38 i. All buildings and structures shall have a foundation which has been
- 39 designed by a professional engineer, architect, or other qualified
- 40 professional.
- 41 ii. At any given point, the height of the structure shall not exceed 25 feet
- 42 above the original (natural) grade.

4. **Slopes Greater Than 30 Percent**

a. **Purpose**

The requirements of this section are intended to allow consideration of development on slopes up to 50 percent. In order to assure the safety and stability of such development and to reduce offsite impacts, additional submittals are required as described in this subsection. Nothing in this subsection guarantees approval to disturb slopes greater than 30 percent.

b. **Applicability**

If the site disturbance envelope as defined in C.3.c. above contains slopes over 30 percent, the standards of this section shall apply.

c. **Slopes Greater Than 50 Percent**

All slopes greater than 50 percent shall remain undisturbed.

d. **Existing Lots**

Notwithstanding other standards of this section, lots existing on [effective date] that, due to the prevalence and/or distribution of slopes over 50 percent, are not able to meet these standards, are allowed a site disturbance envelope of 20,000 square feet. Within this site disturbance envelope, slopes over 50 percent are allowed to be disturbed.

e. **Administrative Site Plan Review Required**

Development on slopes greater than 30 percent but not exceeding 50 percent requires an administrative site plan review. In addition to the site plan approval criteria set forth in subsection 21.03.180E., the approval criteria in subsection 4.g. below shall apply.

f. **Additional Submittal Requirements**

In addition to the submittal requirements for an administrative site plan review, the following information is required:

i. A geotechnical engineering report, stamped by an engineer licensed in the state of Alaska, to include the following:

(A) Nature, distribution, strength, and stability of soils; conclusions and recommendations for grading procedures; recommendations for frequency of soil compaction testing, design criteria for corrective measures; and opinions and recommendations covering the adequacy of the site to be developed.

(B) Slope stability analysis: conclusions and recommendations concerning the effects on slope stability of excavation and fill, introduction of water (both on and offsite), seismic activity, and erosion.

(C) Foundation investigation: conclusions and recommendations concerning the effects of soil conditions on foundation and structural stability, including permeability, bearing capacity, and shear strength of soils.

(D) Specific recommendations for cut and fill slope stability, seepage and drainage control, or other design criteria to mitigate geologic hazards, slope failure, and soil erosion.

- 1 (E) Depth to groundwater in the wettest seasonal conditions, and to  
2 bedrock, if less than 15 feet.
- 3 (F) Complete description of the geology of the site, a complete  
4 description of bedrock and subsurface conditions and materials,  
5 including artificial fill, soil depth, avalanche and mass wasting  
6 hazard areas, fractures, or other significant features.
- 7 (G) A summary of field exploration methods and tests on which the  
8 report is based, such as probings, core drillings, borehole  
9 photography, or test pits. The public works [PROJECT  
10 MANAGEMENT AND ENGINEERING] department shall confirm  
11 that the analysis methods and age of data are a reliable gauge of  
12 the site conditions and the potential impacts.
- 13 ii. A site development plan showing the following:
- 14 (A) Site disturbance envelope as set forth in C.3.c. above.
- 15 (B) Location of all driveways, and utility lines and installations.
- 16 (C) Location of all structures.
- 17 (D) Elevation drawings of all structures.
- 18 iii. Grading and drainage plans that provide the following:
- 19 (A) Topographic survey of existing conditions depicting at a  
20 minimum two foot contour intervals on a legible site map of one  
21 inch equaling 50 feet, or better.
- 22 (B) Proposed grading plan indicating limits of disturbed area,  
23 finished grade at minimum two foot contour intervals, proposed  
24 elevations of improvements, driveway grading at minimum 10  
25 foot intervals measured on centerline, delineation of cut and fill  
26 areas, constructed slopes, proposed drainage features, and  
27 related construction.
- 28 (C) Drainage plans showing approximate locations for all surface  
29 and subsurface drainage devices, retaining walls, dams,  
30 sediment basins, storage reservoirs, and other protective  
31 devices to be constructed with, or as part of, the proposed work,  
32 together with a map showing drainage area, how roof and other  
33 impervious surface drainage will be disposed, the complete  
34 drainage network, including outfall lines and natural drainage  
35 ways which may be affected by the proposed development, and  
36 the estimated volume and rate of runoff of the area served by the  
37 drains.
- 38 (D) A plan for erosion control and other specific control practices to  
39 be employed on the disturbed area where necessary.
- 40 iv. A revegetation plan that shows:
- 41 (A) The type, size, location, and grade of vegetation that will be used  
42 to complete the development plan and restore areas disturbed

during construction, on a scaled plan of one inch equaling 30 feet, or better.

(B) Slope stabilization measures to be installed.

**g. Standards**

The following subsections apply to development under this subsection C.4.:

- i. 21.07.020C.3.c., *Site Disturbance Envelope*;
- ii. 21.07.020C.3.d., *Cutting, Grading, and Filling*;
- iii. 21.07.020C.3.g., *Natural Drainage Patterns*;
- iv. 21.07.020C.3.h., *Ground Cover and Revegetation*; and
- v. 21.07.020C.3.i., *Building Design Standards*.

**h. Approval Criteria**

- i. The proposed development minimizes disruption of the natural topography and protects natural features on the site in their natural state to the greatest degree possible.
- ii. The principal and accessory structures have been sited in such a manner as to protect natural features of the site, minimize grading, preserve the appearance of scenic vistas, and minimize the risk of property damage and personal injury from natural hazards.
- iii. The design of the structures includes massing, roof lines, exterior materials and colors, and decking that complements the terrain and complies with the building design standards set forth in paragraph C.3.i. above.
- iv. Proposed landscaping preserves the natural character of the area while minimizing erosion and fire hazard risks to persons and property.
- v. The drainage design of the development will have no adverse impact on neighboring or nearby properties.
- vi. Areas not well suited for development due to soil stability characteristics, geology, hydrology limitations, or wastewater disposal, have been avoided.

**D. Wildlife Management Corridors**

**1. Intent**

The purpose of this section is to reduce wildlife-human conflicts by managing certain linear stream corridors to minimize adverse human-wildlife interactions and to facilitate more safely the movement of wildlife in those corridors identified in this section. It is not the intent of this section to reduce density that is otherwise allowed.

**2. Applicability**

This subsection shall apply within 200 feet on either side of the ordinary high water mark of the following streams: Peters Creek and its tributaries upstream of the Old Glenn Highway, Eagle River, South Fork of Eagle River (below the falls), Ship Creek (upstream from Reeve Blvd.), Campbell Creek (upstream from Lake Otis Parkway), North Fork of Little Campbell Creek (upstream from Elmore Road), Rabbit Creek, Little Rabbit Creek,

Indian Creek, Bird Creek, Penguin Creek, California Creek, Glacier Creek, Virgin Creek and Portage Creek.

**3. Standards**

Within the area identified in subsection D.2. above, the following mandatory standards shall apply:

- a. No new landfills, transfer stations, schools, or campgrounds are allowed.
- b. All outdoor trash receptacles shall be bear-resistant, and food shall not be stored outside.
- c. Roads, driveways, or trails, including bridges, shall be subject to the setback requirements of this title and shall be designed to facilitate wildlife passage along streams and to minimize wildlife-human conflicts.
- d. Trails shall be sited with direct consultation with the state department of fish and game.

**4. Discretionary Approvals**

- a. Within the area identified in subsection D.2. above, the following shall be considered by decision-making bodies during any discretionary approval:
  - i. Location of new buildings, trails, and fences.
  - ii. Long-term retention of natural vegetation and terrain in a landscape pattern that provides cover for wildlife movement and directs that movement through the area, away from centers of human activity.
- b. All applicable discretionary approvals under this section shall be referred to the Alaska department of fish and game, wildlife division, for their review, comments, and recommendations, which shall be considered by the decision-making body.

**21.07.030 PRIVATE USABLE OPEN SPACE**

**A. Purpose**

- 1. In residential development, ~~private usable~~ open space is intended to provide residents with opportunities for active and passive outdoor recreation, relaxation, and enjoyment. ~~Open space enhances the quality and livability of new development and can preserve vegetation, access to light and air, and scenic views. No usable open space is required in commercial or industrial developments other than mixed use developments in the R-4, B-1A, B-1B and B-3 districts.~~
- 2. ~~In nonresidential development, private open space is intended to contribute to the walkability and general quality of the public realm, and to provide employees and customers with space for active or passive recreation and relaxation. Usable open space is defined as common open space or private open space in any combination that meets the requirements of this section. All lands associated with the development shall be included in the calculation of usable open space except as provided in 21.07.030D.~~

**Comment [EBM41]:** In general—disagree with changes. See major issues list.

**Comment [EBM42]:** Disagree—this helps to explain why open space requirements exist and what they are intended to provide.

**Comment [EBM43]:** Disagree—this is putting applicability statements in a purpose statement, which, by the consultant's amendment, is specifically noted NOT to have regulatory force.

**Comment [EBM44]:** Disagree with deleting open space associated with nonresidential development—see major issues list.

**Comment [EBM45]:** Disagree—again, regulatory statements included in the purpose.

**B. Applicability and Open Space Requirement**

~~Development shall be required to set aside private open space according to the following minimum requirements. Single-family, two-family, and townhouse residential uses are exempt. For the purposes of this section, gross floor area shall not include floor area devoted to parking or loading, or indoor private open space that meets the standards of C.4. below. New residential~~

1 developments shall be required to set aside a combination of private and common usable open  
2 space according to the following minimum requirements, except where specifically provided  
3 otherwise.

4 ~~1.R-2M and R-2F districts: 480 square feet of private open space per dwelling unit, or an area~~  
5 ~~equal to five percent of the gross floor area of group living uses or nonresidential~~  
6 ~~development.~~

7 2.1. R-3 district: For multi-family residential developments, at least 300400 square feet of  
8 usable private open space per dwelling unit shall be provided. At least half one-third of  
9 the private usable open space shall be shared in common among the units. Group living  
10 uses and nonresidential development shall provide an area equal to five percent of the  
11 gross floor area for open space.

12 3.2. R-4 ~~and R-4A~~ districts: For a multifamily uses, at least 200 square feet of usable open  
13 space per dwelling unit shall be provided. ~~with townhouse style construction, 225~~  
14 ~~square feet of private open space per dwelling unit, to be provided for the exclusive use~~  
15 ~~of each dwelling unit per C.2. below; for non-townhouse style multifamily uses, 125~~  
16 ~~square feet of private open space per dwelling unit, and at~~At least half one third of the  
17 private usable open space shall be shared in common among the units. Group living  
18 uses and nonresidential development shall provide an area equal to five percent of the  
19 gross floor area for open space.

20 4.3. ~~B-1A, B-3, RO, NMU, CMU, and RMU,~~ and nonresidential development in residential  
21 districts:

22 a. Private Usable open space equal to five percent of the gross floor area of the  
23 nonresidential portion of the development shall be provided.

24 b. Where dwelling units are part of the development, an additional 120 square feet  
25 of private usable open space per dwelling unit shall be provided, ~~which shall not~~  
26 ~~be combined with private open space for the nonresidential portion of the~~  
27 ~~development.~~

28 ~~5.DT and MT districts: [to be determined through Downtown Plan and Midtown Plan and~~  
29 ~~regulations processes]~~

30 **C. Exemptions**

31 The following are exempt from the private usable open space requirement:

32 1. ~~Parks and Open Areas, Public Safety Facility, Transportation Facility, Utility Facility,~~  
33 ~~Telecommunication Facility, Agricultural Uses, Vehicles and Equipment, Manufacturing~~  
34 ~~and Production, Warehouse and Storage, and Waste and Salvage use categories~~Single-  
35 family, two-family, triplex, mobile home and townhouse residential uses;

36 2. Non-residential uses;

37 2.3. Any building floor area devoted to parking and/or loading; and

38 3.4. Any building with less than 1,000 square feet of gross floor area.

39 **D. Standards**

40 1. **Areas Not Credited**

41 Lands within the following areas shall not be counted towards required private open  
42 space areas:

- a. Setbacks with average slopes over 10 percent;
- b. Drainage easements, ditches, swales, and other areas intended-constructed to collect and channel water;
- c. Required site perimeter and parking lot landscaping;
- d. Public or private-usable streets or street rights of way;
- e. Parking facilities, driveways, other motor vehicle circulation areas, loading areas, and refuse collection areas; and
- f. Land covered by structures not intended solely for recreational uses.

**2. Use of Private Usable Open Space Areas**

Required private-usable open space may be consist of private-usable yard, garden, patio, deck, balcony, or other open space reserved for the exclusive use of a single dwelling unit. It shall be designed for the occupants of a specific dwelling, and provided immediately adjacent to, and with direct access from the dwelling. The minimum inside dimension for such an area used to meet the private-usable open space requirement shall be no less than 45-10 feet for ground level spaces such as yards, or six feet for above ground level spaces such as balconies. Individual private-usable open space for the exclusive use of each dwelling unit shall have an average slope of less than five percent.

**Comment [EBM46]:** Disagree—15 feet barely makes for a usable yard. Ten feet completely goes against the purpose of the section and creates areas that are not usable. Also allows setback areas to be counted as private open space. Setback areas may be counted, but additional space needs to be provided to make them large enough to be usable.

**3. Physical Delineation**

A fence, hedge, earth berm, railings on decks, and/or other continuous linear landscaping features shall define and separate ground-level private-usable open space from abutting street rights-of-way. Such features may be incorporated as part of required perimeter landscaping. Private open space shall be separated from refuse collection areas by L2 visual enhancement landscaping.

**4. Common Private Open Space**

Private Usable open space areas to be used in common by residents and/or associated with nonresidential uses or mixed uses are intended to be usable spaces that incorporate user amenities facilitating passive or active recreation and relaxation. These areas shall meet the following standards:

- a. At least half of the common private-usable open space shall be contiguous.
- b. Common private-usable open space shall be conveniently accessible to residents or users of the development. The nearest building façade to the open space, any façade sharing a corner with the nearest building façade, or any façade directly facing the open space, shall have a primary entrance. A walkway shall connect common private open space to primary building entrances.
- c. The minimum inside dimension for an area used to meet the requirement shall be 20-10 feet for residential uses and 15 feet for nonresidential uses.
- d. Common private-usable open space may include lawn areas; picnic areas; gardens; natural vegetation; equipped recreation areas; sports courts; hard surfaced pedestrian spaces such as patios, decks, courtyards, housing courtyards, or plazas; indoor private-usable open space pursuant to CD.5. below; and/or roof tops or terraces.

**Comment [EBM47]:** Disagree—“conveniently accessible” now becomes a point of argument between applicant and reviewer. Having a standard that is measurable eliminates the conflict and provides an expectation that the applicant can plan for.

**Comment [EBM48]:** Disagree—open space for the common use of multiple families can now be smaller than the average bedroom?

**Comment [EBM49]:** As open space for nonresidential uses was eliminated, why is this here?

1 e. Up to 25 percent of the total required open space area may be developed for  
2 active recreation, such as with play equipment or delineated sports field.

3 **5. Indoor Private Open Space Option**

4 Up to ~~25-50~~ percent of the total required ~~private-usable~~ open space for residential uses,  
5 ~~and up to 50 percent of the total required private open space for nonresidential uses,~~ may  
6 be indoors. Such space:

7 ~~a. Shall be located and designed to maximize sunlight access by providing one square~~  
8 ~~foot of transparent window and/or skylight area for each two square feet of floor~~  
9 ~~area of the indoor private open space;~~

10 ~~b.a.~~ Shall be climate controlled and furnished with features and amenities that  
11 encourage its use;

12 ~~c.b.~~ Shall be accessible to all residents, ~~or to all employees and customers of the~~  
13 ~~development;~~ and

14 ~~d.c.~~ Shall not be combined with some other function, such as laundry or storage, ~~but~~  
15 ~~such other functions may be immediately adjacent to the common usable open~~  
16 ~~space.~~

17 **6. Incentive for High Quality Spaces**

18 The total open space area requirement may be reduced by 25 percent if the largest  
19 common open space area meets all the other requirements of this section and the  
20 following standards:

21 a. Has less than an average five percent slope;

22 b. Is well-drained and not wetlands;

23 c. Has a minimum inside dimension of 25 feet; and

24 d. Receives sunlight access on the majority of the open space for at least four  
25 hours per day between the spring and fall equinox.

26 **7. Ownership**

27 All ~~private-usable~~ open space areas not reserved for the exclusive use of a single  
28 dwelling unit shall be owned jointly or in common by the owners of the development or  
29 permanently preserved through some other mechanism satisfactory to the director.  
30 While ~~private-usable~~ open space may be platted into separate tracts, those tracts which  
31 provide required ~~private-usable~~ open space shall not be sold separately from the  
32 development.

33 **8. Fee In Lieu Prohibited**

34 The payment of fees in lieu of the set-aside of land for private common open space is  
35 prohibited.

36 **21.07.040 DRAINAGE, STORM WATER TREATMENT, EROSION CONTROL, AND PROHIBITED**  
37 **DISCHARGES**

38 **A. Purpose**

39 1. Drainage plans and the requirements of this section and the *Design Criteria Manual* are  
40 intended to implement the following principles of drainage planning:

- 1 a. The design of a drainage system shall not transfer a problem from one location to  
2 another.
- 3 b. Adequate space shall be provided for drainage conveyance and storage.
- 4 c. Good drainage design incorporates the effectiveness of the natural systems,  
5 rather than negating, replacing, redirecting, or ignoring them. The features,  
6 capacity, and function of the existing natural system shall be considered and  
7 utilized.
- 8 d. Drainage and storm water management facilities shall be designed with ease of  
9 maintenance, long-term function, sub-arctic climate function, protection of public  
10 safety, and accessibility as primary considerations.
- 11 2. Other purposes of this section include:
- 12 a. Regulating development preparation and land-disturbing activity in order to  
13 control erosion and sedimentation and accordingly to prevent water pollution  
14 from sedimentation, to prevent accelerated erosion and sedimentation of lakes  
15 and natural watercourses; and to prevent damage to public and private property  
16 by erosion and/or sedimentation during and after construction;
- 17 b. Regulating storm water discharge to improve the quality of the environment for  
18 residents of the municipality, administer the Municipal Separate Storm Sewer  
19 permit, and manage impacts to the watersheds in the municipality; and
- 20 c. Minimizing point and non-point source pollution into the water bodies of the  
21 municipality.

22 **B. Guidance Documents**

23 The municipal engineer shall develop, implement, and maintain various guidance manuals which  
24 shall provide standards and guidelines for this section 21.07.040. The *Design Criteria Manual*  
25 and the *Storm Water Treatment Plan Review Guidance Manual* are examples of such manuals.

26 **C. Emergencies**

27 Where site work [MUST] deviate<sup>s</sup> from approved plans due to an emergency, the municipal  
28 engineer shall be notified on the next business day. Changes to an approved plan shall be  
29 submitted within 14 days to the public works [PROJECT MANAGEMENT AND ENGINEERING]  
30 department. For the purposes of this section, an “emergency” is a situation which would result in  
31 an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and  
32 significant economic hardship if corrective action requiring a permit is not undertaken  
33 immediately.

34 **D. Drainage**

35 **1. Intent**

36 A drainage plan shall show the post-development drainage patterns of the site.

37 **2. Applicability**

38 This section applies to all development within the municipality.

39 **3. Drainage Plan Required**

40 a. Applications for the following entitlements shall include a drainage plan:

- 41 i. A permit from the development services department, for projects that  
42 include land disturbance;

- 1           ii.       Subdivision plat (both preliminary and abbreviated plats);
- 2           iii.       Site plan review (administrative and major); and
- 3           iv.       Conditional use.
- 4           v.       The drainage plan submittal requirement may be waived by the director  
5                 and the municipal engineer if both agree that such a plan is not  
6                 necessary.
- 7           b.       The drainage plan shall show the area affected by the application, as well as  
8                 watercourses, drainage and water quality easements, appropriate drainage  
9                 outfall for surface water, roof drainage, and other impervious surfaces, and any  
10                other pertinent information, and shall address surface and subsurface drainage.  
11                The drainage plan shall also indicate impacts, if any, on adjacent, up-gradient,  
12                and down-gradient properties.
- 13           c.       An approved drainage plan is required before any site work commences.
- 14        **4.       Standards**  
15           Drainage plans shall comply with the requirements of municipal code and the guidance of  
16           the *Design Criteria Manual*. Post-development drainage plans shall be designed in a  
17           manner such that there will be no adverse off-site impacts. Any net increase of water  
18           volumes shall [MUST] be mitigated and/or directed to an adjacent drainage system or  
19           receiving water that has the demonstrated capability to handle the new flows. The  
20           municipality may require a dedicated drainage easement(s) to ensure the drainage is  
21           consistent and compatible with surrounding drainage patterns.
- 22        **5.       When No Permit is Required**  
23           a.       In situations where a building or land use permit is not required, all design and  
24                 construction activities shall comply with municipal code.  
25           b.       If the municipal engineer reasonably believes that a project is significant in nature  
26                 or that it will have negative impacts on surrounding property, water quality,  
27                 drainage, or the roadways, the municipal engineer may require submittal of a  
28                 drainage plan and a full review of the project. The applicant shall pay the  
29                 appropriate review fees for the review. If the project is under construction, the  
30                 municipal engineer may issue a stop work order until the project has been  
31                 reviewed and approved.  
32           c.       If a project has been completed and there are negative impacts on surrounding  
33                 property, water quality, drainage, or the roadways, the municipal engineer may  
34                 pursue enforcement actions under chapter 21.13.
- 35        **6.       Exposure of Subsurface Flows**  
36           If, during site work, unexpected subsurface flows are exposed, the municipality shall be  
37           informed immediately. If the subsurface flow cannot be contained within the site and has  
38           a significant off-site impact, work shall cease immediately and shall not be resumed until  
39           a temporary flow management plan has been submitted to and accepted by the  
40           municipality. In addition, the developer shall amend the drainage plan to address the  
41           exposed flows and potential for glaciation and shall submit it to the municipality and  
42           receive approval before resuming site work other than temporary flow management.

**Comment [EBM50]:** Disagree—this is not a type of entitlement, and thus should not be included in the list of entitlements. Leave as provisionally adopted where it is not part of the list, but just another sentence in subsection a.

- 1 **E. Storm Water Treatment and Erosion and Sediment Control**
- 2 **1. Intent**
- 3 A storm water treatment plan shall show both the controls put in place during construction
- 4 and any needed post-development controls to prevent erosion and protect water quality.
- 5 **2. Applicability**
- 6 Storm water treatment plan approval is required prior to commencement of land clearing
- 7 or ground disturbing activities; the discharge of surface water (including from snow
- 8 disposal sites); the construction, alteration, installation, modification, or operation of a
- 9 storm water treatment or disposal system; demolition or utility work; connection to the
- 10 municipal separate storm sewer system; work in water bodies, wetlands, or
- 11 watercourses; or dewatering activities, except as listed in E.3. below. All construction,
- 12 development, and maintenance activities shall be in accordance with the approved storm
- 13 water treatment plan.
- 14 **3. Nonconformities**
- 15 No nonconforming rights are granted for this section 21.07.040E.
- 16 **4. Exceptions**
- 17 A storm water treatment plan shall not be required for the following. An erosion control
- 18 plan may still be required if the discharge is so concentrated as to cause soil disturbance.
- 19 The municipal engineer may waive the requirement for a storm water treatment plan for
- 20 other activities that, in his or her judgment, will not create erosion or impair water quality.
- 21 **a.** Building improvements where no earth is disturbed;
- 22 **b.** Any earth disturbance that is less than 500 square feet in area;
- 23 **c.** Agricultural activities ~~(not including site landscaping)~~. Discharges from
- 24 agricultural activities are still subject to water quality standards and potential
- 25 enforcement for illicit discharges to watercourses or the storm sewer system;
- 26 **d.** Discharges of the following into the municipal separate storm sewer system:
- 27 **i.** Uncontaminated water line flushing;
- 28 **ii.** Residential irrigation water;
- 29 **iii.** Rising ground waters;
- 30 **iv.** Uncontaminated ground water infiltration;
- 31 **v.** Uncontaminated discharges from potable water sources;
- 32 **vi.** Foundation drains;
- 33 **vii.** Air conditioning condensate;
- 34 **viii.** Springs;
- 35 **ix.** Uncontaminated water;
- 36 **x.** Individual residential car washing;
- 37 **xi.** Flows from riparian habitats and wetlands;

**Comment [EM51]:** Disagree-- landscaping is not an agricultural activity, and care must be taken while landscaping to prevent erosion, and to keep dirt from entering the storm sewer system.

- xii. De-chlorinated swimming pool discharges;
- xiii. Street wash waters; or
- xiv. Flows from emergency fire fighting activity.

5. **Submittal Requirements and Review Procedure**

Storm water treatment plans shall be submitted to the public works [PROJECT MANAGEMENT AND ENGINEERING] department on the form provided. The submittal shall include plans for both temporary (during construction) and permanent storm water treatment and erosion control, and any supplementary information required in the user's guide or the *Design Criteria Manual*.

a. **Storm Water Treatment Plan Review Guidance Manual**

The *Storm Water Treatment Plan Review Guidance Manual* shall be used to develop, review, and approve storm water treatment plans. Applicants submitting plans under this subsection shall comply with the manual regarding plan requirements and reviews, and if necessary shall gather data to confirm storm water conditions.

b. **Changes to an Approved Storm Water Treatment Plan**

Any changes to permanent storm water controls from an approved storm water treatment plan require approval by the municipal engineer. Changes in temporary or construction storm water treatment controls or best management practices necessary to maintain effective storm water treatment do not require municipal approval but shall be documented.

c. **New Application Required**

If dewatering, land clearing, construction, alteration, installation, modification, or operation has not begun within one year after issuance of a storm water treatment plan approval, the approval is void, and a new application shall be submitted to the public works [PROJECT MANAGEMENT AND ENGINEERING] department for review and approval.

d. **Project-Wide Approval**

The municipal engineer may issue a project-wide approval to an applicant who plans to conduct an operation with the same runoff characteristics at various discharge locations. He or she may require the submittal of site-specific plans, including a schedule and description of all planned discharge activities, for approval, and may restrict that approval to certain proposed discharge activities.

6. **Land Clearing**

Mechanized land clearing requires an approved storm water treatment plan. Until a subsequent use is approved, a temporary native vegetation buffer shall be retained on the perimeter of the lot-property being cleared, equal to or greater than the specified minimum setback required in the zoning district. This buffer shall be at least 15 feet wide on the perimeter of lots in commercial and industrial zoning districts, ~~except where these are adjacent to PLI and/or residential zoning districts, where the temporary buffer shall be a minimum of 30 feet wide.~~ Those areas of native vegetation in commercial and industrial zoning districts not essential to the parcel's development and situated on the perimeter of the site shall be retained and protected from disturbance as specified in subsection 21.07.080G.3.

Comment [EM52]: Disagree--this is current code that has been in place for some time and is appropriate protection for residential and PLI uses.

7. **Erosion and Sediment Control Administrator**

A qualified erosion and sediment control administrator, who shall be responsible for the erosion, sedimentation, and best management practices during construction, shall be

1 identified in each storm water treatment plan submitted for approval, except for storm  
2 water treatment plans for owner-built single- and two-family dwellings. Evidence of  
3 contractual liability shall be provided when requested.

4 a. In order to be identified as a qualified administrator, a person shall successfully  
5 complete a training course and associated test for certification from a training  
6 program approved by the public works [PROJECT MANAGEMENT AND  
7 ENGINEERING] department.

8 b. The qualified administrator shall maintain their certification in active status  
9 throughout the length of the project. In the case where the qualified  
10 administrator's certification becomes expired or revoked, a new qualified person  
11 shall be selected to be the erosion and sediment control administrator and shall  
12 be identified on the storm water treatment plan.

13 **8. Alternate Materials, Design, and Method of Construction**

14 a. The provisions of this section are not intended to prevent the use of any alternate  
15 material, design, or method of construction not specifically prohibited by this  
16 code, provided any alternate has been approved and its use authorized by the  
17 municipal engineer.

18 b. The municipal engineer may approve any such alternate, provided that he or she  
19 finds that the proposed design complies with the intent and purpose of this code,  
20 and that the material, method, or work offered is, for the purpose intended, at  
21 least the equivalent of that required in this code in suitability, effectiveness,  
22 durability, safety, sanitation, and degree of structural integrity. The details of any  
23 action granting modifications or the acceptance of a compliance alternative shall  
24 be recorded and entered in the public works [PROJECT MANAGEMENT AND  
25 ENGINEERING] department's files.

26 c. Whenever there is insufficient evidence of compliance with any of the provisions  
27 of this code or evidence that any material or construction does not conform to the  
28 requirements of this code, the municipal engineer may require tests as proof of  
29 compliance to be made at no expense to the municipality. Test methods shall be  
30 as specified by this code or by other recognized test standards. If there are no  
31 recognized and accepted test methods for the proposed alternative, the  
32 municipal engineer shall determine test procedures. All tests shall be made by  
33 an approved agency. Reports of such tests shall be retained by the municipal  
34 engineer for the period required for the retention of public records.

35 **9. Inspections**

36 a. ***Required Inspections***

37 Prior to the commencement of or during land clearing or ground disturbing  
38 activities, the discharge of surface water, or dewatering activities subject to this  
39 section, an inspection of approved best management practices associated with  
40 the storm water treatment plan shall be conducted. Prior to the issuance of a  
41 certificate of zoning compliance, permanent site controls shall be verified by  
42 inspection or other means, as determined by the municipal engineer. The owner  
43 or contractor of record is responsible for requesting the required inspections at  
44 the appropriate times.

45 b. ***Other Inspections Authorized***

46 i. A municipal official, upon presentation of proper identification, may enter  
47 the premises at reasonable times to inspect or perform duties imposed  
48 by this code, for the purpose of determining whether the owner or

operator thereof is in compliance with the specific requirements of this section. If such premises are unoccupied, the official shall first make a reasonable effort to locate the owner or other person having charge or control of the premises and request entry. If entry is refused, any approvals issued under this section may be immediately suspended until an inspection is conducted, and the official shall have recourse to the remedies provided by law to secure entry. Permittees, owners, or operators shall immediately stop all work upon the site being posted with a stop work order for failure to allow inspection.

ii. A municipal official may inspect any property or facility suspected as the source of illicit discharges in violation of 33 USC 1342 (1987) as amended.

iii. No inspection for which a warrant would be required under the constitution of this state or the United States may be conducted under this section without the proper warrant.

**c. Availability and Production of Plans and Records**

Approved plans and specifications shall be available on site for review by municipal inspectors at the time of requested inspections. At the request of municipal officials and during normal working hours, owners or operators of facilities, construction sites, premises, or areas shall produce and make available for inspection or copying all records or information required to be maintained or reported under the provisions of this section.

**F. Prohibited Discharges**

**1. Applicability**

This section applies throughout the municipality.

**2. Prohibited Discharges or Acts**

No person shall cause or permit illicit discharges:

a. Into any waters of the state, or waters of the United States, unless such is first treated in a manner approved by the federal, state, or other agencies having jurisdiction; or

b. Into a storm sewer of the municipality, other than pursuant to a dewatering permit, an approved storm water treatment plan, a national pollutant discharge elimination system permit, or a permit issued by a local, state, or other agency having jurisdiction. Examples of discharges that are prohibited include:

i. Grease, fatty materials, offal, or garbage;

ii. Sand, sand dust, dirt, gravel, sawdust, metal filings, broken glass, or any material which may cause or create an obstruction in the sewer;

iii. Gasoline, benzene, fuel oil, or a petroleum product or volatile liquid;

iv. Milk or any liquid milk waste product in quantities in excess of ten gallons during any 24-hour period;

v. Wax, cyanide, phenols, or other chemical or substance that may cause damage to materials of which the sewer system is constructed; or

vi. Wastewater, as defined in AMC section 15.20.010.

1 For the purposes of this section, "illicit discharges" means pollutants or any materials  
2 other than storm water.

3 **3. Dumping in Watercourses and Water Bodies**

4 No person shall deposit, dump, abandon, throw, scatter, or transport solid waste,  
5 garbage, rubbish, junk, fill, soil, dirt, snow, ice, vegetation, or other material in such a  
6 manner as to obstruct, impound, or cause siltation of any river, stream, creek,  
7 watercourse, water body, stream or water body or wetland setback, water quality  
8 easement, storm sewer, ditch, drain, or gutter except as otherwise allowed by valid  
9 federal, state, and other permits or licenses relative to water pollution, water  
10 impoundment, or water quality control.

11 **G. Hazardous Sites**

12 **1.** For the purposes of this section, any site meeting any or all of the conditions and defects  
13 described below shall be deemed to be hazardous, provided that such conditions or  
14 defects exist to the extent that the health of the watershed, the requirements of the  
15 Municipal Separate Storm Sewer System permit, or the safety of the public are  
16 endangered, as determined by the municipal engineer.

17 **a.** Any site that causes sediment to be discharged in such a way that it may be  
18 delivered directly or indirectly to the storm sewer or receiving waters;

19 **b.** Any site that causes pollution to be discharged in such a way that they may be  
20 delivered to the watershed;

21 **c.** Any property for which the owner, manager, or tenant fails to install and/or  
22 maintain properly permitted BMPs; or

23 **d.** Any site where actions are causing soil masses to be in danger of sloughing,  
24 destabilizing, failing, or collapsing as a mass wasting event.

25 **2.** All sites which are determined after inspection by the municipal engineer to be a  
26 hazardous shall be abated as determined by the municipal engineer.

27 **H. Violations and Penalties**

28 **1. Violations**

29 **a.** Any person who violates any provisions of this section shall report such violation  
30 to the project management and engineering department and shall make available  
31 any information or records related to the contents of the substance discharged.

32 **b.** In addition to any other remedy or penalty provided by this title, any person who  
33 violates any provision of this title or regulations adopted there under shall be  
34 subject to the civil penalties or injunctive relief, or both, as provided by AMC  
35 section 1.45.010B.

36 **c.** In any action under this section, the municipality, if not a party, may intervene as  
37 a matter of right.

38 **2. Penalties**

39 **a.** All sites operating without approval under this section may be immediately  
40 posted with a stop work order and shall pay double fees for all required permits  
41 or inspections under this section, as well as any fines which may be assessed.  
42 In addition to any other remedy permitted by law, fines may be assessed for  
43 failure to have a permit or approved plan, failure to allow inspections, or failure to

1 obey a properly issued stop work order. Violators of this section may also be  
2 charged \$1,000 per day until the violation(s) is corrected.

3       **b.** Any person who negligently or intentionally permits or causes a discharge in  
4 violation of this section shall, upon conviction, be subject to a civil fine penalty of  
5 \$5,000 to \$10,000 per day, or injunctive relief to cease the violation, or both. In  
6 addition to any fine assessed under this section, any person who violates any  
7 provision of this section or any rule or regulation adopted pursuant to this section  
8 shall be subject to a further civil penalty of up to double the cleanup and  
9 remediation costs incurred as a result of the violation.

10       **c.** Any person who permits or causes a discharge in violation of this section shall be  
11 strictly liable, regardless of intent, for the full amount of any fines or other  
12 liquidated penalties incurred by the municipality for any violations of federal law  
13 which are caused by the discharge.

14       **d.** No certificate of zoning compliance shall be issued until all fines levied under this  
15 section have been paid.

16 **I. Appeals**

17       **1.** Appeals of orders, decisions, or determinations made by the municipal engineer shall be  
18 heard by the zoning board of examiners and appeals, pursuant to subsection  
19 21.03.050B.

20       **2.** The zoning board of examiners and appeals shall have no authority over the  
21 interpretation of the administrative provisions of this section, nor shall the board be  
22 empowered to waive requirements of this section.

23 **21.07.050 UTILITY DISTRIBUTION FACILITIES**

24 **A. Underground Placement Required for New or Relocated Lines**

25       **1.** Except as provided in subsection B. below, all newly installed or relocated utility  
26 distribution lines shall be placed underground.

27       **2.** Utility distribution lines owned or operated by utilities that are parties to a joint trench  
28 agreement shall be placed underground in a joint trench.

29       **3.** Nothing in this section restricts the maintenance, repair, or reinforcement of existing  
30 overhead utility distribution lines.

31 **B. Exceptions**

32       **1.** Except where an assessment district has been formed to convert overhead utility  
33 distribution lines as provided in [title Title](#) 19.60, utility distribution lines need not be placed  
34 underground in the class B improvement area defined in subsection 21.08.050B., or in  
35 the I-2 zoning district. However, in the following areas newly installed or relocated utility  
36 distribution lines shall be placed underground: Lower Hillside, between and including  
37 Abbott Road, Rabbit Creek Road, Hillside Drive and the New Seward Highway.

38       **2.** Except where an assessment district has been formed to convert overhead utility  
39 distribution lines as provided in AMC chapter 19.60, CATV utility distribution lines need  
40 not be placed underground where there are other overhead utility distribution lines;  
41 provided that, when all of the other overhead distribution lines are placed underground,  
42 the CATV utility distribution line shall also be placed underground.

- 1 3. A new utility distribution line may be placed overhead when necessary immediately to  
2 restore service interrupted by accident or damage by flood, fire, earthquake or weather;  
3 provided that the utility distribution line shall be replaced by a utility distribution line  
4 conforming to this chapter within 12 months of its placement.
- 5 4. A utility distribution line or service connection may be placed on the surface of frozen  
6 ground, provided that it is placed underground within 12 months thereafter.
- 7 5. New facilities may be added to existing overhead utility distribution facilities located  
8 outside target areas.
- 9 6. A temporary utility distribution line may be placed overhead in connection with new  
10 construction if the utility's tariff approved by the state public utilities commission expressly  
11 provides for removal of that line by a date certain, not to exceed 12 months thereafter.

12 **C. Variances**

- 13 1. The director may grant a variance from subsection A. above when any of the following is  
14 found:
  - 15 a. Placing a utility distribution line underground would cause an excessive adverse  
16 environmental impact;
  - 17 b. Placing a utility distribution line underground would threaten public health and  
18 safety, because the placement cannot be shown to meet acceptable technical  
19 standards for safety; or
  - 20 c. Placing a utility distribution line underground in an environmentally sound and  
21 safe manner would cost more than three times the cost of placing the line  
22 overhead, where the applicant demonstrates the relative cost to the satisfaction  
23 of the director.
- 24 2. The director may grant a variance from subsection A. above when he or she finds that  
25 the utility distribution line is being placed overhead temporarily for one of the reasons  
26 listed in this subsection:
  - 27 a. The line is being placed to provide service when weather conditions do not allow  
28 excavation for underground placement;
  - 29 b. A permanent location for underground placement is not available because of  
30 construction in progress; or
  - 31 c. The line is being placed to provide service to a temporary use or structure.
  - 32 d. A variance issued under this subsection C.2. shall expire within two years of its  
33 issuance.

Comment [EM53]: Disagree--it is inappropriate for this sentence to be subsection 2.d., as the list under section 2 is about reasons for granting a variance. The timing of the variance isn't a reason and should remain as was provisionally adopted.

34 **D. Relationship to Chapter 21.12, Nonconformities**

35 Existing overhead utility distribution lines located where this ~~title~~ Title requires new or relocated  
36 utility distribution lines to be placed underground are nonconforming utility distribution lines and  
37 are subject to the provisions of this subsection. A utility distribution line is not a nonconforming  
38 structure or use under chapter 21.12, *Nonconformities*, solely because it is a nonconforming  
39 overhead line under this section.

- 1 **E. Designation of Target Areas**
- 2 1. An electric utility that owns poles that support nonconforming utility distribution lines shall  
3 prepare or otherwise include as part of its annual capital improvement plan, a five-year  
4 undergrounding program consistent with subsection F. below. This five-year program  
5 shall be updated on an annual basis. Priorities shall be based on undergrounding in  
6 conjunction with the electric utility's essential system improvements and then by target  
7 area as set forth below in no particular order of priority. The director shall review and  
8 provide comment for consideration by the electric utilities on these five-year programs.  
9 When reviewing and commenting on these programs, the director shall consider the  
10 following factors in no particular order of priority:
- 11 a. Whether undergrounding will avoid or eliminate an unusually heavy concentration  
12 of overhead distribution facilities.
- 13 b. Whether the street or general area is extensively used by the general public and  
14 carries a heavy volume of pedestrian or vehicular traffic.
- 15 c. Whether the appearance of grounds and structures adjacent to the roadway is  
16 such that the removal of the overhead facilities will substantially improve the  
17 general appearance of the area.
- 18 d. Whether the street or area affects a public recreation area or an area of scenic  
19 interest.
- 20 e. Whether there is a significant opportunity to achieve economies due to the  
21 anticipated relocation or replacement of overhead lines or the widening or  
22 realignment of streets within a given area.
- 23 f. Whether the five-year program sufficiently addresses the objectives of subsection  
24 F. below.
- 25 g. Whether the area under consideration is within a zone where new and relocated  
26 distribution lines are required to be placed underground.
- 27 h. Whether the installation of underground distribution lines is economically,  
28 technically and environmentally feasible, including the effect on the attached  
29 utility.
- 30 2. The director shall confirm annually that the electric utilities have developed project  
31 undergrounding implementation plans. The director shall consult with the utilities and  
32 public agencies affected by any implementation plan. In reviewing implementation plans,  
33 the director shall consider the factors stated in subsection E.1. above.
- 34 3. The following shall be target areas:
- 35 a. Central Business District: between and including Third Avenue and Tenth  
36 Avenue and L Street and Ingra Street.
- 37 b. Midtown area: between and including New Seward Highway and Minnesota  
38 Drive and International Airport Road and Fireweed Lane.
- 39 c. All municipal and state street improvement projects except for those which do not  
40 require relocation of utility distribution facilities.
- 41 d. The following major traffic corridors:

- 1 i. Old Seward Highway.
- 2 ii. Ingra and Gambell Streets between and including Ninth Avenue and  
3 Fireweed Lane.
- 4 iii. Northern Lights Boulevard and Benson Boulevard between and including  
5 Glenwood Street and Arlington Drive.
- 6 iv. Muldoon Road between and including New Glenn Highway and  
7 Patterson Street.
- 8 v. Tudor Road between and including Patterson Street and Arctic  
9 Boulevard.
- 10 vi. Boniface Parkway between and including 30th Avenue and New Glenn  
11 Highway.
- 12 vii. Spenard Road between and including Hillcrest Drive and International  
13 Airport Road.
- 14 viii. Arctic Boulevard between 17<sup>th</sup> Avenue and Tudor Road.
- 15 ix. Lake Otis Parkway between Tudor Road and Abbott Loop
- 16 e. All park, recreational use, and scenic interest areas.
- 17 f. Eagle River Central Business District between and including the New Glenn  
18 Highway, North Eagle River Access Road, Aurora Street as extended to the Old  
19 Glenn Highway, and the Old Glenn Highway.
- 20 g. Any area where utility distribution facilities are provided by more than one utility  
21 as a result of mergers and boundary changes approved by the state public  
22 utilities commission.
- 23 h. School and university areas.

24 **F. Nonconforming Overhead Lines**

- 25 1. An electric utility that owns poles that support nonconforming utility distribution lines shall  
26 remove the poles and place those lines underground. Any other utility that attaches to  
27 such poles shall place its lines underground at the same time that the pole owner places  
28 lines underground.
- 29 a. The electric utility that owns poles shall, in each fiscal year, expend at least two  
30 percent of a three-year average of its annual gross retail revenues derived from  
31 utility service connections within the municipality, excluding toll revenues,  
32 revenues from sales of natural gas to third parties, and revenues from sales of  
33 electric power for resale for purposes of undergrounding nonconforming lines.  
34 An electric utility's expenditures, pursuant to AS 42.05.381(h), within the  
35 municipality, shall be counted toward satisfaction of the two percent expenditure  
36 required by this subsection.
- 37 b. A utility with lines attached to a pole that is to be removed under this subsection  
38 shall place its lines underground at the same time that the pole owner places its  
39 lines underground. To underground nonconforming utility lines, an attached  
40 utility shall not be required to expend more than two percent of its annual gross  
41 retail revenues derived from utility service connections within the municipality,

1 excluding toll revenues. For the purpose of satisfying subsection 21.07.050F.,  
2 the utility's expenditures pursuant to AS 42.05.381(h) within the municipality are  
3 counted toward this two percent expenditure limit.

4 c. The electric utility that owns poles may choose which existing lines to  
5 underground in order to fulfill the two percent expenditure requirement, in  
6 consultation with appropriate public agencies and any other utilities.

7 d. An electric utility that owns poles that does not expend the amount required in  
8 subsection F.1. of this section, or that expends more than that amount, may carry  
9 over the under expenditure or over expenditure as an adjustment to the following  
10 year's obligation.

11 2. The electric utility that owns poles shall notify the director, and utilities or entities with  
12 lines attached to such poles, of the approximate date that the owner plans to remove the  
13 poles. Such notice, where possible, shall be given at least four months in advance of the  
14 undergrounding except where an emergency or other unforeseen circumstances  
15 preclude such notice, in which case such advance notice as is reasonable under the  
16 circumstances shall be provided.

17 3. A utility shall annually submit a report of its undergrounding projects and expenditures for  
18 non-conforming lines to the director within 120 days of the end of the preceding calendar  
19 year.

20 4. All new service connections shall be placed underground in the same manner as required  
21 for utility distribution lines under subsections A. and B. above. New service lines may be  
22 temporarily installed above ground from October through May, if placed underground  
23 prior to the next October.

24 **G. Lines in Municipal Right-of-Way**

25 1. The department of **public works** [PROJECT MANAGEMENT AND ENGINEERING] shall  
26 furnish to a utility owning or operating utility distribution lines all planning documents for  
27 municipal road construction that will require the relocation of those utility distribution lines.

28 2. Once a utility installing a utility distribution line underground in material compliance with a  
29 right-of-way permit issued by the department of **public works** [PROJECT MANAGEMENT  
30 AND ENGINEERING] and in accordance with this chapter, the municipality shall  
31 reimburse the cost of any subsequent relocation of the utility distribution line required by  
32 municipal road construction.

33 3. If municipal road construction requires the relocation of a nonconforming utility  
34 distribution line, the municipality, as part of the road construction project cost, shall  
35 reimburse the cost of the relocation. Reimbursable costs under this subsection include  
36 engineering and design, inspection, construction, and general overhead costs, but  
37 exclude utility plant betterment costs. Plant betterment costs are the costs of providing  
38 utility distribution line capacity or quality beyond what current industry standards require  
39 for the capacity or level of service existing before the relocation.

40 **H. Conversion of Service Connections**

41 A utility that places a nonconforming utility distribution line underground as required by subsection  
42 F. above shall bear the cost of placing underground any related service connections or other  
43 utility facilities on a customer's premises, in accordance with the utility's applicable tariff or rules  
44 or regulations of operation.

45 **21.07.060 TRANSPORTATION AND CONNECTIVITY**

**A. Purpose**

The purpose of this section 21.07.060 is to support the creation of a safe and highly connected transportation system within the municipality in order to provide choices for drivers, bicyclists, and pedestrians; increase effectiveness of municipal service delivery; promote walking and bicycling; connect neighborhoods to each other and to local destinations such as employment, schools, parks, and shopping centers; reduce vehicle miles of travel and travel times; improve air quality; reduce emergency response times; support the pattern of designated land uses; mitigate the traffic impacts of new development; create road and trail connectivity to free up arterial capacity while protecting neighborhood identity and safety; and, in high-volume traffic corridors, maintain an adequate degree of crossings for local circulation and minimize road and traffic impacts on adjacent uses.

**B. Applicability**

The standards of this section 21.07.060 shall apply to all development in the municipality.

**C. Traffic Impact Mitigation**

**1. Traffic Impact Analysis Required**

The transportation system for new development shall be capable of supporting the proposed development in addition to the existing uses in the area. Evaluation of system capacity shall be undertaken through a traffic impact analysis (TIA), which should consider the following factors without limitation: street capacity and level of service; vehicle access and loading; on-street parking impacts; the availability of transit service and connections to transit; impacts on adjacent neighborhoods; and traffic safety including pedestrian safety. Unless the traffic engineer issues a substantiated written finding, based on location of the project and professional judgment, that there is no need for a TIA, a traffic impact analysis (TIA) shall be required with applications for development review and approval when:

- a. Thresholds established in the traffic department's *Policy on Traffic Impact Analyses* are met;
- b. A TIA is required by the planning and zoning commission, the platting board or assembly as a condition of any land use application approved pursuant to the requirements of this ~~the~~ Title;
- c. Any case where the traffic engineer determines that the previous TIA for the property is out of date and no longer accurate—in such case the TIA shall not be less than two years old;
- d. Any case where increased land use intensity will result in substantially increased traffic generation or can be shown to cause a reduction of the existing level of service on affected streets by at least one service level; or

~~e. Any case in which the traffic engineer determines that a TIA should be required because of other traffic concerns that may be affected by the proposed development.~~

**2. TIA and Development Review Process**

- a. Prior to the development of a required TIA, there shall be a scoping meeting that includes the traffic department, the applicant, and all other relevant parties departments.
- b. The development and review of a TIA shall be according to the traffic department's *Policy on Traffic Impact Analyses*.

**Comment [EM54]:** Disagree--the purpose of this section is how to mitigate traffic impacts of new development, so keeping Mitigation in the title is appropriate.

**Comment [EM55]:** Disagree--if the existing sentence is not adequate, shouldn't the added phrase be put in after "increased land use intensity"?

**Comment [EM56]:** Disagree--the traffic engineer should have this discretion for unusual circumstances that may not meet the criteria. The Traffic Department notes that the Traffic Engineer needs to flexibility based on local considerations, environmental assessments, construction staging, etc...

**Comment [EM57]:** Disagree--a scoping meeting for a TIA may include the state, a neighboring lot owner, or some other non-municipal entity. The word "parties" allows for this.

- 1 c. When state-owned roads are involved, the applicant shall coordinate with the  
2 state department of transportation and public facilities, and the development of a  
3 TIA shall follow state regulations as defined in 17 AAC 10.095.

4 **3. Traffic Mitigation Measures**

5 The applicant shall, as part of the traffic impact analysis, recommend measures to  
6 minimize and/or mitigate the anticipated impacts and determine the adequacy of the  
7 development's planned access points. Mitigation measures shall be acceptable to the  
8 traffic engineer and may include, without limitation: an access management plan;  
9 transportation demand management measures; a reduction in the intensity or size of the  
10 proposed development; street improvements on or off the site; phasing of the proposed  
11 development to coincide with, and not outpace, the necessary upgrades to off-site  
12 infrastructure; placement of pedestrian, bicycle, or transit facilities on or off the site; or  
13 other capital improvement projects such as traffic calming infrastructure or capacity  
14 improvements.

15 **D. Streets and On-Site Vehicular Circulation**

16 **1. Street Standards**

17 All streets shall meet the standards and requirements set forth in subsections  
18 21.08.030F.2., *Street Grades*, 21.08.030F.3., *Street Alignment*, and 21.08.030F.4. *Street*  
19 *Intersections*.

20 **2. Parking Lots**

21 In addition to complying with the standards in this subsection 21.07.060D., parking **lots**  
22 **[AREAS]** shall comply with the standards set forth in section 21.07.090, *Off-Street*  
23 *Parking and Loading*.

24 **3. Street Connectivity**

25 **a. Purpose**

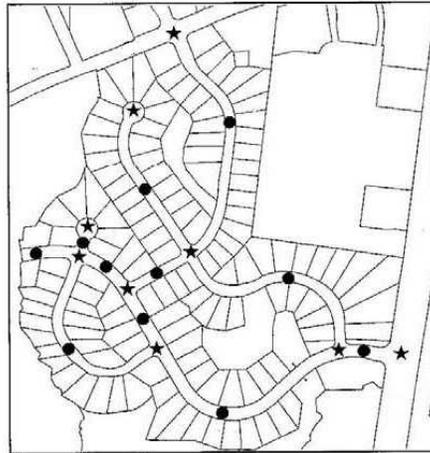
26 Street and block patterns should include a clear hierarchy of well-connected  
27 streets that distribute local traffic over multiple streets, providing multiple direct  
28 connections for neighborhood residents to and between local destinations, and  
29 avoid traffic congestion on principal routes. Within each residential development,  
30 the access and circulation system should accommodate the safe, efficient, and  
31 convenient movement of vehicles, bicycles, and pedestrians through the  
32 development; provide ample opportunities for linking adjacent neighborhoods,  
33 properties, and land uses; and be designed in such a way as to limit and  
34 discourage cut-through traffic and protect the new development and adjacent  
35 development from adverse impacts. This section is not intended to increase  
36 speed limits in neighborhoods, create opportunities for cut-through traffic, or  
37 encourage freight movement through residential areas.

38 **b. Internal Street Connectivity (Connectivity Index)**

39 ~~i. All development shall achieve a connectivity index of 1.2 or greater.~~

40 ~~ii. The connectivity index for a development is calculated by dividing its links by its~~  
41 ~~nodes. Figure 21.07-1, *Calculation of Connectivity*, provides an example~~  
42 ~~of how to calculate the connectivity index. Nodes (stars) exist at street~~  
43 ~~intersections and cul-de-sac heads within the development. Links~~  
44 ~~(circles) are stretches of road that connect nodes. Street stub-outs are~~  
45 ~~considered as links. In the diagram, there are 11 links (circles) and nine~~  
46 ~~nodes (stars); therefore the connectivity index is 1.22 (11/9 = 1.22).~~

Comment [EBM58]: Disagree with deleting connectivity index—see major issues list.



**FIGURE 21.07-1: CALCULATION OF CONNECTIVITY**

1  
2  
3  
4  
~~iii. The connectivity index standard of 1.2 or greater may be reduced by the director if the developer demonstrates it is impossible or impracticable to achieve due to topographic conditions, natural features, or adjacent existing development patterns.~~

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12  
~~iv. Whenever cul-de-sac streets are created, at least one 10-foot wide pedestrian access easement shall be provided, to the extent reasonably feasible, between each cul-de-sac head or street turnaround and the closest adjacent street or pedestrian walkway. This requirement shall not apply where it would result in damage to or intrusion into significant natural areas such as stream corridors, wetlands, and steep slope areas, or if the configuration of existing adjacent development prevents such a connection.~~

13 **e.b. External Street Connectivity**

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21  
i. The arrangement of streets in a development shall provide for the alignment and continuation of existing or proposed streets into adjacent lands in those cases in which the adjacent lands are undeveloped and intended for future development or in which the adjacent lands are developed and include opportunities for such connections. Vehicular and/or pedestrian connections to adjacent municipal parks ~~or municipal lands designated as parks~~ shall be required ~~as determined or~~ unless waived by the director of the parks and recreation department.

22  
23  
24  
25  
26  
27  
28  
ii. Street rights-of-way shall be extended to or along adjoining property boundaries such that a roadway connection or street stub shall be provided for development at least every 1,500 feet for each direction (north, south, east, and west) in which development abuts vacant lands. The director may waive this requirement where the configuration of existing adjacent development, topography, or the presence of sensitive natural areas makes compliance impractical.

29 **d.c. Vehicular Access to Public Streets**

**Comment [EM59]:** Disagree--even if the connectivity index is not retained, this important provision should be retained. Cul-de-sacs should have pedestrian access from the cul-de-sac head to the street or walkway beyond. This allows for better pedestrian connectivity, and will allow people to walk places where they would otherwise have to drive, which then reduces traffic on the roads.

**Comment [EM60]:** Disagree--some lands serve as parks but have never been designated so by the Assembly.

Any development of more than 100 residential units or additions to existing developments such that the total number of units exceeds 100 shall be required to provide vehicular access to at least four public streets to the extent reasonably feasible as determined by the director and the traffic engineer, due to topography, natural features, or the configuration of existing adjacent developments.

**e.d. Connections to Vacant Land**

Where new development is adjacent to land likely to be developed or redeveloped in the future, all streets, sidewalks, **pathways**, trails, walkways, and access ways in the development's proposed street system shall continue through to the boundary lines of the site of new development, as determined by the director and the traffic engineer, to provide for the orderly subdivision of such adjacent land or the transportation and access needs of the community. In addition, all redevelopment and street improvement projects shall take advantage of opportunities for retrofitting existing streets to provide increased vehicular and pedestrian connectivity.

**f.e. Neighborhood Protection from Cut-through Traffic**

Street connections shall connect neighborhoods to each other and to local destinations such as schools, parks, greenbelt trail systems, and shopping areas, while at the same time and to the same degree of importance, minimizing neighborhood cut-through vehicle traffic movements that are non-local in nature. Configuration of local and internal streets and traffic calming measures shall be used to discourage use of the local street system for cut-through collector or arterial vehicle traffic.

Comment [EM61]: How can this be measured?

**E. Standards for Pedestrian Facilities**

**1. Purpose**

The purpose of this section is to require in all new developments provide convenient, safe, and regular appropriate pedestrian facilities along streets and within and between developments. Such facilities create a healthful built environment in which individuals have opportunities to incorporate physical activity, such as walking or bicycling, into their daily routine. Injuries and fatalities are reduced when interactions between pedestrians and vehicles are minimized. Adequate pedestrian facilities meet community goals for mobility and access, as well as for providing transportation choices. Safe pedestrian access for students to their schools is also an essential purpose of these standards.

Comment [EM62]: Disagree that amendments are necessary.

**2. Sidewalks**

**a.** All sidewalks shall be designed to comply with the standards of the *Design Criteria Manual* (DCM) and *Municipality of Anchorage Standard Specifications* (MASS).

**b.** In all class A zoning districts, in new residential and commercial developments, sidewalks shall be installed on both sides of all new streets (local, collector, arterial, public or private, including loop streets but shall not be required in and cul-de-sacs) except as otherwise permitted by the decision making body. Where indicated in the comprehensive plan, a **pathway** [TRAIL] may replace a sidewalk on one side.

Comment [EM63]: Disagree--sidewalks should be required on all new streets--even if the street is in an industrial area, perhaps it is an important link between a residential area and a commercial area. Also, what about institutional areas, which include schools?

Comment [EBM64]: Disagree--some cul-de-sacs can be quite long or have a large number of dwelling units. Suggest that sidewalks be required for cul-de-sacs carrying more than 300 daily trips.

**c.** In class B zoning districts, in new residential and commercial developments, [RESERVED SUBSECTION TO ESTABLISH THAT WHERE CLASS A AND CLASS B DISTRICTS ARE INTERSPERSED, IF THE CLASS B DISTRICTS ARE PREDOMINANT IN THE AREA THEN CLASS B DISTRICT PROVISIONS SHALL APPLY] zoning districts, sidewalks, walkways, pathways, and

Comment [EM65]: Disagree--this exception is inappropriate, especially without any criteria by which a decision-making body would judge when to make an exception.

Comment [EM66]: Disagree--for same reasons as noted above.

~~trails/pedestrian facilities shall be provided in accordance with the comprehensive plan. In all cases, pedestrian facilities shall be provided on at least one side of collector and arterial streets unless an internal pedestrian facility is required by the decision making body.~~

**Comment [EM67]:** Disagree--the municipal non-motorized plan (comprised of the Pedestrian Plan, the Bicycle Plan, and the Trails Plan) direct where pedestrian facilities should be in the less dense areas of the city. These plans also determine the type of pedestrian facility. A decision-making body should not be able to waive a requirement of an adopted plan.

d. The requirements of 2.b. and 2.c. shall not apply in steep-slope areas where sidewalks on one side of the street may be approved by the director to reduce excessive slope disturbance, adverse impacts on natural resources, and potential soil erosion and drainage problems.

e. Development on lots along existing streets in class A zoning districts shall install sidewalks in the following situations:

- i. In R-4, ~~R-4A~~, commercial, ~~and mixed-use~~ districts.
- ii. Along streets identified in Appendix A of the *Anchorage Pedestrian Plan* as "missing sidewalk" or "inadequate sidewalk", with a total point rating of five or higher.

iii. ~~A single residential or commercial development on a single lot shall not require installation of a sidewalk beyond the street frontage of the lot being developed unless there is an existing sidewalk on properties abutting the side of the lot being developed in which event the sidewalk fronting the lot being developed shall connect to the existing sidewalk and shall be built to the same standards~~

**Comment [EM68]:** Disagree--this provision is unnecessary, as it was never proposed that a development would be required to build any sidewalk beyond the street frontage of the lot being developed. The sidewalk system will be built piece by piece.

3. **Through-Block Connections**

Within new developments, pedestrian **walkways**, crosswalks, or multi-purpose trails no less than five feet in width shall be constructed near the center and entirely through any block that is ~~900-1,300~~ feet or more in length. This standard may be waived during a site plan review, if justified by the decision-making body.

**Comment [EM69]:** Disagree--The creation of "super blocks" is a discouragement to walkers, and as the maximum allowed block length is 1,320 feet, this provision will have no benefit, as blocks that long are rarely created. A downtown block is 300 feet. The provisionally adopted code said a mid-block walkway was necessary when the length reached three downtown blocks. The amendment goes to over four downtown blocks.

4. **On-Site Pedestrian Walkways**

~~a. **Applications**~~

~~This subsection E.4. does not apply to single- and two-family developments. (Illustrate)~~

~~a.b. **Continuous Pedestrian Access**~~

~~Pedestrian walkways are intended to form a convenient on-site circulation system that minimizes conflict between pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances. This subsection E.4. does not apply to single- and two-family development. (Illustrate)~~

**Comment [EM70]:** Not sure why the applicability (not "applications") would be illustrated.

~~b.c. **On-Site Pedestrian Connections**~~

~~The following walkways shall be provided. Where one walkway fulfills more than one requirement, only one walkway need be provided. If they can provide a relatively direct route, public pedestrian facilities such as public sidewalks shall satisfy any or all of the requirements below.~~

- i. A walkway shall connect the primary entrance to the abutting primary street frontage. No walkway need be provided if that frontage is a restricted access street or a frontage road, unless there is a **pathway** **[TRAIL]** or other pedestrian facility to which access can be provided along the restricted access street or frontage road, in which case a walkway shall connect to that pedestrian facility. The walkway shall be

1 the shortest practical distance between the entrance and the street, and  
2 generally no more than 133 percent of the straight line distance.

- 3 ii. All primary building entrances on a site shall be connected by a walkway.  
4 This includes multiple primary entrances into one building, and primary  
5 entrances in separate buildings on a site. This can be accomplished by  
6 a perimeter walkway adjacent to the building with one walkway to any  
7 separate building on the same site or to a bus stop.
- 8 iii. A walkway shall connect all primary entrances to all bus stops adjacent  
9 to the site.
- 10 iv. Where abutting property has developed or is likely to develop with a  
11 compatible use, the decision-making body may require a walkway from  
12 all primary entrances to the lot line nearest the abutting lot, in a location  
13 most likely to provide convenient pedestrian access to the (existing or  
14 anticipated future) development on the adjacent lot.

Comment [EM71]: Disagree--  
because I don't even know what this  
sentence means or how to apply it.

15 **c.d. Walkway Clear Width**

16 The minimum width of a required pedestrian walkway shall be five feet of  
17 unobstructed clear width, excluding vehicular overhang, except where otherwise  
18 stated in this ~~title~~Title. A walkway that provides access to no more than four  
19 residential dwelling units may provide an unobstructed clear width of three feet.

20 **d.e. Walkways and Parking**

- 21 i. Where an on-site pedestrian walkway system or required pedestrian  
22 area abuts a parking lot or internal street or driveway, the pedestrian  
23 facility shall be clearly marked ~~and physically separated from the parking~~  
24 ~~lot or drive~~, through the use of ~~an upright curb of six inches in height,~~  
25 ~~bollards spaced a maximum of six feet apart, or other physical buffer~~  
26 ~~approved by the traffic engineer; and a change of paving materials~~  
27 distinguished by color, texture, textured edge, or other edge, or striping  
28 ~~and shall meet the requirements of the Americans with Disabilities Act.~~
- 29 ii. The vehicle overhang established in table 21.07-9, *Parking Angle, Stall*  
30 *And Aisle Dimensions*, shall not encroach into the minimum required  
31 walkway width or area.
- 32 iii. Where an on-site pedestrian walkway crosses an internal street or  
33 driveway, the crosswalk shall be clearly marked and delineated through  
34 a change in paving materials distinguished by color, texture, textured  
35 edge, other edge, or striping, and shall meet the requirements of the  
36 Americans with Disabilities Act.

Comment [EM72]: Disagree—As  
noted by the Traffic Department,  
marked pedestrian crosswalks to not  
provide adequate safety zones for  
pedestrians. Grade separation of  
pedestrian movement or other  
physical separation provides the  
optimum safety for pedestrians.

Comment [EM73]: Although ADA  
requirements apply without our  
stating it, maybe there should be a  
blanket statement at the beginning of  
the Pedestrian section about meeting  
ADA.

37 **5. Trails**

38 All trails shall meet the following requirements in addition to the standards contained in  
39 the *Areawide Trails Plan, Design Criteria Manual* (DCM), and *Municipality of Anchorage*  
40 *Standard Specifications* (MASS):

- 41 a. All trail connections shall be well-signed with destination and directional signing  
42 as approved by the traffic engineer or the parks director as appropriate.
- 43 b. Trails shall be designed in such a manner that motor vehicle crossings can be  
44 eliminated or significantly minimized.

- c. Trails that connect to the street system shall do so in a safe and convenient manner as determined by the traffic engineer.

6. **Use and Maintenance of Sidewalks, Walkways, Pathways, and Trails**

a. **Restrictions on Use**

Sidewalks, walkways, pathways, and trails are intended to provide pedestrian access. Vehicle parking, snow storage, garbage containers, merchandise storage or display, utility boxes and poles, signs, trees, and other obstructions shall not encroach into the required minimum clear width of any required sidewalk, walkway, pathway, trail, or other pedestrian way. Pedestrian amenities including bollards are exempt from this requirement.

b. **Maintenance and Snow Removal**

Walkways required by this ~~title~~ Title shall be maintained in usable condition throughout the year, including snow and ice removal as appropriate. Sidewalks shall be maintained in a usable condition in accordance with AMC title 24.

F. **Pedestrian Amenities**

1. **Purpose**

~~The standards contained in this section are not required unless otherwise specifically stated. Rather, The~~ purpose of this section is to define and provide standards for pedestrian amenities that may be required by other sections of this Title or may be included in a menu of choices to meet a requirement of another section of this Title, or may be listed as a special feature that can count toward a bonus incentive anywhere in this title. ~~For example, another section of this title may list a pedestrian amenity as a special feature for which bonus floor area may be granted.~~ The standards ~~contained in this section~~ are intended to give predictability for applicants, decision-makers, and the community for the minimum acceptable standards for pedestrian amenities. For example, another section of this Title may list a pedestrian amenity as a special feature for which bonus floor area may be granted. It also ensures the amenities will improve and enhance the community to the benefit of all, and respond to the northern latitude climate. This ~~title~~ Title provides flexibility to encourage and allow for creativity and unique situations through the alternative equivalent compliance and minor modifications process.

Comment [EBM74]: The amendments don't change the meaning—why are they necessary?

2. **Applicability**

Pedestrian amenities shall meet the minimum standards of this section in order to be credited toward a requirement, menu choice, or as a special feature bonus incentive of this ~~title~~ Title.

3. **Walkway**

A walkway is a surface, either improved or not, for the purpose of pedestrian and other non-motorized use, which connects two points and is not aligned along a vehicular public right-of-way. A walkway may be in a publicly dedicated pedestrian easement. Examples include pedestrian connections within one development site, mid-block, between subdivisions, or leading from streets to public amenities, such as schools or parks.

- a. A walkway shall have a minimum unobstructed clear width of five feet, except where otherwise stated in this ~~title~~ Title. A walkway that provides access to no more than four residential dwelling units may have an unobstructed clear width of three feet.

- b. Walkways shall be improved in accordance with subsection 21.08.050H.

1           **4. Primary Pedestrian Walkway**

2           A primary pedestrian walkway is intended to provide an unobstructed clear width of at  
3           least eight feet for pedestrian movement with additional space incorporating features  
4           along the walkway such as storefront sidewalk space, room for residential stoops or  
5           building foundation plantings, and peripheral space that accommodates landscaping,  
6           furniture, and utilities. As established generally in subsection F.1 and F. 2 above, the  
7           standards of this subsection apply only where the specific term "primary pedestrian  
8           walkway" is listed as a requirement, menu choice, or special feature that counts toward a  
9           bonus. Thus subsection is not a generally applicable requirement for other large  
10          walkways.

11          **a.**       A primary pedestrian walkway shall be developed as a continuous pedestrian  
12          route extending for at least 50 feet.

13          **b.**       A primary pedestrian walkway shall have an unobstructed clear width of at least  
14          eight feet. Where adjacent to a ground-floor building elevation it shall also have  
15          a sidewalk storefront or building interface zone a minimum of two feet in width for  
16          foundation landscaping or three feet in width of sidewalk space for opening doors  
17          or seating and transition pedestrian spaces. In addition, a buffer space of at  
18          least four feet in width shall be incorporated as part of the walkway when abutting  
19          any street or vehicle area, to accommodate street trees, landscaping beds, light  
20          poles, utilities, benches, and other objects to be kept clear of the walkway.

21          **c.**       At least one [OF THE FOLLOWING] pedestrian feature[S] as defined by this title  
22          Title shall be provided for every 50 feet of length along a primary pedestrian  
23          walkway[: FORMAL SEATING, SUCH AS BENCHES, WHICH  
24          ACCOMMODATES AT LEAST TWO PEOPLE; INFORMAL SEATING, SUCH AS  
25          STEPS OR LOW WALLS, WHICH ACCOMMODATES AT LEAST FOUR  
26          PEOPLE; AND SPACES SUITABLE FOR STANDING AND TALKING WHICH  
27          INCLUDE OBJECTS TO LEAN AGAINST OR EDGE SPACES ALONG  
28          IRREGULAR BUILDING FACADES].

29          **d.**       A primary pedestrian walkway shall be illuminated with pedestrian scale lighting.

30          **e.**       A primary pedestrian walkway shall directly connect to surrounding public streets  
31          and sidewalks, and be publicly accessible at all times.

32           **5. Ice-Free (Snow Melting [HEATED]) Walkway**

33           An ice-free (snow melting [HEATED]) walkway has a heated surface for the full extent of  
34           the walkway clear width. The walkway shall be maintained as ice-free at all times in  
35           areas required to be publicly accessible, and otherwise during all hours of operation of an  
36           establishment.

37           **6. Plaza or Courtyard**

38           A plaza is an open space which is designed to be used for relaxation, conversation,  
39           eating, or other outdoor activities.

40          **a.**       A plaza shall contain at least one pedestrian feature as defined by this title Title  
41          for each 200 square feet of plaza or courtyard area. A plaza shall be visible and  
42          directly accessible from the public sidewalk and at no point be more than five feet  
43          above nor more than 12 feet below the curb level of the nearest street.  
44          [PEDESTRIAN FEATURES INCLUDE FORMAL SEATING SUCH AS BENCHES  
45          OR CHAIRS WHICH ACCOMMODATE AT LEAST TWO PEOPLE; INFORMAL  
46          SEATING SUCH AS STEPS, PEDESTALS, LOW WALLS, AND SIMILAR  
47          AREAS SUITABLE FOR SITTING, WHICH ACCOMMODATE AT LEAST FOUR

1 PEOPLE; 10 LANDSCAPING UNITS; AND OBJECTS SUCH AS FOUNTAINS,  
2 KIOSKS (NO MORE THAN ONE), AND ART WORK.]

3 ~~b. A plaza shall be visible and directly accessible from the public sidewalk and at no point~~  
4 ~~be more than five feet above nor more than 12 feet below the curb level of the nearest~~  
5 ~~street.~~

6 e.b. A plaza shall be unobstructed to the sky except for certain permitted obstructions  
7 such as canopies or awnings, landscaping, or ornamental features such as  
8 fountains and flag poles.

9 d.c. A plaza shall be positioned so that at least two-thirds of its area receives at least  
10 four hours of direct or reflected sunlight on March 21 and September 21. A plaza  
11 or courtyard may be credited towards a requirement, menu choice, or bonus as  
12 long as it meets this standard. The director may reduce this requirement in  
13 cases where topography or vegetation shadow the site. Reductions shall be the  
14 minimal action that would address these factors.

15 d. Plazas shall not be paved with asphalt.

16 **7. Housing Courtyard**

17 A housing courtyard may be created when a multifamily building or buildings are  
18 arranged or configured to enclose and frame a common private open space. To receive  
19 credit as a housing courtyard, the space shall achieve the following:

20 **a.** The residential building(s) shall enclose a clearly defined courtyard open space.  
21 The structure(s) surrounding the housing courtyard may, for example, form an O,  
22 L, or U shaped enclosure.

23 **b.** A courtyard shall incorporate at least 50 percent of the common private open  
24 space required for the development by section 21.07.030, up to a maximum  
25 requirement of 2,000 square feet.

26 **c.** The minimum inside dimension of a housing courtyard shall be 15 feet on lots up  
27 to 60 feet wide, and 20 feet on all other lots, exclusive of balconies, porches, or  
28 private open spaces exclusively serving individual dwelling units.

29 **d.** A courtyard shall comply with the plaza requirement for pedestrian features, and  
30 with the common private open space standards of section 21.07.030.

31 **e.** All individual dwelling units around the perimeter of a courtyard shall have  
32 windows, entrances, and/or transitional spaces such as porches or balconies that  
33 face the courtyard.

34 **f.** For purposes of sunlight access and wind protection, the height of the enclosing  
35 or surrounding building(s) shall not exceed 45 feet. A perimeter structure may be  
36 taller if stepped back at a ratio of at least five feet of run for every three feet of  
37 rise above 45 feet, on at least 65 percent of the courtyard perimeter.

38 **g.** A courtyard shall have a solar orientation as defined by this title in terms of  
39 openings in the courtyard and the lower height of surrounding buildings.

40 **h.** To attain wind protection benefits of enclosed space, the width and length  
41 dimensions of a courtyard shall be no greater than four times the height of the  
42 surrounding building(s).

- 1           **8. Transit Stop or Transit Shelter**  
2           A transit stop or transit shelter shall meet or exceed the minimum design standards  
3           established by the transit facilities design guidelines in the *Design Criteria Manual*.
- 4           **9. Pedestrian Shelter such as a Canopy, Awning, or Marquee**  
5           A pedestrian shelter is a roof-like structure extending out from the building face that  
6           provides year round overhead protection from precipitation and wind, and that can  
7           provide visual interest and wayfinding orientation to primary entrances, passenger  
8           loading areas, or waiting areas. Pedestrian shelter may be composed of awnings,  
9           canopies, marquees, cantilevered overhangs, colonnades, or similar overhangs along the  
10          pedestrian route.
- 11          **a.**       A pedestrian shelter shall have a minimum dimension of six feet measured  
12          horizontally from the building wall, or shall extend to a line two feet from the curb  
13          line of the street or nearest motor vehicle area, whichever is less.
- 14          **b.**       A pedestrian shelter shall have a minimum vertical clearance of eight feet and a  
15          maximum vertical clearance of 12 feet, except that a pedestrian shelter that  
16          projects out more than eight feet measured horizontally from the building wall  
17          shall have a maximum vertical clearance of 16 feet.
- 18          **c.**       A pedestrian shelter may be indented as necessary to accommodate street trees,  
19          landscaping beds, street lights, bay windows, or similar building accessories. A  
20          pedestrian shelter shall not extend out to within three feet of the center of the  
21          main trunk of a street tree.
- 22          **d.**       A pedestrian shelter shall incorporate architectural design features of the building  
23          from which it is supported.
- 24          **10. Arcade (or Building Recess)**  
25          An arcade is a covered passageway created by the overhanging upper portion of the  
26          building along a sidewalk or walkway to provide a sheltered area at grade level. An  
27          arcade is usually separated from the adjacent street, sidewalk/walkway, or pedestrian  
28          space by a line of supporting columns or arches. A ground level building recess without  
29          supporting columns may also receive credit if it achieves the following standards:
- 30          **a.**       An arcade shall be developed as a continuous covered space extending along a  
31          street, plaza, or courtyard or other pedestrian open space. An arcade shall be  
32          open for its entire length to the street or pedestrian open space, except for  
33          building columns.
- 34          **b.**       An arcade shall have a minimum vertical clearance of no less than 12 feet, and  
35          on average no greater than 18 feet.
- 36          **c.**       An arcade shall have a minimum horizontal walkway clear width of eight feet  
37          between the building and any supporting columns, and a maximum covered  
38          width of 20 feet.
- 39          **d.**       An arcade shall not at any point be above the level of the adjacent sidewalk,  
40          walkway, or pedestrian open space (whichever is higher). The width and spacing  
41          of the supporting columns shall be such that maximum visibility is maintained.
- 42          **e.**       The spacing and rhythm of the supporting columns shall relate to the structural or  
43          architectural pattern of the building and shall be consistent along the length of the  
44          arcade.

1 f. No off-street parking spaces, passenger loading zones, driveways, or off-street  
2 loading berths are permitted anywhere within an arcade or within 10 feet of any  
3 portion thereof, unless the decision-making body determines that such activity  
4 will not adversely affect the air quality or functioning of the arcade. In no event  
5 shall such vehicular areas be eligible for credit as part of the arcade.

6 g. An arcade shall be publicly accessible at all times.

7 **11. Atrium, Galleria, or Winter Garden**

8 An atrium, galleria, or winter garden is a publicly accessible sunlit interior space suited for  
9 year-round public use, and which takes advantage of windows and sunlight access to  
10 provide brightness, orientation, and visual connections to the outdoors.

11 a. An atrium, galleria, or winter garden shall be developed and maintained as a  
12 temperature controlled, publicly accessible space furnished with features and  
13 amenities that encourage its use.

14 b. An atrium, galleria, or winter garden shall contain at least one pedestrian feature  
15 ~~as defined by this title Title~~ for each 200 square feet of [GROSS] floor area. ~~An~~  
16 ~~atrium, galleria, or winter garden shall be co-located with primary entrances and~~  
17 ~~pedestrian activity areas, and either adjoin or directly connect to a publicly~~  
18 ~~accessible sidewalk or open space.~~ [PEDESTRIAN FEATURES INCLUDE  
19 FORMAL SEATING SUCH AS BENCHES OR CHAIRS WHICH  
20 ACCOMMODATE AT LEAST TWO PEOPLE; INFORMAL SEATING SUCH AS  
21 STEPS, PEDESTALS, LOW WALLS, AND SIMILAR AREAS SUITABLE FOR  
22 SITTING WHICH ACCOMMODATE AT LEAST FOUR PEOPLE; 10  
23 LANDSCAPING UNITS; AND OBJECTS SUCH AS FOUNTAINS, KIOSKS (NO  
24 MORE THAN ONE), AND ART WORK.]

25 ~~c. An atrium, galleria, or winter garden shall be co-located with primary entrances and~~  
26 ~~pedestrian activity areas, and either adjoin or directly connect to a publicly accessible~~  
27 ~~sidewalk or open space.~~

28 ~~d.c.~~ The publicly accessible portion of the atrium, galleria, or winter garden shall be at  
29 least 400 square feet, with a minimum dimension of 16 feet.

30 ~~e.d.~~ At least half of an atrium, galleria, or winter garden's ceiling area and at least a  
31 portion of its wall area shall consist of transparent glazing.

32 ~~f.e.~~ An atrium, galleria, or winter garden shall be exposed to direct an/or reflected  
33 sun for at least four hours daily for eight months of the year.

34 **12. Sun Pocket (or Sun Trap)**

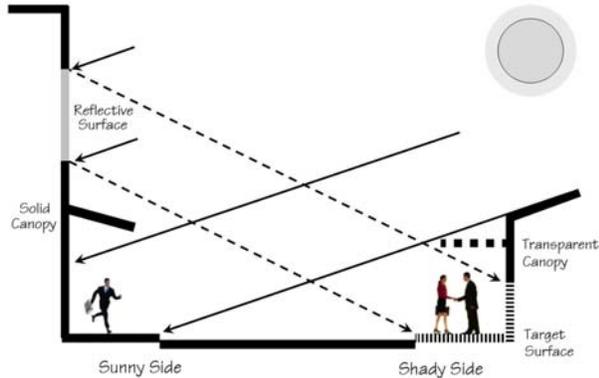
35 A sun pocket or sun trap is a pedestrian space that captures direct and reflected sunlight.  
36 A sun pocket shall be a clearly defined open space partly sheltered by building walls,  
37 fences, or landscape features, such as a C, L, or U shaped semi-enclosure. The  
38 protected space shall contain at least 250 square feet of pedestrian area that is exposed  
39 to direct and reflected sunlight access for at least six hours on March 21 and September  
40 21.

41 **13. Reflected Sunlight**

42 Reflected sunlight as a pedestrian amenity is created by a light-colored, partially  
43 reflective, upper-story façade surface that redirects sunlight radiation to pedestrian  
44 spaces and walkways to brighten or increase the comfort level in those spaces.

45 a. The reflective façade surface shall have a solar orientation.

- b. The reflective façade surface shall have a reflectance of at least 50 percent and no greater than 75 percent in order to avoid excessive glare.
- c. The reflective façade surface shall be an upper floor above ground-level.
- d. Reflected sunlight shall fall on at least 400 square feet of a publicly accessible walkway, open space, and/or abutting ground-level wall area for at least four hours on March 21 and September 21. [\[DC version has no illustration\]](#)



7 **14. Sheltered Transition Space**

8 A sheltered transition space is an outdoor or glass covered space such as café seating  
9 along a building façade that provides a comfortable transition between indoor areas and  
10 unsheltered outdoor spaces.

- a. A sheltered transition space shall be a minimum of 400 square feet.
- b. A sheltered transition space shall comply with the dimensional standards for pedestrian shelter or arcade.
- c. A sheltered transition space shall contain a minimum of one pedestrian feature [as defined by this titleTitle.](#), SUCH AS FORMAL SEATING, INFORMAL SEATING, A TREE, PLANTER, FOUNTAIN, KIOSK, BOLLARD TO LEAN ON, BIKE RACK, OR ART WORK FOR EACH 80 SQUARE FEET OF GROSS FLOOR AREA.]
- d. A sheltered transition space shall not obstruct the minimum clear width of the adjoining walkway or sidewalk.

21 **15. Bicycle Parking Facilities**

- a. Required bicycle parking or a sign leading thereto shall be located in an area visible from a primary entrance area and no farther from a primary entrance than the closest motor vehicle parking space, not including designated accessible parking, carpool, or vanpool spaces. It may also be located inside the building served, in a location that is easily accessible for bicycles.
- b. A required bicycle parking space shall include a securely fixed structure that allows the bicycle wheel and frame to be locked to the facility, and that supports

1 the bicycle frame in a stable position without damage to the bicycle, or shall be in  
2 a bicycle locker, lockable bicycle enclosure, or lockable room.

- 3 c. A required bicycle parking space shall be a minimum of six feet long and two feet  
4 wide.
- 5 d. The surfacing of bicycle parking facilities shall be designed and maintained to be  
6 clear of mud and snow.
- 7 e. Bicycle parking shall not obstruct pedestrian walkways, building access, or use  
8 areas.

9 **16. Pedestrian Interactive Use**

10 A pedestrian-interactive use is intended to provide ground-floor spaces that strongly  
11 engage the sidewalk with street-facing windows and entrances, feature activities and  
12 services that support neighborhood residents, and generally contribute to the pedestrian-  
13 oriented environment in mixed-use districts. The standards that follow apply where the  
14 term "pedestrian-interactive use" is listed in this title as a requirement, special feature for  
15 a bonus, or a menu choice.

16 a. A pedestrian-interactive use shall be any of the following uses that are permitted  
17 in the district: a retail sales use; retail and pet services use; financial institution  
18 providing banking services open to the public with at least one employee on site;  
19 food or beverage service; personal service; cultural facility; or the frontage of  
20 entry ways or stairways through which such uses are principally accessed;  
21 provided, however, that the following types of retail sales shall not be considered  
22 pedestrian-interactive uses: fueling station; building materials store. The  
23 following permitted uses supporting residential neighborhood and housing  
24 development are also considered pedestrian-interactive uses: residential  
25 dwelling with individual front entries along the street; elementary school, middle  
26 or high school; health services; and child care center.

27 b. A pedestrian-interactive use shall provide a primary entrance facing the street.  
28 Entrances at building corners facing a street may be used to satisfy this  
29 requirement.

30 c. A pedestrian-interactive use shall occupy a habitable space at least 24 feet deep  
31 extending along the full length of the ground-floor, street-facing building  
32 elevation, allowing for pedestrian and vehicle entrances, entry lobbies or atriums,  
33 and stairwells.

34 d. A pedestrian-interactive use shall comply with 21.060.030C.5., *Maximum*  
35 *Setbacks*.

36 e. Street-facing ground-floor wall areas of a pedestrian-interactive use shall be 67  
37 percent visual access windows, except that such wall areas for dwellings shall be  
38 at least 20 percent visual access windows.

39 f. Where a building has three or more street frontages, these criteria apply along  
40 only two of the frontages.

41 **21.07.070 NEIGHBORHOOD PROTECTION STANDARDS**

42 **A. Purpose and Relationship to Other Requirements**

43 This section provides for transitions between nonresidential and residential uses, through  
44 discretionary approval criteria that may be applied in combination with other development

standards in this chapter 21.07, in order to provide significantly more protection for neighborhoods from the impacts of adjacent development and to conform to the goals and policies of the comprehensive plan. This section makes available a menu of additional tools to use in discretionary approvals to protect residential neighborhoods from potential adverse impacts of adjacent nonresidential uses, including limitations on hours of operation, noise, and lighting.

**B. Discretionary Conditions**

A decision-making body through application of this section shall:

1. Make findings regarding the potential adverse impact that is anticipated by the proposed development;
2. Propose conditions that are specifically related and commensurate to the anticipated impacts identified in the findings; and
3. Propose conditions that are the minimum necessary to avoid or mitigate the anticipated impacts identified in the findings.

**C. Nonresidential Development Adjacent to Existing Residential Use**

This section applies to a nonresidential use adjacent to a residential use. As a condition of the approval of any conditional use permit, site plan review, subdivision, or variance of any nonresidential use located ~~in or within 300 feet of any~~adjacent to a residential district, the decision-making body shall be authorized to impose conditions that are necessary to reduce or minimize any potential adverse impacts on residential property. Such conditions ~~shall~~ **[MUST]** be based on findings which support the imposed condition as required by subsection 21.07.070B., and may include but are not limited to the following:

1. Hours of operation and deliveries;
2. Location on a site of activities that generate potential adverse impacts on adjacent uses, such as noise and glare;
3. Placement and/or screening of trash and recycling receptacles, ~~or compactors, or recycling~~;
4. Location and screening of loading and delivery areas, garages, vehicle fleet parking, or vehicle maintenance areas;
5. Lighting location, intensity, and hours of illumination;
6. Placement and illumination of outdoor vending machines, telephones, or similar outdoor services and activities;
7. Additional landscaping and screening to mitigate adverse impacts;
- ~~8. Height restrictions to preserve light and privacy;~~
- ~~9.8. Ventilation and control~~ Control of odors and fumes;
- ~~10.9. Paving to c~~ Control of dust; and
- ~~11.10.~~ Location and orientation of changeable type or illuminated signs, to protect residential character and privacy and views from residential units.

**Comment [EM75]:** Necessary? Doesn't the section title say this?

**Comment [EM76]:** Disagree--adjacency isn't enough of a standard. A new commercial or industrial development could have noise impacts (for example) that affect residential development at least 300 feet away, and probably much farther.

**Comment [EM77]:** Disagree--this is an important protection for established residential neighborhoods.

**D. Residential Development Adjacent To Existing Nonresidential Use**

When a residential development is proposed adjacent to an existing commercial or industrial use, the decision-making body may impose neighborhood protection standards, including but not limited to increased landscaping, traffic calming measures, and requiring the residential development to be configured and dwelling units located to minimize potential conflicts with or adverse impacts arising from the location of the new residential development adjacent to an existing nonresidential development. Any required mitigation measures shall be installed and maintained by the residential development, not the existing commercial or industrial use.

**Comment [EM78]:** Disagree--the potential impacts are going to be from the existing nonresidential development, but the residential development must take whatever measures possible to minimize them. The impacts are from the location of the new residential development.

**21.07.080 LANDSCAPING, SCREENING, AND FENCES**

**A. Purpose**

This section is intended to ensure that new landscaping and the retention of existing vegetation is an integral part of all development ~~and that it contributes added high quality to development, retains and increases property values, and improves the environmental and aesthetic character of the community.~~ It is also the intent of this section to provide flexible requirements that encourage and allow for creativity in landscape design. ~~More specifically, these provisions are intended to:~~ Specific purposes include to:

**Comment [EBM79]:** Disagree with wholesale change to landscaping approach—see major issues list.

**Comment [EBM80]:** Disagree—why are these changes necessary?

1. Visually enhance industrial, commercial and residential development through retention of existing native or ornamental vegetation or through new landscape improvements. Improve the general appearance of the municipality, its aesthetic appeal and identity, and the image of its street corridors and urban districts;
2. Separate, screen and buffer adjacent incompatible land uses through the use of landscape plantings, fencing and/or space. Encourage a pleasant visual character for new development which recognizes aesthetics and safety issues;
3. Unify development and enhance and define public and private spaces;
4. Improve compatibility between land uses by reducing the visual and operational impacts of more intensive uses upon adjacent properties;
5. Promote the use of existing vegetation and retention of trees, woodlands, habitat, and urban forest;
- 6.3. Reduce and treat runoff of storm water to preserve the quality of local streams and water bodies and erosion, control dust, and preserve air and water quality; and
7. Encourage use of native plants or provide landscaping that is compatible with the climate and natural setting of the municipality and can provide desired effects even during harsh urban and winter conditions.

**Comment [EBM81]:** Disagree—existing purpose statements were appropriate in terms of implementing the comprehensive plan and explaining what the section was doing.

**B. Exemption for Temporary Uses**

Unless required under section 21.05.080, temporary uses in accordance with section 21.05.080 are exempt from the requirements of this section.

**C. Landscape Plan**

All landscaping and screening required under this ~~section~~ Section 21.07.080 shall be reflected on a set of landscape ~~documents that include scale plans and planting schedules, as required.~~ All development, except for single- ~~and two-family, two-family, three-family, and four-family~~ homes on individual lots, shall ~~submit~~ have a landscape plan ~~prepared by a licensed landscape architect registered by the state of Alaska or another design professional as allowed by state legislation.~~ The Said landscape plan shall be reviewed and approved administratively by Municipal staff or

**Comment [EBM82]:** Disagree—"professional developments" should be designed by a professional landscape architect. Taking this out opens the door to the landscape plan drawn on a napkin.

higher the decision-making bodies as required by other sections of this Title. A landscape plan prepared by a landscape architect, registered in the State of Alaska and certified by the landscape architect to meet the requirements of this Title shall be exempt from administrative review. Such certification does not exempt the plan from review by higher bodies, where required by other sections of this Title. Minimum requirements for the landscape plan are: may be combined with any land clearing, vegetation protection, erosion control, or snow storage and disposal [REMOVAL] plan required for compliance with other sections of this title. Where a landscape plan is required under this title, the plan shall include the information specified in the title 21 user's guide.

**Comment [EBM83]:** Disagree—the decision-making bodies rely on staff review to advise them. If some sort of self-certification program is envisioned, a real training program must be set up.

1. Plan scale shall be easily readable and not greater than 1-inch equals 40-feet.
2. Plans and/or schedules shall call out common and scientific name for each plant type or ground cover to be used;
3. Plan shall identify plant locations and sizes in accordance with the sizing standards of the American Standard for Nursery Stock (ANSI Z60.1-2004) as published by the American Nursery and Landscape Association.
4. Plan shall identify locations and areas where existing native vegetation is being used to fulfill the requirements of this section.
5. Location of buildings, walkways, vehicular circulation (to include adjacent streets), retaining walls, and fences.
6. Topography, expressed in contours or spot elevations and location of utility easements. A separate plan, detailing site grading, that includes contours and or/spot elevations is acceptable.

**Comment [EBM84]:** Disagree—specific submittal requirements should be placed in the users' guide.

**Comment [EBM85]:** Disagree—there is no reason not to expect topography on the landscape plan. As everything is computer generated, this is easy.

**Comment [EBM86]:** Disagree—this clarifies, when some uses require a wider landscaping bed than is called for in this section.

**Comment [EBM87]:** The word "landscape" is either a verb, or when used as a noun, has the following meanings:

1. a section or expanse of rural scenery, usually extensive, that can be seen from a single viewpoint.
2. a picture representing natural inland or coastal scenery.
3. *Fine Arts*. the category of aesthetic subject matter in which natural scenery is represented. (Random House Dictionary)

The word is mostly mis-used in this section, and should be replaced with the word "landscaping". It is only appropriate in the term "landscape plan".

**Comment [EBM88]:** This is confusing, as there are six types of landscaping listed below: 1. Visual Enhancement; 2. Buffer; 3. Arterial; 4. Freeway; 5. Site Interior; 6. Parking Lot Perimeter.

**Comment [EBM89]:** No matrix or figures are provided in the section. There is no indication in this section of how much landscaping is to be provided—either the width/size of the area or how much plant material.

#### D. Cross-reference to Other Requirements

Any use required to provide landscaping or screening pursuant to the district-specific standards of chapter 21.04 or the use-specific standards of chapter 21.05 shall provide such landscaping or screening. In the event of a conflict between the requirements of chapter 21.04 or 21.05 and the requirements of this section 21.07.080, the more restrictive provisions shall govern.

#### E.D. Types of Landscaping

The landscape requirements of this Title are required for the perimeters of sites, for the interiors of sites and for the perimeters and interiors of parking areas. There are two basic types of landscaping: visual enhancement landscape and buffering landscape. Visual Enhancement Landscape is intended to enhance the appearance and integrate new or renovated development into the surrounding context of the community. Buffering landscape is intended to buffer one land use from an adjacent land use that may be visually or audibly intrusive. The determination of where buffering landscape is required is based on adjacency of specific land uses. Space and landscape requirements for landscape types are identified in the landscape requirement matrix, Figure 21.07.080-1 Figure XX-X.

##### 1. Site Perimeter Landscape Requirements

###### a. Visual Enhancement Landscape

Visual enhancement landscape treatment is intended to integrate new or renovated development into the surrounding community. Visual Enhancement landscape is required along property perimeters which face on public right-of-way. Perimeter landscape is not required at alleys. Total landscape requirement is determined by length of property line adjacent to right-of-way. Landscape improvements within perimeter landscape areas may be organized to the best

1 advantage of property development. It is not intended that landscape  
2 improvements be evenly distributed along the length of the property. Landscape  
3 improvements must be placed within the area identified as the perimeter  
4 landscape.

Comment [EBM90]: Where/how is this area identified?

5 **b. Buffer Landscape**

6 Buffer landscape is intended to help separate one land use from another that  
7 may be visually or audibly intrusive. Buffering is required wherever one of the  
8 identified uses abuts another required buffering. In those locations where buffer  
9 landscape is required in the same area that requires parking lot perimeter  
10 landscape, buffer landscape is required. Buffering is required between the  
11 following uses:

Comment [EBM91]: The intent statement is that this is to be used when a visual or noise buffer is needed, but there is no requirement to actually place the landscaping material in such a way as to provide a visual or noise buffer.

12 **i. Multi-Family housing with 5 or more units abutting lots zoned for single**  
13 **family or duplex units Between all Residential and NMU, CMU land uses,**  
14 **and B-1A land use**

Comment [EBM92]: What happens when multifamily is constructed abutting vacant lots zoned R-2M, which could have single family or duplex units, but could also have 8 plexes. Is landscaping required in that situation?

15 **ii. All B-1A, B-1B, RO, B-3, RO, I-1, and I-2 abutting Residential Zones**

16 **c. Arterial Landscape**

17 Arterial landscape is a visual enhancement landscape primarily for commercial  
18 enterprises situated along major arterials in our community which rely on visibility  
19 into the site. The intent is to provide attractive frontage that does not restrict site  
20 visibility. For properties located on collectors and arterials, as determined by the  
21 Official Streets and Highways Plan within B-1A, B-1B, and B-3 districts, the  
22 arterial landscape requirements may be substituted for the requirements of  
23 perimeter landscape. Note that these requirements represent the minimum  
24 requirements and property owners may provide trees and other landscape  
25 enhancements as desired.

Comment [EBM93]: Does the landscaping go on both the residential uses and the commercial uses?

Comment [EBM94]: These are zoning districts (which were eliminated from code), not land uses. This makes no sense.

Comment [EBM95]: What about PLI?

26 **d. Freeway Landscape**

27 Freeway landscape is intended as a visual enhancement landscape and is not  
28 intended to screen or block adjacent uses; however adjacent uses may wish to  
29 screen the roadway from their property. This landscape type is limited to specific  
30 areas along major highways in Anchorage as identified on Figure 21.07.080-1.

Comment [EBM96]: What about industrial abutting commercial or institutional?

Comment [EBM97]: Without any standards, it is hard to figure out what applies where, but from the description, it sounds like this is a big step back from our current code provisions and our adopted Street and Highway Landscaping Plan.

31 **2. Site Interior Landscape**

32 Site interior landscape includes the entire site not covered by paving, structures, or other  
33 landscape provisions. Site interior landscape may be covered with hardscape paving,  
34 living ground cover, turf, planting beds, and/or mulch, or any combination of the above at  
35 the owner's discretion.

Comment [EBM98]: No such figure was provided in this section.

Comment [EBM99]: Disagree—paving is not landscaping. For drainage reasons, sites should not be paved where it is not necessary.

36 **3. Parking Lot Perimeter Landscape**

37 **a. It is intended that landscape improvements required for parking lot perimeter**  
38 **landscape be distributed around a parking lot within the area designated as**  
39 **Parking Lot Perimeter Landscape. Trees and shrubs may be grouped as best**  
40 **serve the design intentions for the site and promote safe use. Sight-lines for**  
41 **entry and egress of parking lots shall be considered for placement of landscape**  
42 **improvements.**

Comment [EBM100]: Where does it say what area is designated?

Comment [EBM101]: This should reference the site distance triangle requirement.

43 **b. Parking lot perimeter landscape may require visual enhancement landscape**  
44 **treatment or buffer landscape treatment depending upon location. Parking lot**  
45 **perimeter landscape is required for all parking lots with 10 cars or more. Parking**  
46 **lot perimeter landscape is required for all sides of parking lots adjoining a lot line,**  
47 **except:**

i. At vehicular and pedestrian ingress and egress points; and

ii. Adjacent to lots being developed under a common development plan, where the director of community planning and development waives the requirement.

**c. Walkways**

The parking area shall be separated from any building on the same lot by a sidewalk or landscaped area, or both, at least four feet wide

Comment [EBM102]: The provisionally adopted code increases the acceptable walkway width to five feet.

**d. Vehicular Overhangs**

Parked vehicles may overhang perimeter landscape areas by up to two feet, provided that the overhang is limited by curbs or wheel stops and the adjacent planting area, clear of the vehicle overhang, is at least six feet in width.

Comment [EBM103]: Disagree—this won't work for a buffer landscaping bed where evergreens can easily get to 10 feet wide.

**e. Parking Lot Interior Landscape**

Parking lot interior landscape is a visual enhancement landscape treatment intended to visually break up the area of larger parking lots. Parking lot interior landscape is required for any parking lot striped for 20 or more vehicles. Area of the parking lot shall be determined by the total paved area including parking and internal circulation. Adjacent pedestrian walkways may be deducted from the total. Parking lot interior landscape requirements are as follows:

Comment [EBM104]: There is no longer any indication of minimum size of parking lot interior landscaping. Trees need a certain amount of root space in order to grow and flourish, so creating small areas will not work.

i. 20-100 vehicles: 5%

Comment [EBM105]: The department suggests that interior parking lot landscaping be required starting at a 40 space parking lot.

ii. More than 100 vehicles 8%

Comment [EBM106]: The increase to 8% should come at a lower threshold.

iii. For parking lots of more than 200 spaces, provide a linear landscape break with a minimum width of 8-feet parallel to every third drive aisle. This area may count toward the total interior parking lot landscape requirement.

Comment [EBM107]: The department recommends that lots over 200 spaces have 10% interior landscaping.

iv. Biofiltration swales in the interior of a parking lot shall count toward the area required for parking lot interior landscape. Biofiltration swales are not required to have the complement of trees and shrubs identified in the Figure 21.07.080, Landscape Requirements.

Comment [EBM109]: No such figure provided.

Comment [EBM108]: Disagree that biofiltration swales should be exempt from having trees or shrubs.

**1. General Description of Minimum Landscaping Requirements**

Four types of landscaping may be required for a development, depending on the use and zoning district of the property and adjacent properties, and the portion of the property involved. These types of landscaping are: (1) site perimeter landscaping, (2) parking lot landscaping, (3) site enhancement landscaping, and (4) tree requirements for new residential development. Minimum requirements for these landscaping types are set forth in subsections 21.07.080F.5., 6., 7., and 8. below.

**2. Determining Required Landscaping**

a. Both existing and installed landscaping are assigned a unit value in table 21.07-1. Table 21.07-3 provides the number of units per linear foot of frontage that is required for each level of site perimeter landscaping, as well as the minimum width and minimum average widths of the landscaped areas. Other types of landscaping state the units per square foot that is required to be installed in a certain area.

b. ~~By multiplying the applicable frontage or area by the units required per linear or square foot, the total number of required units is calculated. If the resultant number contains a fraction, the next highest whole number shall be used. Applying any secondary requirements of the landscaping type (for example, a minimum number of units required to be trees), the landscape designer may choose the allocation of landscape units from table 21.07-1 and arrange them in the landscape area.~~

c. ~~In some instances, landscaping or screening requirements for a particular area, such as a fence requirement, may result in exceeding the minimum perimeter unit requirement listed in table 21.07-3.~~

**3. Shared Credit among Landscaping Types**

~~Credit for one type of landscaping may be applied to another, within the following parameters:~~

a. ~~Landscaping provided to meet a site perimeter landscaping requirement may be used to satisfy a requirement for parking lot perimeter landscaping, or vice versa, along the same lot line or street frontage;~~

b. ~~Trees retained or planted as part of a tree requirement under subsection 21.07.080F.8, may count toward other types of landscaping required under subsections 21.07.080F.5 through F.7., where the tree location coincides with the required landscape areas;~~

c. ~~Where one type of required landscaping area coincides with another, the stricter provisions shall apply unless otherwise specified in this section; and~~

d. ~~Site enhancement and interior parking lot landscaping shall [MAY] not be counted toward site perimeter or parking lot perimeter landscaping. Interior parking lot landscaping requirements shall [MAY] not be met by any other type of landscaping.~~

**4. Landscape Units Awarded**

~~To provide for flexibility, allow design creativity, and encourage retention of existing trees on a site, the required amount of planting material for site enhancement, site perimeter, parking lot, or tree retention landscaping is based on a "landscape units" point system. The number of units awarded to each landscaping element is listed in table 21.07-1 below.~~

**Comment [EBM110]:** The system of landscaping units has been in the rewrite for every draft, and the consultant gives no reason for rejecting it at this late date. The alternate system proposed has no standards to replace this system.

TABLE 21.07-1: LANDSCAPE UNITS AWARDED		
Landscape Material <sup>†</sup>	Landscape Units Awarded	
	Newly Installed	Existing Retained <sup>‡</sup>
Landmark tree <sup>§</sup>	n/a	25
Evergreen tree, >10 ft high	12	15
Evergreen tree, >8 – 10 ft high	9	11
Evergreen tree, 6 – 8 ft high	6	8
Deciduous tree, >4" caliper <sup>¶</sup>	20	20
Deciduous tree, >3" to 4" caliper <sup>¶</sup>	12	15
Deciduous tree, 2.5" caliper <sup>¶</sup>	8	10
Deciduous Tree, 2" caliper or multi-stem (at least one stem at 2" caliper) <sup>¶</sup>	4	5
Deciduous shrub, 36" to 48" high	1	1.2

TABLE 21.07-1: LANDSCAPE UNITS AWARDED		
Deciduous shrub, 24" to 35" high	0.8	4
Deciduous shrub, 18" to 23" high	0.5	0.6
Evergreen shrub, 10" to 18" high	4	4.2
Perennials/ground cover (per #1 container)	0.25 per container	
Topsoil (4" depth) and lawn seeding	1.2 per 100 sq ft	
Earthen berm (seeding or cover), minimum 18" high	0.15 per linear foot	
Hardscape Material		Units Awarded
Ornamental screening fence (between 4 ft. and 6 ft. high)	0.3 per linear foot	
Ornamental metal fence (3 to 4 feet high)	1.7 per linear foot	
Ornamental wall (approx. 3 feet high)	1.6 per linear foot	
Decorative seat walls (approx. 18" high)	2 per linear foot	
Ornamental pavers	0.12 per sq ft	
Landscape boulders, with at least 3' x 3' above grade level	2 per boulder	
Landscape lighting, sculpture, art, water feature, winter city feature, and/or gazebo or similar structure/landmark	As determined by UDC	
Retained Existing Vegetation Mass <sup>5</sup>		Bonus Landscaping Units Awarded <sup>6</sup>
300+ square feet with a minimum of 3 trees including deciduous trees of 4" caliper or greater and/or evergreen trees of at least 6 feet in height		15 percent
500+ square feet with a minimum of 5 trees including deciduous trees of 4" caliper or greater and/or evergreen trees of at least 6 feet in height		20 percent
800+ square feet with a minimum of 8 trees including deciduous trees of 4" caliper or greater and/or evergreen trees of at least 6 feet in height		25 percent
<b>NOTES:</b>		
<sup>1</sup> See subsection 21.07.080G.1. for information about plant materials.		
<sup>2</sup> Points awarded for retained vegetation may only be applied to the lot line, street frontage, or interior area where the vegetation is found. A pre-inspection and written statement from a municipal arborist or other qualified individual designated by the director is required to indicate if the retained trees are healthy and will likely survive given the activities that will be occurring around them.		
<sup>3</sup> Refer to the definition of a "landmark tree" in chapter 21.14. A written statement from a municipal arborist or other qualified individual designated by the director is required to qualify a tree as a landmark tree and to indicate if the tree is healthy and will likely survive given the activities that will be occurring around it.		
<sup>4</sup> Measurements of caliper are described in the definition of "caliper" in chapter 21.14. If a tree caliper measurement is in between the tree caliper categories of this table, the next lower tree caliper category shall be used.		
<sup>5</sup> In order to receive landscaping units for a retained existing vegetation mass, the complete mass including the native undergrowth shall be preserved in its current condition.		
<sup>6</sup> To calculate bonus landscaping units, determine the total landscape unit value of eligible trees within a retained vegetation mass. Multiply this total landscape unit value times the percentage indicated to obtain the number of bonus landscaping units.		

**5. Site Perimeter Landscaping**

**a. Purpose**

Site perimeter landscaping separates land uses of different characteristics or intensities, to minimize the effects of one land use on another. It reduces unwanted views and other impacts of a land use on adjacent properties. Perimeter landscaping can also mark the interface between public streets and individual property, soften the visual impacts of development on public streets, and help to frame the municipality's streetscapes with trees and vegetation. Four

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1 levels of site perimeter landscaping are provided to accommodate a variety of  
2 land uses at a variety of intensities. Refer to table 21.07-3 for specifications  
3 regarding each landscaping level. The intent of each level is described below:

4 **i. L1 Edge Treatment**

5 Edge Treatment perimeter landscaping is used to define the perimeter of  
6 small parking lots located within the DT districts. It is applied where a  
7 minimal visual break or buffer is adequate to soften the impacts of a use.  
8 It consists of ground covers, perennials, wildflowers, shrubs, trees,  
9 fencing, walls, and/or other hardscape elements.

Comment [EBM111]: Disagree—  
this level of landscaping should be  
provided for those situations where a  
small amount of landscaping is  
important but there isn't space for a  
wide bed—such as around downtown  
parking lots.

10 **ii. L2 Visual Enhancement**

11 Visual enhancement perimeter landscaping uses a combination of  
12 distance and low level landscaping to soften the visual impacts of a use  
13 or development, or where visibility between areas is more important than  
14 a visually obscuring screen. It is applied between certain land uses, on  
15 the perimeter of parking lots [AREAS], and along streets, where it helps  
16 to frame the municipality's streetscapes with consistent treatments of  
17 trees and vegetation.

18 **iii. L3 Buffer**

19 Buffer perimeter landscaping is intended to provide physical and visual  
20 separation between uses or developments. It provides enough width so  
21 that trees may be clustered to provide greater visual buffering.

22 **iv. L4 Screening**

23 L4 screening perimeter landscaping is employed as the highest level  
24 separation where there are incompatible land uses or land uses that are  
25 sharply different in terms of scale, type of use, or pattern of use. It is  
26 also used along freeways where there are incompatible uses. L4  
27 screening landscaping is intended to provide a substantial visual barrier  
28 between incompatible or sharply different land uses and to protect major  
29 visual corridors and entrance gateways into the community.

30 **b. Applicability of Site Perimeter Landscaping**

31 Site perimeter landscaping shall be provided along the perimeter property line of  
32 development sites in accordance with table 21.07-2, except for the following:

33 i. At approved points of pedestrian or vehicle access;

34 ii. On individual single-family and two-family lots that are not being developed as  
35 part of a subdivision, unless required elsewhere in this title.

**TABLE 21.07-2: APPLICABILITY OF SITE PERIMETER LANDSCAPING**  
 Required Level of Site Perimeter Landscaping (Levels 2, 3, or 4)

Abutting District or Street  District Of Proposed Development	R-6, R-8, R-9, R-10, TA	R-1, R-1A, R-2A, R-2D, R-5, R-7	R-2M, R-2F	R-3	R-4, R-4A	PLI	NMU, CMU, B-1A	RMU	B-3, RO	I-1, MG	I-2, MI	PR	Freeway <sup>1</sup>	Arterial, Expressway	Collector	Local Street
R-6, R-8, R-9, R-10, TA		L3	L3	L3	L3	L3	L3	L3	L3	L3	L3		L4	L3		
R-1, R-1A, R-2A, R-2D, R-5, R-7	L3		L3	L3	L3	L3	L3	L3	L3	L3	L3		L4	L3	L2	
R-2M, R-2F	L3	L3		L2	L3	L3	L3	L3	L3	L3	L3		L4	L3	L2	
R-3	L3	L3	L2 <sup>4</sup>		L2 <sup>4</sup>	L3	L2	L3	L2	L3	L3		L4	L3	L2	L2
R-4, R-4A	L3	L3	L3	L2 <sup>4</sup>		L3	L2	L3	L2	L3	L3		L4	L3 <sup>6</sup>	L2 <sup>6</sup>	L2 <sup>6</sup>
PLI	L3	L3	L3	L3	L3		L2	L2	L2	L2	L2	L2 <sup>5</sup>	L4	L2	L2	L2
NMU, CMU, B-1A <sup>2</sup>	L3	L3	L3	L2	L2	L2		L2	L2	L2	L2	L3	L4	L2 <sup>6</sup>	L2 <sup>6</sup>	L2 <sup>6</sup>
RMU <sup>2</sup>	L3	L3	L3	L3	L3	L2	L2		L2	L2	L2	L2	L4	L2 <sup>6</sup>	L2 <sup>6</sup>	L2 <sup>6</sup>
B-3, RO <sup>2,3</sup>	L3	L3	L3	L2	L2	L2	L2	L2		L2	L2	L3	L4	L2	L2	L2
I-1, MG	L3	L3	L3	L3	L3	L2	L2	L2	L2			L3	L4	L2	L2	L2
I-2, MI	L3	L3	L3	L3	L3	L2	L2	L2	L2			L3	L4	L2	L2	L2
PR						L2	L3	L3	L3	L3	L3		L4	L2	L2	L2
AF	L3	L3	L3	L3	L3	L2	L2	L2	L2			L3				

NOTES: <sup>1</sup> Refer to subsection 21.07.080E.5.d.

<sup>2</sup> Refer to subsection 21.07.080E.5.e.

<sup>3</sup> [APPLICABILITY OF PREDOMINANT ZONING PROVISION—RESERVED]

<sup>4</sup> The L2 requirement only applies on lots greater than one acre.

<sup>5</sup> L2 landscaping shall be required only when the use on the PLI land is a commercial use, an industrial use, or a use from the public safety facility, transportation facility, or utility facility use categories.

<sup>6</sup> Refer to subsection 21.07.080E.5.f.

**c. Specifications for Site Perimeter Landscaping**

In any area where site perimeter landscaping is required according to table 21.07-2, the planting requirements in table 21.07-3 shall apply. The amount of landscaping required in table 21.07-3 is measured per linear foot of property line or street frontage. Vehicular and pedestrian access points shall not be subtracted from the linear frontage in calculations of the amount of landscaping required. If there are driveways along the frontage or property line, required landscaping shall be condensed into the remaining site perimeter landscaping area.

**d. L4 Screening Landscaping Requirements along Freeways**

i. L4 screening landscaping requirements along freeways shall apply to any lot abutting the right-of-way of a freeway designated in the Official Streets and Highways Plan, on roadway sections built to freeway design standards with full grade separations of intersecting streets, or to streets functioning as frontage roads for such freeways. Lots abutting the following freeway segments are subject to L4 screening landscaping requirements of this section:

- (A) Seward Highway between Tudor Road and Potter Valley Road;
- (B) Glenn Highway between Boniface parkway and the municipal boundary; and
- (C) Minnesota Drive/O'Malley Road between International Airport Road and the Old Seward Highway.

ii. The L4 screening landscaping requirements are replaced with the L3 buffer landscaping requirements in the following situations:

- (A) Any lot whose area, less the 30 foot setback area for the L4 screening area, is less than the minimum lot area required in the zoning district; or
- (B) Any lot whose depth, excluding all setbacks required by this title, is less than 100 feet.

**Comment [EBM112]:** Disagree—as noted above, consultant's changes reduce standard from current code and don't comply with municipally adopted plans and policies.

**TABLE 21.07-3: SPECIFICATIONS FOR SITE PERIMETER LANDSCAPING**

Requirement	L1 Edge Treatment	L2 Visual Enhancement	L3 Buffer	L4 Screening
Total landscape units required per linear foot of property line or street frontage	0.40 units per linear foot	0.60 units per linear foot	1.1 units per linear foot	2.2 units per linear foot
Minimum number of landscape units that shall be trees	0.10 units per linear foot unless waived by the decision-making body	0.30 units per linear foot	0.50 units per linear foot	1.2 units per linear foot
Minimum number of landscape units that shall be evergreen trees	none	Allowed but not required	0.30 units per linear foot	0.9 units per linear foot

TABLE 21.07-3: SPECIFICATIONS FOR SITE PERIMETER LANDSCAPING

Requirement	L1-Edge Treatment	L2-Visual Enhancement	L3-Buffer	L4-Screening
Minimum number of landscape units that shall be shrubs	0.20 units per linear-ft, utilizing a hedge, ornamental fence, and/or ornamental wall	0.12 units per linear foot	0.25 units per linear foot	0.6 units per linear foot
Planting area width (minimum average)	3-ft	8-ft	15-ft	30-ft.
Planting area width (minimum at any point)	3-ft except a minimum 100 sq-ft area is required for each tree	8-ft	12-ft	25-ft
<sup>7</sup> The petitioner shall demonstrate to the approving authority that the space on the site is too constrained to install trees. If trees are not required by the approving authority, the landscaping units that would otherwise be used for trees shall be applied to other items listed in table 21.07-1.				

**e. Residential Uses in Commercial and Mixed-Use Districts**

Household living uses in the NMU, CMU, RMU, R-O, and B-3 districts shall be subject to the R-4 and R-4A districts' site perimeter landscaping requirements in table 21.07-2, except that mixed-use dwellings may adhere to the site perimeter landscaping requirements of either the underlying commercial or mixed-use zoning or the R-4 and R-4A districts.

Comment [EBM113]: The flexibility of this and the next section is lost.

**f. Alternate Street Frontage Landscaping<sup>40</sup>**

As an alternative to the street frontage site perimeter landscaping requirements of table 21.07-2, nonresidential and mixed-use development in the NMU, CMU, RMU, B-1A, R-4, and R-4A districts may instead comply with the mixed-use district sidewalk streetscape landscaping standards in subsection 21.04.050G.

**g. Additional Standards for Site Perimeter Landscaping**

- i. Minimum width of planting beds shall be measured from back of curb to back of curb or landscape edging.
- ii. Vehicle overhang allowance area, as measured in table 21.07-9, shall not extend into the minimum required planting bed width.
- iii. In order to reduce solar shadowing of abutting residential properties in the spring and fall months, the director may waive evergreen tree requirements along north lot lines that abut residential or mixed-use districts, where the lot line runs within 30 degrees of east-west. In such case, the landscape units that would otherwise be used for evergreen trees shall be applied to deciduous trees.

<sup>40</sup> See Amendment #48.

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1 ~~iv.If perimeter landscaping includes a fence or wall and abuts a public street~~  
2 ~~right-of-way, the landscape bed shall be located between the fence or~~  
3 ~~wall and the street right-of-way.~~

4 ~~v.No sign of any kind, other than one real estate sign per site no larger than six~~  
5 ~~square feet, is permitted along freeways within the planting area of L4~~  
6 ~~screening perimeter landscaping.~~

7 ~~vi.Existing natural vegetation in the required L4 screening perimeter landscaping~~  
8 ~~area shall not be disturbed and shall be augmented with additional~~  
9 ~~landscaping if L4 screening requirements are not met. If existing~~  
10 ~~vegetation is disturbed, it shall be restored, to the extent possible, to its~~  
11 ~~original condition.~~

12 ~~vii.When L3 perimeter landscaping is being applied along a lot line which abuts~~  
13 ~~residential development, evergreen trees shall be placed to visually~~  
14 ~~buffer the points at which obtrusive elements such as on-site storage~~  
15 ~~could otherwise be seen from the abutting residential use. Trees and~~  
16 ~~shrubs shall also provide continuous coverage along the length of the~~  
17 ~~landscape bed.~~

18 ~~viii.When L4 screening landscaping is being applied along a lot line which abuts~~  
19 ~~residential development, freeways, and associated frontage roads,~~  
20 ~~evergreen trees shall be used to visually screen the most obtrusive~~  
21 ~~elements such as storage areas from view of the abutting residential use~~  
22 ~~or freeway. Trees and shrubs shall also provide continuous coverage~~  
23 ~~along the length of the landscape bed.~~

24 **6.Parking Lot Landscaping**

25 **a.Purpose**

26 ~~Parking lot landscaping softens the view and breaks up the visual impact of~~  
27 ~~extensive paved surfaces associated with multifamily residential and~~  
28 ~~nonresidential development. It also contributes to storm water management,~~  
29 ~~provides orientation to entrances, increases outdoor comfort levels, and mitigates~~  
30 ~~wind and dust in large parking lots [AREAS]. Parking lot landscaping is intended~~  
31 ~~as a visual buffer that softens visual impacts, not a barrier that eliminates natural~~  
32 ~~surveillance. It consists of perimeter and interior parking lot landscaping.~~

33 **b.Applicability of Parking Lot Landscaping**

34 ~~Parking lot perimeter landscaping requirements shall apply to parking lots with~~  
35 ~~six or more parking spaces that are accessory to any multifamily or~~  
36 ~~nonresidential building or use, and to parking lots that are the principal use on a~~  
37 ~~site. Parking lot interior landscaping requirements shall apply to parking lots of~~  
38 ~~40 [20] or more parking spaces.~~

39 **c.Parking Lot Perimeter Landscaping**

40 ~~Parking lot perimeter landscaping shall be required for all applicable parking lots~~  
41 ~~which are adjacent to a lot line as provided below. This landscaping shall be~~  
42 ~~provided along applicable lot lines except at approved points of vehicular or~~  
43 ~~pedestrian access, although the entire parking lot frontage, including vehicular or~~  
44 ~~pedestrian access points shall be used to calculate the required landscaping.~~

45 **i.General Requirement**

46 ~~The perimeter of a parking lot [AREA], which includes its appurtenant~~  
47 ~~driveways, shall utilize the following schedule at the lot line indicated:~~

TABLE 21-07-4: PARKING LOT PERIMETER LANDSCAPING REQUIREMENTS	
Use Of Development Site Based On The Use Of Abutting Or Adjacent Sites	Landscaping Requirement Along The Indicated Lot Line
(A) <del>Nonresidential use abutting a residential use or a nonresidential use adjacent to a residential use directly across an alley.</del>	L3 buffer landscaping <sup>8</sup>
(B) <del>Multifamily residential use abutting a single-family residential use</del>	L3 buffer landscaping <sup>9</sup>
(C) <del>Any side of a parking lot perimeter not addressed in (A) or (B) above.</del>	L2 visual enhancement landscaping <sup>10</sup>
<p><b>NOTE:</b> <sup>8</sup> For the side of a parking lot adjacent to a residential use across an alley, an ornamental screening fence and L2 landscaping may be used in the place of L3 buffer landscaping.</p> <p><sup>9</sup> For the side of a parking lot adjacent to a single-family residential use across an alley, an ornamental screening fence and L2 landscaping may be used in the place of L3 buffer landscaping.</p> <p><sup>10</sup> For parking lots with less than 40 spaces located in the DT districts, L1 edge treatment landscaping may be used to meet parking lot perimeter landscaping requirements.</p>	

**ii. Continuous Low Visual Buffer and Edge**

~~To ensure a defined parking lot edge along community streets and sidewalks, and a more consistent low visual buffer against parked vehicles, a continuous planting of shrubs, a low ornamental fence/wall and/or a landscaped berm shall be provided along the length of the landscape bed where parking lot perimeter landscaping is applied along a public street or abutting a residential property. In such cases, a minimum of 0.25 landscape units per linear foot shall be shrubs, earthen berm, or an ornamental fence/wall for parking lot perimeter landscaping abutting a street or residentially zoned lot. Such installation shall be no less than three feet and no more than four feet in height along streets, and no less than four feet and no more than six feet in height abutting a residentially zoned lot.~~

**iii. Multiple Lots Developed Together**

~~Where multiple lots are being developed under a common site plan or a joint parking/circulation plan, the parking lot perimeter landscaping along an interior lot line may be allowed to be shared between the two abutting uses or waived altogether, subject to approval by the director.~~

**iv. Standards for Parking Lot Perimeter Landscaping**

~~Parking lot perimeter landscaping shall meet the specifications and standards of perimeter landscaping in 21.07.080F.5.c. and 5.g.~~

**d. Parking Lot Interior Landscaping**

**i. Amount Required**

~~Parking lot interior landscaping shall be required for all development with 40 or more exterior surface parking spaces, as follows:~~

**(A) 40 to 70 spaces**

~~An area equal to at least five percent of the surface of the parking lot [AREA] on the site, including appurtenant driveways, shall be devoted to landscaping.~~

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~~(B) 71 to 100 spaces~~

~~An area equal to at least seven and one half percent of the surface of the parking lot [AREA] on the site, including appurtenant driveways, shall be devoted to landscaping.~~

~~(C) More than 100 spaces~~

~~An area equal to at least 10 percent of the surface of the parking lot [AREA] on the site, including appurtenant driveways shall be devoted to landscaping.~~

~~ii. Minimum Landscaping Area Size~~

~~The minimum size of any interior planting area shall average eight feet wide (minimum seven feet wide at any point) measured from back of curb and shall be 150 square feet in area. Vehicle overhang allowance area as measured in table 21.07-9 shall not extend into the minimum required planting bed.~~

~~iii. More Than 25 Spaces in a Single Line~~

~~Where there are more than 25 parking spaces in a single line, a parking lot interior landscaping area averaging at least eight feet in width (minimum seven feet wide at any point) and at least the depth of a parking space shall be used to break up these lines of parking into component parts of no more than 25 parking spaces in a single line.~~

Comment [EBM114]: Disagree—this standard provides a visual break in long monotonous rows of cars.

~~iv. Landscaping Break for Every Three Drive Aisles~~

~~In parking lots over 100 spaces, for every three parking [DRIVE] aisles within the lot, there shall be a landscaping bed averaging at least eight feet wide (minimum seven feet wide at any point), parallel to the parking [DRIVE] aisles, and which extends the length of the abutting parking [DRIVE] aisles. Landscaped peninsulas or end islands shall not be included in the calculation of the average width.~~

~~v. Minimum Stocking Requirements~~

~~In any required interior parking lot landscaping area, a minimum of eight landscape units per 100 square feet (0.08 units per square foot) of planting area shall be provided, with at least half of the landscape units being trees.~~

~~vi. Natural Surveillance and Safety~~

~~Good visibility in parking lots is important for both security and traffic safety reasons. Plants and trees that restrict visibility, such as tall shrubs and low branching trees, should be avoided. Therefore, parking lot interior landscaping shall, to the extent reasonably feasible, minimize vegetation and solid or semi-open fences between three feet and seven feet above grade. Borms used as part of interior landscaping areas shall not exceed three feet in height.~~

**7. Site Enhancement Landscaping**

**a. Purpose**

Site enhancement landscaping increases the number of plant materials and seasonal color on open areas of a site, prevents erosion and dust by covering bare or disturbed areas, and reduces and cleans storm water runoff. It includes foundation plantings, front, side and rear yard plantings, common area plantings, and allowable hardscape materials. It enhances the appearance and function of the building and site and reinforces its continuity with the surrounding properties.

**~~b. Applicability of Site Enhancement Landscaping~~**

~~All ground surfaces on any development site that are not devoted to buildings, structures, drives, walks, off-street parking or other authorized uses or installations, and not otherwise devoted to landscaping required by this chapter, shall be provided with site enhancement landscaping.~~

**~~c. Specifications for Site Enhancement Landscaping~~**

~~In any area where site enhancement landscaping is required, a minimum of one landscape unit per 50 square feet (0.02 units per square foot) of planting area shall be provided. However, all applicable areas shall, at a minimum, be covered with landscape or hardscape material as provided in table 21.07-1.~~

**~~8. Trees in Residential Developments~~**

**~~a. Purpose~~**

~~This section is a tree requirement for residential development. It encourages the retention of trees, minimizes the impact of tree loss during construction, and promotes a sustained presence of trees and woodlands in urbanized areas of the municipality. Trees are an important characteristic of the municipality, providing economic support of local property values; enhancing the municipality's natural beauty and identity; reinforcing the pleasant physical character of residential neighborhoods; protecting anadromous fish and wildlife habitat; ameliorating impacts of development on drainage, soil erosion, air quality, and water quality; sheltering from inclement weather; providing shade and transpiration cooling in summer; and providing visual buffering of urban development.~~

**Comment [EBM115]:** The provision increases the value of lots. Requiring a few trees on each lot is more practical than requiring visual enhancement landscaping along residential streets.

**~~b. Applicability of Tree Requirement~~**

~~The tree requirement applies to residential development except for single and two-family lots that were platted before [effective date of this title]. It does not apply to the removal of dead, diseased or naturally fallen trees or vegetation, or trees or vegetation that are a threat to the public health, safety, or welfare.~~

**~~c. Minimum Tree Density~~**

~~As defined in table 21.07-1, 165 tree landscape units per acre are required in new residential developments.~~

~~i. Up to 35 percent of the total number of required units may be located within a separate tract or tracts held in common ownership by a homeowners association or comparable entity.~~

~~ii. All individual lots in a subdivision shall have at least three trees, with at least one tree located in the front yard of each lot.~~

**~~d. Tree Retention and Planting~~**

~~Tree density may consist of retained trees, installed trees, or a combination of retained and installed trees. Trees to be retained shall be depicted on the landscape plan. Where site characteristics or construction preferences do not support tree preservation, tree plantings may be used to satisfy this standard.~~

**F.E. General Landscaping Requirements and Standards**

All required landscaping, screening or fences shall comply with the following standards:

**1. Plant Materials**

**a. Plant Choices and Quality**

Anchorage lies generally within the USDA climactic zone 3. This categorization is intended to help identify plants with suitable hardiness to survive in our climate.

1 There are known microclimates within Anchorage that are less severe in some  
2 areas and more severe in others. It is not the intent of the Title to dictate the use  
3 of individual species; however owners are encouraged to understand the local  
4 climate and to use plant species known to be hardy. It is the owner's  
5 responsibility to replace plant materials which are provided in response to the  
6 requirements of this Title, but perish due to poor maintenance, lack of hardiness  
7 or mechanical damage. All plant material utilized in meeting landscaping and  
8 screening requirements shall be hardy for its site in terms of wind, temperatures,  
9 soils, light, and moisture requirements as referenced in the title 21 user's guide.  
10 In all cases the plant materials shall be living and free of defects and of normal  
11 health, height, and spread as defined by the *American Standard for Nursery*  
12 *Stock, ANSI Z60.1*, latest available edition, American Nursery and Landscaping  
13 Association. Plants may be nursery grown or native transplants, transplanted  
14 from the wild or native stands, provided the plants they meet all the requirements  
15 of ANSI Z60.1 standards. Non native plant species identified as invasive by the  
16 state of Alaska or U.S. Department of Agriculture shall not be used. Plants,  
17 seeds, and soils shall be from sources that screen for invasive species and  
18 diseases.

19 **a. Size of Materials**

20 **i. Trees**

21 **(A)** Minimum size for deciduous trees: 2-inch caliper

22 **(B)** Minimum size for coniferous trees: 6-inch height

Comment [EBM116]: These trees will be mown down with a lawnmower. This is unacceptable.

23 **ii. Shrubs**

24 **(A)** Minimum size for deciduous shrubs: 18-inches

25 **(B)** Minimum size for evergreen shrubs: 18-inches

26 **b. Existing Native Plan Materials**

27 A mass of existing native plan material preserved on site may be utilized to fulfill  
28 the landscape requirements identified in this Title. To fulfill this requirement,  
29 existing plan materials shall include trees, shrubs, and groundcovers. The  
30 quantity of trees within the stand of native plant materials shall be at least equal  
31 to the quantity of trees required for the types of landscaping identified above.  
32 Cottonwood trees (*Populus balsamifera*) may be kept, but shall not be included in  
33 the count of trees to meet these requirements. Provided that the stand(s) of  
34 existing vegetation meet the requirement for the quantity of trees, the area of the  
35 stand of existing vegetation shall be equal to at least 50% of the total square foot  
36 area for which the existing vegetation is fulfilling the landscape requirement.  
37 (Note: this will probably require a diagram to help clarify) Use of existing  
38 vegetation may be mixed with planted landscape improvements to fulfill these  
39 requirements.

Comment [EBM117]: As there is neither a requirement for quantity or an area requirement given, it is hard to know whether this standard is reasonable.

40 **b. Tree Plantings**

41 Planted and transplanted trees shall be mulched with shredded bark mulch or  
42 rock mulch two to four inches in depth, with no bark mulch within four inches of  
43 the base of the trunk. Species selection and spacing of trees to be planted shall  
44 be such that it provides for the eventual mature size of the trees. Soil type, soil  
45 conditions, and other site constraints shall be considered when selecting species  
46 for planting or transplanting. Evergreen trees installed shall meet a minimum 5:3  
47 height to spread ratio.

2. **Planting Location**

~~Tree planting shall take into consideration the growth habits of each species and shall allow adequate space for healthy growing conditions.~~

a. **Utility Easements**

~~i. Required landscaping areas may overlap with utility easements if all applicable landscaping requirements of this title are met within these areas.~~

~~i. The utility shall [MUST] make a good faith effort to provide written notice to the affected residents at least one week prior to disturbance of the landscaping, except for power restoration or in case of emergencies involving life or safety. The utility is not responsible for replacement of disturbed landscaping within the utility easements, but the utility shall stabilize the disturbed area to prevent erosion.~~

b. **Visibility Clearance Areas**

All landscaping and screening materials shall comply with the visibility clearance requirements of ASMC title 9.

**Comment [EBM118]:** This is important because it gives property owners an opportunity to remove their landscaping to either plant elsewhere, or replant once the utility work is done. It has always been a problem that utilities remove landscaping but do not replace it, and this goes a small way towards reducing the scope of the problem.

3. **Planting Beds and Vegetation Areas**

a. **Protection of Landscaping**

All required landscaped areas, ~~particularly trees and shrubs~~, shall be protected from potential damage by adjacent uses, such as parking and storage areas. Concrete barrier curbs or ~~other approved~~ alternate barriers capable of maintaining separation between vehicles and plantings and at least ~~six~~ 6-inches high in height shall be provided between vehicular use areas and landscaped areas. Landscaped areas shall be ~~marked or otherwise made to be visible during snow removal operations~~ protected from impacts resulting from snow removal operations.

**Comment [EBM119]:** Not sure why the "S" is added? Title 9 is a portion of Anchorage Municipal Code dealing with traffic.

b. **Existing Plant Materials Tree Retention Area Protection**

Where existing plant materials are used to meet the requirements of this section 21.07.080, plant materials shall be protected from construction activities in accordance with the following: Tree retention areas used toward landscaping requirements under this section 21.07.080 shall be adequately protected from damage through adherence to the following:

i. **Construction Fence**

A construction fence shall be placed around each tree or grouping of trees ~~and shrubs~~ to be retained at or beyond the edge of the drip line for the trees (approximate outer limit of tree branching), ~~tree protection zone, defined as outside the critical root zones of the trees to be retained (refer to definition of tree protection zone in section 21.14.030).~~ The fence shall be placed before construction starts and remain in place until construction is complete. The fence shall be a minimum of four feet high and of materials suitable to remain for the duration of construction. Construction fencing may be temporary for the duration of construction only, but shall consist of a durable material, such as chain-link or wood fencing. Plastic tape is not an acceptable alternate.

**Comment [EBM120]:** Not sure what this phrase means—deleted wording was clearer.

ii. **Plant Material Replacement Development Limitations in Tree Retention Areas**

In the event that existing plant materials die as a result of construction activity or for any other reason, the owner is responsible for replacement with other landscaping materials in accordance with the requirements of

~~this Section. Within the tree protection zone of each tree or grouping of trees, the following development is not allowed:~~

~~(A) Grade change, excavations, or cut and fill, either during or after construction;~~

~~(B) New impervious surfaces;~~

~~(C) Utility or drainage field placement;~~

~~(D) Attachment of objects to a tree designated for retention;~~

~~(E) Staging or storage of materials and equipment, vehicle maneuvering areas, or other activities likely to cause soil compaction or above-ground damage;~~

~~(F) Placement, storage, or dumping of solvents, soil deposits, excavated material, concrete washout, or the like.~~

~~iii. Subsequent Landscaping Work~~

~~Any landscaping done in the tree protection zone subsequent to the removal of construction barriers shall be accomplished with light machinery or hand labor.~~

~~e. Ground Cover and Mulches~~

~~i. Planting beds containing trees and shrubs shall use mulches. These mulches may consist of shredded bark or mineral mulches that do not become compacted. The mulch shall [MUST] be selected to: moderate soil temperatures and reduce freeze-thaw cycles; keep soil from compacting; conserve soil moisture; reduce weed competition; and keep trunks safer from mowers and weed trimmers. The mulched area should not incorporate non-permeable sheeting or any material that repels water.~~

~~ii. For areas of the site outside of planting beds and subject to site enhancement landscaping, ground cover plants such as lawn grasses shall be planted to provide continuous ground coverage within three years.~~

~~d. Berms~~

~~Berms may be incorporated into any required landscaping or screening area. Berms for on-site landscaping shall not be placed in a public right of way, and shall not interfere with natural drainage or cause water to be drained onto streets. No installed berm shall have a slope of greater than 3:1 for mown areas or greater than 2:1 for planted berms.~~

Comment [EBM121]: Disagree with deleting this standard—some past designs of berms have been fairly poor, and minimum standards are needed.

4. Installation of Landscaping

a. Timing

All required landscaping and screening shall be installed by the developers. All landscaping shall be installed before a certificate of zoning compliance is issued. If a certificate of zoning compliance is requested between September and May, then the certificate shall be conditioned upon the landscaping being installed before the following August 31.

b. Surety

A letter of credit, escrow, performance bond, or other surety approved by the municipal attorney for proper installation of the landscaping and equal in value to 120-50 percent of the value of the installed landscaping, as determined by a

Comment [EBM122]: If a developer does not properly install landscaping or installs sickly material and it dies within 24 months and the developer refuses to replace it, why should the public have to live with half the amount of landscaping required?

1 bonded, licensed landscape contractor, shall be provided to the director prior to  
2 the installation of the landscaping. This bond shall remain in place with the  
3 director for at least 24 months after installation to ensure survival and proper  
4 maintenance of the landscaping in accordance with this section. After the  
5 landscaping has been installed for 24 months, and an inspection has found that  
6 the required landscaping is in good health, the surety shall be released. If the  
7 landscape or some portion thereof is found to be dead or in poor condition, the  
8 owner shall replace those plant materials that are not acceptable with new plant  
9 materials in accordance with the size and species identified on the approved  
10 plan. Upon acceptable completion of landscape installation, the surety shall be  
11 released. Following release of the surety, it remains the responsibility of the  
12 owner to maintain landscape elements in accordance with subparagraph E.6.a  
13 below. The bonding requirement established in this subsection may be waived  
14 for a landscaping area that meets the irrigation standards of subsection  
15 G.6.b-E.6.b, below.

Comment [EBM123]: Conflicts with statement a couple of sentences before that says the bond shall remain in place for 24 months after installation.

16 ***e. Survival***

17 ~~Any landscape element that dies, is removed, or is seriously damaged shall be~~  
18 ~~replaced based on the requirements of subsection 21.07.080G.6.a. before the~~  
19 ~~following August 31.~~

20 **5. Use of Landscaped Areas**

21 Except as specifically allowed elsewhere in this ~~title~~Title, ~~no structures, and storage of~~  
22 ~~motor vehicles area, snow storage, or paved area may be located~~are prohibited in areas  
23 required for ~~landscaping~~landscape.

Comment [EBM124]: Keeping snow storage out of required landscaping is a major issue for survivability of landscaping.

24 **6. Maintenance and Replacement**

25 **a. Maintenance**

26 Trees, shrubs, other vegetation, irrigation systems, fences, and other  
27 landscaping, screening, and fencing elements shall be considered as elements of  
28 a development in the same manner as other requirements of this ~~title~~Title. The  
29 property owner shall be responsible for regularly maintaining all landscaping  
30 elements in good condition. All landscaping shall, to the extent reasonably  
31 feasible, be maintained free from disease, weeds, and litter. Any landscape  
32 element that dies, is removed, or is seriously damaged shall be replaced with  
33 the same type and size landscape element that is shown on the approved landscape  
34 plan for the site. ~~In addition, the landscape units lost with a dead or removed~~  
35 ~~tree shall be recovered through a replacement tree and other plantings as~~  
36 ~~needed to recapture the total landscape units that were lost.~~All landscaping,  
37 screening, and fencing materials and structures shall be repaired and replaced  
38 ~~when as~~ necessary to maintain them in a structurally sound condition.

Comment [EBM125]: This explains that if you lose landscape units, you have to replace them. Why would that be deleted?

39 **b. Irrigation**

40 To ensure that plants will survive, particularly during the critical two-year  
41 establishment period when they are most vulnerable to lack of watering, the  
42 bonding requirement established in subsection 21.07.080G.4. above, may  
43 be waived by the director for any landscaping area that will be irrigated by one of  
44 the following:

- 45 i. A below-ground irrigation system with automatic controller that has been  
46 installed in compliance with an approved permit or by an certified  
47 irrigation contractor who certifies that the irrigation system was  
48 constructed to national standards; or with a minimum of 5 years of  
49 continuous experience.

Comment [EBM126]: Disagree—how will this person prove five years of continuous experience? Being certified is a more practical standard.

- 1                   ii.     An irrigation system designed and approved by a licensed landscape  
2 architect as part of the landscape plan, which provides sufficient water to  
3 ensure that the plants will become established.

4 **G.7. Screening**

5 **1.a. Purpose**

6 Screening consists of landscaping, the retention of natural vegetation, or the use  
7 of physical structures to block views of specific activities or specific parts of a  
8 property or structure. ~~Applicants are encouraged to locate the types of features~~  
9 ~~listed in this section where they are not visible from abutting streets and abutting~~  
10 ~~uses or lots as specified below, so that screening is unnecessary.~~

Comment [EBM127]: See major issues list.

11 **2.b. Refuse Collection**

12 Applicability: In order to improve the image of the municipality's streets and  
13 neighborhoods, refuse collection receptacles ~~for all new developments of all~~  
14 ~~types shall be subject to the following requirements: adequately screened from~~  
15 ~~abutting streets. These receptacles shall also be located where they can be~~  
16 ~~conveniently and safely accessed by the intended users and by refuse collection~~  
17 ~~vehicles.~~

Comment [EM128]: Disagree--why delete this? It impresses to the applicant that they can avoid the expense of screening if they locate the refuse container appropriately.

Comment [EM129]: Disagree with removing amortization provisions--see comments below.

18 **a. Applicability**

19 ~~The following standards shall apply to all refuse collection receptacles of all~~  
20 ~~development, except for the Chugiak-Eagle River area where this section is~~  
21 ~~reserved for inclusion in chapter 21.10. Refuse collection receptacles that abut~~  
22 ~~an alley are exempted from the screening standards of this subsection. For~~  
23 ~~purposes of this section, the term "refuse collection receptacles" includes~~  
24 ~~dumpsters, garbage cans, debris piles, or grease containers, but does not~~  
25 ~~include public trash receptacles for pedestrians placed in the right-of-way, public~~  
26 ~~drop-off recycling receptacles, or waste receptacles for temporary uses such as~~  
27 ~~construction sites. This section also does not apply to refuse collection~~  
28 ~~receptacles that are stored indoors and brought outdoors on garbage pickup~~  
29 ~~days.~~

Comment [EM130]: Disagree--this is important to understand what this section applies to, and what it doesn't apply to.

30 **b.c. Residential Dwellings in Class A Districts**

31 ~~Except as allowed below, single-family, two-family townhouses, and~~  
32 ~~three-unit multi-family dwellings on lots less than 40,000 square feet~~  
33 ~~shall not have dumpsters unless the dumpster is services from an alley.~~

Comment [EBM131]: The title of subsection "c" is "Residential Dwellings in Class A Districts", but the first subsection, "c.i." is about Class B districts. This is confusing.

- 34 i.     ~~In class A districts:~~ Residential Dwellings in Class B Districts

35 ~~(A) Except as allowed below, single family [(ATTACHED AND~~  
36 ~~DETACHED)], two-family, townhouse, and three-unit multifamily~~  
37 ~~dwellings on lots less than 40,000 square feet shall not have~~  
38 ~~dumpsters.~~

39 ~~(B)(A)~~ A group of three or more dwellings may share a dumpster if the  
40 following criteria are met:

- 41                   (1)     The dumpster is bear-proof;
- 42                   (2)     The Alaska Department of Fish and Game determines  
43 that a bear-proof dumpster would reduce the potential  
44 for problem bears in the neighborhood; and
- 45                   (3)     The dumpster is located and screened in accordance  
46 with the standards below.

~~(C) Single-family, two-family, townhouse, or three-unit multifamily dwellings on lots less than 40,000 square feet may have a dumpster if the dumpster is serviced from an alley.~~

ii. ~~In class B districts, dumpsters are permitted and shall be screened in accordance with the standards below. [RESERVED—PREDOMINANT ZONING PROVISION] Screening: to the maximum extent feasible, in all new developments, refuse collection receptacles shall be screened from view from abutting streets by buildings, fences, landscaping or a screening enclosure consisting of a durable three sided screen structure. This screening requirement does not mandate that the collection receptacle to completely screen from any street, but rather that the receptacle be obscured from view by any of the methods listed above.~~

iii.(A) Notwithstanding all other requirements of this section, garbage cans and recycling bins that are 96 cubic feet or smaller are considered screened if they are not visible (except on garbage pickup days) from the abutting street from which vehicular access to the residence is taken.

(B) Site plans for all new developments shall include the proposed location and type of refuse receptacle and the receptacle screening that will be used and the access provisions for service trucks

iii. Residential Dwellings in the Chugiak-Eagle River area shall meet the requirements in 21.10.

**c. Site Plans**

~~Site plans for applicable development shall include the proposed location and type of refuse receptacle screening that will be used and the access provisions for service trucks. If a screening enclosure is necessary pursuant to G.2.e. below, the site plan shall include the construction details of the enclosure to ensure the dimensions comply with the service provider's standards. Site plans with refuse receptacles in alleys shall identify the location of the refuse receptacle and the methods with which the receptacle shall be contained in its identified location.~~

**d. Location**

iv. Location: In all new developments, Outdoor-outdoor refuse collection receptacles shall not be located in any required front setback and shall, to the extent reasonably feasible and depending on the size, location, and configuration of the site, and need for access by refuse collection vehicles, be set back from the front plane of the principal structure. Refuse collection receptacles shall not be located within any area used to meet the minimum landscaping or parking requirements and loading berth requirements of this chapter, or be located in a manner that obstructs or interferes with any designated vehicular or pedestrian circulation routes onsite.

**e. Screening**

i. ~~Each refuse collection receptacle shall be screened from view from abutting streets. The screening may be achieved by buildings, fences, landscaping, or a refuse collection receptacle screening enclosure.~~

Comment [EBM132]: Disagree—based on this language, I'm not exactly sure what the expectation is. It doesn't have to be completely screened from the street, but has to be obscured from view?

1 ~~ii. If a screening enclosure is necessary to meet the standards of this subsection,~~  
2 ~~the screening enclosure shall consist of a durable, three-sided, screening~~  
3 ~~structure. If the refuse collection receptacle is visible through the open~~  
4 ~~side of the screening structure from the abutting streets, the opening~~  
5 ~~shall be screened with a sight-obscuring gate. The enclosure and any~~  
6 ~~gate shall be maintained in working order to function as a screening~~  
7 ~~structure. The gate shall remain closed except to allow for trash pick-up.~~

Comment [EBM133]: This part is important—the consultant's changes don't address what happens if the 3-sided structure doesn't achieve the required screening from abutting streets.

8 ~~f.v. Maintenance of Refuse Collection Receptacle: The lids of receptacles~~  
9 ~~dumpsters in screening enclosures without roof structures shall remain~~  
10 ~~closed except when being accessed by users or refuse service trucks,~~  
11 ~~and shall be maintained in working order.~~

Comment [EBM134]: "Dumpster" is actually a trademarked term, which is why the Department has used "receptacle" wherever possible.

12 **g. Procedure for Obtaining an Administrative Variance for Refuse Receptacle**

13 **Location**

14 ~~i. If a site was developed prior to [effective date] and compliance with the location~~  
15 ~~requirements of subsection 2.d. above is either physically impossible or~~  
16 ~~would result in noncompliance with other requirements of this title, the~~  
17 ~~property owner may apply for an administrative variance from this~~  
18 ~~section.~~

Comment [EBM135]: Disagree—see major issues list.

19 ~~ii. An applicant for an administrative variance from this section shall submit the~~  
20 ~~information specified in the user's guide.~~

21 ~~iii. The director may grant an administrative variance from the location~~  
22 ~~requirements of subsection 2.d. above with the following limitations:~~

23 ~~(A) The director may allow the reduction of no more than two required~~  
24 ~~parking spaces.~~

25 ~~(B) The director shall not waive any requirements of subsection 2.e.,~~  
26 ~~Screening.~~

27 ~~(C) If the variance allows a refuse receptacle to be placed in required~~  
28 ~~landscaping, the total required landscape units for the area shall~~  
29 ~~not be reduced.~~

30 ~~(D) Any variance shall not result in an encroachment into a public right-of-~~  
31 ~~way.~~

32 ~~iv. The director shall make written findings and conclusions for each~~  
33 ~~administrative variance request.~~

34 ~~v. If the request for an administrative variance is denied, the applicant may apply~~  
35 ~~for a variance under section 21.03.240.~~

36 **h. Amortization of Nonconforming Refuse Collection Receptacles**

37 ~~Existing dumpsters that are located at residential uses indicated in subsection~~  
38 ~~21.07.080G.2.b. shall be removed within 18 months from the effective date of this~~  
39 ~~title. Sites with refuse collection receptacles that are subject to the location and~~  
40 ~~screening requirements of subsections 21.07.080G.2.d. and G.2.e. shall meet~~  
41 ~~the requirements of this section within five years from the effective date of this~~  
42 ~~title.~~

Comment [EBM136]: Disagree—see major issues list.

**3.8. Service and Off-Street Loading Areas**

**a. Applicability**

This standard is intended to mitigate visual and noise impacts of service and off-street loading areas on abutting residential uses and neighborhoods, and streets. The standards shall apply to all service and off-street loading areas serving nonresidential uses that are visible from a street or a nonindustrial zoning district.

**b. Standard**

Applicable non-enclosed service and off-street loading areas shall be screened as follows:

- i. A wall or fence at least eight feet high shall be located along at least one exposed edge of the service or loading area that is parallel to vehicles/trailers parked in the service or loading area. The wall or fence shall extend the length of the longest vehicle/trailer anticipated to be parked in the service or loading area.
- ii. Additional landscaping shall be provided along the site perimeter at the location of the service or loading area to visually obscure the area from the abutting street or property.
- iii. An alternate screening plan may be approved by the director if the proposed plan effectively screens the service or loading area from abutting streets and nonindustrial districts.

**H.9. Fencings**

**1.a. Applicability**

The provisions of this subsection 21.07.080H. shall apply to all construction, substantial reconstruction, or replacement of fences, retaining walls not required for support of a principal or accessory structure, or any other linear barrier intended to delineate different portions of a lot or to separate lots from each other. The provisions of this subsection do not apply to temporary fencing for construction, emergencies, or special public events or performance areas.

Comment [EM137]: Disagree-- what is wrong with "Fences"? This amendment is arbitrary.

**2.b. Location**

A fence may be constructed within property boundaries, or at the lot line, subject to the limitations in this section. No fence shall be installed so as to block or divert a natural drainage flow onto or off of any other property.

**3.c. Maximum Height**

Unless specifically required elsewhere in this ~~title-Title~~ for screening fences, fences shall not exceed the maximum heights set forth below. Such maximum heights shall be measured from the top of any retaining wall, or if no retaining wall has been constructed, then from natural grade. Unless specifically allowed by this ~~titleTitle~~, no fence shall exceed eight feet in height.

**a.i.** In the R-1, R-1A, R-2A, R-2D, ~~R-2F~~, R-2M, R-3, R-4, ~~R-4A~~, R-5, and R-7 districts, fences in front setbacks shall not exceed four feet in height. Fences in secondary front setbacks that abut a street of arterial or greater classification may be up to eight feet in height. Fences in side or rear setbacks shall not exceed six feet in height.

Comment [EM138]: This district was deleted.

**b.ii.** In the R-6, R-8, R-9, and R-10 districts, fences in front setbacks shall not exceed six feet in height if the ~~fence~~ [FENCING MATERIAL] is ~~a screening of~~ sight-obscuring ~~fence~~. [EXAMPLES OF NON-SIGHT

OBSCURING FENCING INCLUDE CHAIN-LINK AND SPLIT RAIL FENCING.]

e.iii. In the B-1A, ~~B-1B~~, R-O, ~~NMU, CMU, and RMU~~ districts, fences in front setbacks shall not exceed four feet in height.

d.iv. In the B-3 and MC districts, fences in front setbacks shall not exceed six feet in height.

e.v. Fences in front setbacks in nonresidential districts shall be located interior to any required landscaping.

f.vi. Enclosures provided as a part of a permitted tennis court, ball field, or other recreational facility shall be exempt from the height restrictions of this section.

4.d. **Finished Appearance Outward**

Whenever any fence will be visible from adjacent streets, and whenever a fence is installed as part of required site perimeter or parking lot perimeter landscaping and is visible from adjacent properties, it shall be installed so that the more finished side (i.e., the side with fewer or no visible structural framing or bracing elements) faces outward from the lot on which it is installed.

5.e. **Prohibited Materials**

Fences made of debris, junk, or waste materials are prohibited, unless such materials have been recycled and reprocessed into building materials marketed to the general public and resembling new building materials, unless approved by the director.

**21.07.090 OFF-STREET PARKING AND LOADING**

A. **Purpose** [Mr. Coffey did not include this section in his submittal to the Mayor. Either he is proposing that the whole section be deleted, or else he has no amendments to propose to this section.]

This section establishes off-street parking and loading requirements as a necessary part of the development and use of land, to ensure the safe and adequate flow of traffic in the public street system, and to ensure that parking lots [AREAS] are designed to perform in a safe, efficient manner. It is also the intent of this section to attenuate the adverse visual, environmental, and economic impacts of parking lots [AREAS], and to achieve a compact and efficient land use pattern. Specific purposes include to:

1. Ensure that off-street parking, loading, and access demands will be met without adversely affecting other nearby land uses and neighborhoods;
2. Provide for safe and orderly circulation and parking in parking and loading facilities, and minimize conflicts between pedestrians and vehicles;
3. Encourage the efficient use of land and avoid the encumbrance of more space than is necessary for parking;
4. Improve the visual appearance of public street corridors by encouraging buildings and other attractive site features to become more prominent relative to parking lots [AREAS];

- 1 5. Provide for better pedestrian movement and encourage alternative modes of  
2 transportation by reducing the expanses of parking that must be traversed between  
3 destinations;
- 4 6. Support a balanced transportation system that is consistent with cleaner air and water,  
5 greater transportation choices, and efficient infill and redevelopment; and
- 6 7. Allow flexibility in addressing vehicle parking, loading, and access, including providing for  
7 reductions and alternatives to minimum parking requirements.

8 **B. Applicability**

9 **1. Generally**

- 10 a. The off-street parking and loading standards of this section 21.07.090 shall apply  
11 to all development in the municipality, including changes of use.
- 12 b. Except for the off-street loading requirements of subsection 21.07.090G., all  
13 other requirements of this section shall apply to Girdwood unless specifically  
14 preempted in chapter 21.09.
- 15 c. Except when specifically exempted, the requirements of this section shall apply  
16 to all temporary parking lots and parking lots that are a principal use on a site.

17 **2. Expansions, Relocations, and Enlargements**

18 A site to which a building is relocated shall provide the required parking and loading  
19 spaces. An expansion or enlargement that is an increase in the floor area or other  
20 measure of off-street parking and loading requirements shall provide spaces as required  
21 for the increase.

22 **3. Use of Required Parking Spaces**

23 Required parking spaces shall be available for the parking of passenger automobiles by  
24 residents, occupants, customers, visitors, or employees of the use. Required parking  
25 spaces may not be assigned, leased, or rented in any way to a use on another site, or to  
26 anyone who is not a resident, occupant, customer, guest, or employee, except for shared  
27 parking situations. See subsection 21.07.090F.16. Also, required parking spaces shall  
28 not be used for the parking of equipment or for storage of goods or inoperable vehicles.

29 **4. Regulation of Parking Space Use**

30 The providers of required off-street parking spaces may reasonably control the users  
31 thereof by means that may include, but are not limited to, restricting all parking to the  
32 users of the facility; parking lot attendants; control gates; tow-away areas; areas for  
33 exclusive use by employees, tenants or staff; areas restricted for use by customers or  
34 visitors; and imposing time limitations on users. Fees may be charged for the use of  
35 required parking, subject to approval of the traffic engineer. Prior to approval of the  
36 permit the traffic engineer may review all methods of control and may disapprove of any  
37 restriction such as fees that adversely affects the purpose of this section. The  
38 municipality may enforce any approved parking plan or restrictions through any of the  
39 code enforcement provisions set forth in chapter 21.13, *Enforcement*.

40 **5. Parking Nonconformities**

41 When a site is out of compliance as to the number of required or allowed parking spaces,  
42 section 21.12.060, *Characteristics of Use*, applies.

- 1 **C. Computation of Parking and Loading Requirements**
- 2 **1. Fractions**
- 3 When measurements of the number of required or allowed parking spaces result in a
- 4 fractional number after subtracting for parking reductions or alternatives, the fraction shall
- 5 be rounded as provided in section 21.14.020M., *Fractions*.
- 6 **2. Multiple Uses**
- 7 The number of parking spaces is computed based on the uses on the site. When there
- 8 are two or more uses on a site, the required or allowed parking for the site is the sum of
- 9 the required or allowed parking for the individual uses. For shared parking, see
- 10 subsection 21.07.090F.16. below.
- 11 **3. Area Measurements**
- 12 Unless otherwise specified in table 21.07-5, all square footage-based parking and loading
- 13 standards shall be computed on the basis of gross floor area of the use in question. For
- 14 the purposes of this section, all gross floor area shall be counted in such measurement,
- 15 except for floor area dedicated for parking spaces; driveways; circulation aisles; loading
- 16 areas; or enclosed and isolated floor area exclusively for HVAC mechanical equipment
- 17 serving the building, provided such area is located in a mechanical penthouse or topmost
- 18 floor of a multistory building. The traffic engineer may also waive the floor area for HVAC
- 19 mechanical equipment occupying another story in the building, provided the majority of
- 20 such story (including the mechanical equipment) is non-habitable floor area.
- 21 **4. Occupancy Load Factors**
- 22 Where parking requirements for assembly rooms or other uses are based on maximum
- 23 capacity under provisions of AMC title 23, the occupancy load factors of AMC title 23
- 24 shall not be adjusted.
- 25 **5. Additional Computation Standards**
- 26 **a. Off-Street Loading Space**
- 27 Required off-street loading space shall not be included as off-street parking
- 28 spaces in computation of required or allowed number of off-street parking
- 29 spaces, unless approved by the traffic engineer pursuant to subsection G.5.
- 30 below.
- 31 **b. Fleet Vehicle Parking**
- 32 For the purpose of calculating parking requirements, fleet vehicle parking shall
- 33 not count against either the minimum or maximum requirements.
- 34 **c. Areas that Count Toward Minimum but Not Maximum Parking**
- 35 **Requirements**
- 36 For the purpose of calculating parking requirements, the following types of
- 37 parking spaces shall not count against the maximum parking requirement, but
- 38 shall count toward the minimum requirement:
- 39 i. Accessible parking spaces;
- 40 ii. Passenger loading zones including taxi cab stands;
- 41 iii. Vanpool and carpool parking spaces;
- 42 iv. Parking spaces provided as the required parking for a use on another
- 43 parcel through a municipally approved shared parking or off-site parking
- 44 agreement; and

- 1 v. Parking structures, underground parking, and parking within, above, or  
2 beneath the building(s) it serves.

3 **D. Parking Lot Layout and Design Plan**

4 **1. Applicability**

5 For all commercial, industrial, institutional, multifamily and townhouse residential  
6 developments, the applicant shall submit a parking facility layout, circulation, and design  
7 plan for review and approval by the traffic engineer. The plan shall contain sufficient  
8 detail to enable the traffic engineer and the director to verify compliance with this section  
9 21.07.090. Subject to approval of the traffic engineer, the parking layout and design plan  
10 may be combined with other plans required under this title, such as the landscaping plan  
11 required in 21.07.080, *Landscaping, Screening, and Fences*.

12 **2. Minimum Plan Requirements**

- 13 **a.** The parking facility layout, circulation, and design plan shall be prepared by a  
14 design professional and stamped by a professional registered with the Alaska  
15 State Board of Registration for Architects, Engineers, and Land Surveyors,  
16 except that parking lots with fewer than 20 parking spaces shall be exempt.
- 17 **b.** The director and traffic engineer shall establish the minimum submittal  
18 requirements for such plans that will enable staff to adequately review and  
19 ensure compliance with the standards and requirements of this section  
20 21.07.090. Such submittal requirements, to be included in the user's guide, shall  
21 include but not be limited to elements such as placement and dimensions of  
22 spaces, landscaping, pedestrian and vehicle circulation, snow storage, lighting,  
23 loading and trash collection areas, and drainage.
- 24 **c.** The traffic engineer shall ensure that provisions have been made for minimum  
25 interference with street traffic flow and safe interior vehicular and pedestrian  
26 circulation, transit, and parking.

27 **E. Off-Street Parking Requirements**

28 **1. Minimum Number of Spaces Required**<sup>41</sup>

29 Unless otherwise expressly stated in this title, off-street parking spaces shall be provided  
30 in accordance with table 21.07-5, *Off-Street Parking Spaces Required* and subsection  
31 E.2. below. Reductions, exemptions, and alternatives to the required minimum number  
32 of parking spaces are provided in subsection 21.07.090F. below.

33 **2. Minimum of Three Parking Spaces**

34 Where a use is required to provide off-street parking and the amount specified in table  
35 21.07-5 would result in fewer than three spaces being required for the use, the use shall  
36 provide at least three parking spaces including one van-accessible parking space  
37 pursuant to subsection 21.07.090J. Where there are multiple uses located on a site, the  
38 uses may share the accessible space as long as the requirements of subsection  
39 21.07.090J.1. are met. Parking reductions in subsection 21.07.090F. shall also comply  
40 with this subsection E.2. The minimum of three parking spaces shall not apply to  
41 residential household living uses, community gardens, parks and open space, utility  
42 substations, or fueling stations and food and beverage kiosks that are exclusively for  
43 drive-through customers.

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<sup>41</sup> See Amendment #51.

**TABLE 21.07-5: OFF-STREET PARKING SPACES REQUIRED**  
 (“du” = dwelling unit; “sf” = square feet; “gfa” = gross floor area)

Use Category	Use Type	Minimum Spaces Required	See Loading Subsection 21.07.090G.
<b>RESIDENTIAL USES</b>			
Household Living	Dwelling, mixed-use, multiple-family, single-family attached, two-family, and townhouse	1 per studio or efficiency or one bedroom du Add 0.5 spaces for each additional bedroom Add 0.25 guest parking spaces for each multifamily du with single-family or two-family style construction Add 0.15 guest parking spaces for each multifamily du with townhouse style construction	X
	Dwelling, single-family detached	2 per du up to 2,400 square feet; 3 per du over 2,400 square feet, including any unfinished area which may be converted to living area	
	Accessory dwelling unit (ADU)	See subsection 21.05.070D.	
	All other household living uses	2 per du	
Group Living	Assisted living facility (9+ client capacity)	1 per 4 beds plus 1 per 350 sf of office area plus requirement for dwelling, if located in a dwelling	X
	Correctional community residential center	1 per 2,000 sf gfa	X
	Habilitative care facility	1 per 400 sf gfa, and 1 passenger loading space, reserved for pickup and delivery of adults, per 800 sf gfa	X
	Roominghouse	0.6 per guestroom	
	Transitional living facility	1 per 2 beds plus 1 per 4 persons in principal assembly area based on maximum occupancy provisions of AMC title 23	
<b>PUBLIC/INSTITUTIONAL USES</b>			
Adult Care	Adult care facility, 3-8 persons	1 per 400 sf gfa, and 1 passenger loading space, reserved for pickup and delivery of adults, per 2,000 sf gfa (plus requirement for principal use, if approved as accessory use)	
	Adult care facility, 9+ persons	1 per 400 sf gfa, and 1 passenger loading space, reserved for pickup and delivery of adults, per 2,000 sf gfa	X
Child Care	Child care home	No additional requirements beyond those required for the dwelling unit  If the establishment is for fewer than 9 children and is not located in a dwelling, then the requirement is as provided in subsection 21.07.090E.2.	
	Child care center, 9-15 children	1 space in addition to what is required for the dwelling	

**TABLE 21.07-5: OFF-STREET PARKING SPACES REQUIRED**  
 (“du” = dwelling unit; “sf” = square feet; “gfa” = gross floor area)

Use Category	Use Type	Minimum Spaces Required	See Loading Subsection 21.07.090G.
	Child care center, more than 15 children	1 per 400 sf gfa, and 1 passenger loading space, reserved for pickup and delivery of children, per 800 sf gfa	
Community Service	Cemetery or mausoleum	See subsection 21.07.090E.3.	X
	Community center or religious assembly	1 per 4 persons in principal assembly area based on maximum occupancy provisions of AMC title 23	
	Crematorium	1 per 4 persons in the main chapel based on maximum occupancy provisions of AMC title 23	
	Family self-sufficiency service	1 per 300 sf gfa	
	Government administration and civic buildings	1 per 300 sf gfa	X
	Homeless and transient shelter	1 per 300 sf administrative area, and 1 per 20 pillows	
	Neighborhood recreation center	See subsection 21.07.090E.3.	
Cultural Facility	Aquarium	1 per 500 sf gfa	X
	Botanical gardens	See subsection 21.07.090E.3.	X
	Library	1 per 400 sf gfa	X
	Museum or cultural center	1 per 400 sf gfa	X
	Zoo	1 per 5,000 sf of site area	X
	All other uses	1 per 400 sf gfa or 1 per 10,000 sf of site area for outdoor uses	X
Educational Facility	Boarding school	See subsection 21.07.090E.3.	X
	College and university	See subsection 21.07.090E.3.	X
	Computer-aided learning center	1 per 300 sf of enclosed floor space	X
	Elementary school and middle school	1 per 6 students, based on State of Alaska EED capacity provisions	X
	High school	6 per classroom  Where the traffic engineer has reason to believe that, based on similar or comparable schools, parking study data, or other information, that parking demand for the proposed high school development is likely to exceed the requirement, the traffic engineer may require up to 1 parking space per 3 students, based on State of Alaska EED capacity provisions.	X

<b>TABLE 21.07-5: OFF-STREET PARKING SPACES REQUIRED</b> ("du" = dwelling unit; "sf" = square feet; "gfa" = gross floor area)			
<b>Use Category</b>	<b>Use Type</b>	<b>Minimum Spaces Required</b>	<b>See Loading Subsection 21.07.090G.</b>
	Instructional services	6 per classroom, plus 1 per 300 square feet of dance or other training area	<b>X</b>
	Vocational or trade school	1 per 2 students based on maximum occupancy provisions of AMC title 23	<b>X</b>
Health Care Facility	Health services, including outpatient medical and dental offices, co-located with a hospital/ hospital campus	1 per 250 sf gfa	<b>X</b>
	Other health services, including outpatient medical and dental offices	1 per 300 sf gfa	
	Hospital/ health care facility	1 per 2 beds, based on maximum capacity, plus 1 per 350 sf of office and administrative area	<b>X</b>
	Nursing facility	1 per 4 beds, based upon maximum capacity.	<b>X</b>
Park and Open Area	Community garden	1 per 5,000 sf of lot area	
	Park and open space, public or private	See subsection 21.07.090E.3. Playfields (soccer, baseball, etc.) shall have minimum of 25 spaces per field, unless otherwise approved by the traffic engineer, for up to four fields. Facilities with more than four fields shall be subject to the determination of the traffic engineer.	
Public Safety Facility	All uses	See subsection 21.07.090E.3.	
Transportation Facility	All uses	See subsection 21.07.090E.3.	
	Railroad freight terminal	See subsection 21.07.090E.3.	
	Railroad passenger terminal	See subsection 21.07.090E.3.	
Utility Facility	Utility facility	1 per 1,000 sf gfa	
	Utility substation	See subsection 21.07.090E.3.	
Communication Structures	All uses	None	
<b>COMMERCIAL USES</b>			
Agricultural Uses	Commercial horticulture	See subsection 21.07.090E.3.	

<b>TABLE 21.07-5: OFF-STREET PARKING SPACES REQUIRED</b> (“du” = dwelling unit; “sf” = square feet; “gfa” = gross floor area)			
<b>Use Category</b>	<b>Use Type</b>	<b>Minimum Spaces Required</b>	<b>See Loading Subsection 21.07.090G.</b>
Animal Sales, Service & Care	Animal shelter	1 per 400 sf gfa	
	Kennel, commercial	1 per 800 sf gfa	
	Large domestic animal facility, principal use	1 per 4 seats or 1 per stall, whichever is greater	
	Retail and pet services	1 per 300 sf gfa	
	Veterinary clinic	1 per 600 sf gfa	
Assembly	Civic/convention center	1 per 4 persons in assembly areas based on maximum occupancy provisions of AMC title 23	<b>X</b>
	Club/lodge/meeting hall	1 per 4 persons in assembly areas based on maximum occupancy provisions of AMC title 23.	<b>X</b>
Entertainment and Recreation	Amusement establishment	Indoor entertainment facility: 1 per 300 sf gfa	
	Bowling alley	4 per bowling lane	
	Bingo parlor	1 per 4 persons in assembly areas based on maximum occupancy provisions of AMC title 23.	
	Entertainment facility, major	See subsection 21.07.090E.3.	
	Fitness and recreational sports center	1 per 300 sf gfa	
	General outdoor recreation, commercial	See subsection 21.07.090E.3.	<b>X</b>
	Golf course	4 per green	
	Golf driving range	0.5 per tee	
	Motorized sports facility	1 per 2 spectator seats in a structure such as a grandstand, stadium; or 1 per 2,000 sf of site area; whichever is greater	<b>X</b>
	Movie theater	1 per 4 persons based on maximum occupancy provisions of AMC title 23	
	Nightclub	1 per 3 persons based on maximum capacity under provisions of AMC title 23	<b>X</b>
	Shooting range, outdoor	1 per target area, or 1 per 5 seats, whichever is greater	
	Skiing facility, alpine	See subsection 21.07.090E.3.	
	Theater company or dinner theater	1 per 4 persons based on maximum capacity under provisions of AMC title 23	
Food and	Bar	1 per 100 sf gfa	<b>X</b>

<b>TABLE 21.07-5: OFF-STREET PARKING SPACES REQUIRED</b> (“du” = dwelling unit; “sf” = square feet; “gfa” = gross floor area)			
<b>Use Category</b>	<b>Use Type</b>	<b>Minimum Spaces Required</b>	<b>See Loading Subsection 21.07.090G.</b>
Beverage Service	Food and beverage kiosk	0 per establishment, plus vehicle queuing spaces	
	Restaurant	1 per 100 sf gfa and outdoor seating area 1 per 125 sf gfa for drive-through restaurants (plus vehicle queuing spaces)	<b>X</b>
Office	Financial institution	1 per 350 sf gfa (plus vehicle queuing spaces if drive-through is provided)	
	Office, business or professional	1 per 350 sf gfa	<b>X</b>
	Broadcasting facility	1 per 350 sf gfa	
Personal Service, Repair, and Rental	Business service establishment	1 per 500 sf gfa	<b>X</b>
	Pharmacy/Drugstore and Video Rental Store	1 per 400 sf gfa (plus vehicle queuing spaces if drive-through is provided)	
	Dry-cleaning drop-off site/Mail Package Service/Locksmith Shop	1 per 600 sf gfa, (plus vehicle queuing spaces if drive-through is provided)	
	Funeral services	1 per 4 persons in main assembly areas based on maximum occupancy provisions of AMC title 23	<b>X</b>
	Small equipment rental	1 per 400 sf gfa	
	All other uses	1 per 300 sf gfa	<b>X</b>
Retail Sales	Auction house	1 per 300 sf gfa	<b>X</b>
	Convenience store	1 per 350 sf gfa	<b>X</b>
	Farmers market	1 per 250 sf, with a minimum of 6	
	Fueling station	1 per attendant for stand-alone fueling stations; also refer to subsection 21.07.090H. for queuing requirement	
	Retail sales of large or bulky merchandise such as furniture, home appliance, or flooring store	1 per 800 sf gfa	<b>X</b>
	General retail	1 per 350 sf gfa	<b>X</b>
	Grocery or food store	1 per 250 sf gfa	<b>X</b>
	Liquor store, bicycle shop	1 per 400 sf gfa	<b>X</b>
	Building materials store	1 per 600 sf gfa and outdoor display area	<b>X</b>

<b>TABLE 21.07-5: OFF-STREET PARKING SPACES REQUIRED</b> (“du” = dwelling unit; “sf” = square feet; “gfa” = gross floor area)			
<b>Use Category</b>	<b>Use Type</b>	<b>Minimum Spaces Required</b>	<b>See Loading Subsection 21.07.090G.</b>
	Pawnshop	1 per 350 sf gfa	<b>X</b>
Vehicles and Equipment	Aircraft and marine vessel sales	1 per 7,000 sf outdoor display/sales area; 1 per 400 sf indoor floor area	<b>X</b>
	Vehicle parts and supplies	1 per 400 sf gfa; 1 per 7,000 sf outdoor display/sales area	<b>X</b>
	Vehicle – large and small, sales	1 per 7,000 sf outdoor display/sales area; 1 per 400 sf indoor floor area	<b>X</b>
	Vehicle – large and small, rental	1 per 400 sf of indoor floor area	
	Vehicle service and repair, major and minor	0.5 per car wash bay; 4 per other service bay (provided that all vehicles in custody of operator of business for purpose of service, repair or storage shall be stored on premises or on a separate off-street parking lot or building)	
Visitor Accommodations	Camper park	1 space per 10 recreational vehicle or tent camping spaces	
	Extended-stay lodgings	1 per guestroom or one bedroom unit; 1.25 per two bedroom unit; 1.5 per three bedroom or more unit, plus 1 per 4 persons in meeting rooms based on maximum occupancy provisions of AMC title 23.	<b>X</b>
	Hostel	1 per 600 sf gfa	
	Hotel, motel and inn	0.9 per guestroom, plus 1 per 4 persons in meeting rooms based on maximum occupancy provisions of AMC title 23.	<b>X</b>
	Recreational and vacation camp	See subsection 21.07.090E.3.	
<b>INDUSTRIAL USES<sup>11</sup></b>			
Industrial Service <sup>11</sup>	Data processing facility	1 per 1,000 sf gfa	<b>X</b>
	Dry cleaning establishment	1 per 750 sf dry cleaning plant area plus 1 per 600 sf of customer service area	
	General industrial service	1,000-3,000 sf gfa: 1 per 750 sf gfa; Add 1 space per each 1,000 sf gfa above 3,000 sf gfa, up to 5,000 sf gfa; Add 1 space per each 1,500 sf gfa above 5,000 sf gfa, up to 50,000 sf gfa; Add 1 space per each 2,000 sf gfa above 50,000 sf gfa	
	Governmental service	1 per 600 sf gfa	<b>X</b>
	Heavy equipment, sales and rental	1 per 400 sf indoor floor area	<b>X</b>

TABLE 21.07-5: OFF-STREET PARKING SPACES REQUIRED ("du" = dwelling unit; "sf" = square feet; "gfa" = gross floor area)			
Use Category	Use Type	Minimum Spaces Required	See Loading Subsection 21.07.090G.
	Research laboratory	1 per 300 sf gfa	
Manufacturing and Production <sup>11</sup>	Commercial food production	1 per 400 sf gfa for catering; 1 per 800 sf gfa for food processing	X
	Cottage Crafts	1 per 600 sf gfa	
	Manufacturing (heavy and light)	1,000-3,000 sf gfa: 1 per 750 sf gfa; Add 1 space per each 1,000 sf gfa above 3,000 sf gfa, up to 5,000 sf gfa; Add 1 space per each 1,500 sf gfa above 5,000 sf gfa,	
	Natural resource extraction	See subsection 21.07.090E.3.	
Marine Facility <sup>11</sup>	Aquaculture	See subsection 21.07.090E.3.	
	Facility for combined marine and general construction	See subsection 21.07.090E.3.	
	Marine operations	See subsection 21.07.090E.3.	
	Marine wholesaling	1 per 800 sf gfa	
Warehouse and Freight Movement <sup>11</sup>	Bulk storage of hazardous materials	See subsection 21.07.090E.3.	
	Impound yard	1 per 500 sf gfa, plus 1 per 5,000 sf of outdoor storage area	
	Motor freight terminal	see Warehouse	
	Self-storage facility	1 per 75 units, plus vehicle queuing spaces for security gate. Aisles suitable for temporary loading and unloading may be counted as required parking stalls in accordance with table 21.07-5 as determined by the traffic engineer.	X
	Storage yard	1 per 2,000 sf of outdoor storage area	
	Warehouse	1,000-10,000 sf gfa: 1 per 1,000 sf gfa; Add 1 space per each 1,250 sf gfa above 10,000 sf gfa, up to 50,000 sf gfa; Add 1 space per each 1,500 sf gfa above 50,000 sf gfa,	
	Wholesale establishment	1 per 800 sf gfa	
Waste and Salvage	All uses	See subsection 21.07.090E.3.	

**TABLE 21.07-5: OFF-STREET PARKING SPACES REQUIRED**  
 (“du” = dwelling unit; “sf” = square feet; “gfa” = gross floor area)

Use Category	Use Type	Minimum Spaces Required	See Loading Subsection 21.07.090G.
<p><b>NOTES:</b> <sup>11</sup> The off-street parking requirements for industrial uses in this schedule A shall not include space devoted to office or other non-industrial related use. Where a warehousing or industrial facility contains office or other non-industrial related use, off-street parking for such spaces shall be computed using the requirements set forth in this table.</p>			

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**3. Uses Not Listed or that Have No Specific Requirement**

In the case of a use or category of uses not listed in table 21.07-5, or that is listed without a specific requirement, the requirements for off-street parking facilities shall be determined by the director and the traffic engineer. Such determination shall be based upon the requirements for the use specified in table 21.07-5 that is most nearly comparable to the unspecified use, traffic engineering principles, and/or parking studies. Any parking study prepared by the applicant shall include estimates of parking demand based on recommendations of the Institute of Transportation Engineers (ITE), or other acceptable estimates as approved by the traffic engineer, and shall include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability shall be determined by density, scale, bulk, area, type of activity, and location. The study shall document the source of data used to develop the recommendations.

**4. Maximum Number of Spaces Permitted**

**a. Purpose**

The purpose of this subsection is to establish an upper limit on the number of parking spaces allowed in order to promote efficient use of land, enhanced urban design, a safe and walkable pedestrian environment, alternative modes of transportation, and to protect air and water quality. Exceptions and flexibility procedures are provided where the required limit on the number of parking spaces is problematic for a certain use.

**b. Applicability**

For any use categorized as a public/institutional or commercial use in table 21.05-1 or table 21.05-2, *Tables of Allowed Uses*, the maximum number of off-street vehicle parking spaces shall be as provided below. Temporary parking, the uses “parking lot, principal use” and “parking structure, principal use”, and uses in the Educational Facility, Parks and Open Areas, Transportation Facility, and Utility Facility use categories are exempt.

**c. Maximum Number of Spaces**

Developments may provide a maximum of one parking space per 250 square feet of gross floor area, or 125 percent of the minimum number of parking spaces required in table 21.07-5, whichever is greater.

**d. Increased Landscaping in Large Parking Lots**

Development sites with more than 160 parking spaces required in table 21.07-5 and that are proposed to have more than the minimum number of parking spaces required in table 21.07-5 shall increase the overall amount of area devoted to parking lot interior landscaping area in the parking lot as provided in table 21.07-6 below. This shall apply to uses which utilize the exceptions offered in subsection 4.e. below.

TABLE 21.07-6: INCREASE IN PARKING LOT INTERIOR LANDSCAPING	
Number of Off-Street Parking Spaces Provided as a Percentage of the Required Minimum Number of Spaces	Required Amount of Parking Lot Interior Landscaping as a Percentage of the Surface of the Parking Lot [AREA] on the Site Including Appurtenant Driveways
111 to 125 percent	10 percent
Greater than 125 percent	13 percent

e. **Exceptions**

- i. Restaurants without a drive-through, dinner theaters, and bars may provide up to 200 percent of the minimum number of parking spaces required in table 21.07-5.
- ii. If application of the maximum parking standard would result in fewer than six parking spaces, the development shall be allowed six parking spaces.
- iii. Exceptions to the maximum parking requirement may be allowed by the traffic engineer and the director in situations that meet all of the following criteria:
  - (A) The applicant provides a parking demand study of similar sites in the municipality that demonstrates that parking demand cannot be accommodated within the maximum number of parking spaces allowed or through any of the available parking reductions and alternatives such as on-street parking, shared parking with nearby uses, or incentives for alternatives to single-occupancy vehicle use;
  - (B) The request is the minimum necessary variation from the standards; and
  - (C) If located in a mixed-use district, the proposed site plan is, in the judgment of the director, supportive of high levels of existing or planned transit and pedestrian activity.

5. **Parking Location**

Except as provided in subsection 21.07.090F., all required parking shall be on the same lot as the use served. However, required parking may be on an abutting or adjacent lot provided the zoning district in which the lot is located allows for off-street parking as a permitted principal use, site plan review use, or conditional use; in which case there shall be a parking agreement which meets the requirements of subsection F.1. below.

F. **Parking Reductions and Alternatives**

The traffic engineer and director may approve reductions and alternatives to providing the number of off-street parking spaces required by table 21.07-5, and/or to the circulation and dimensional standards of subsections H.9. and H.10., in accordance with the following standards.

1. **Parking Agreements**

A parking reduction or alternative shall require a written parking agreement between the property owner(s) and the municipality, except where expressly stated otherwise.

a. **Recordation**

1 The municipality shall record the parking agreement at the district recorder's  
2 office as a covenant that runs with the land and is binding on the owner and all  
3 successors and assigns for as long as the required number of off-street parking  
4 spaces is not provided as a result of the parking reduction or alternative. All  
5 parties involved in the parking reduction or alternative shall participate in the  
6 parking agreement. Recordation of the agreement shall take place before  
7 issuance of an entitlement requiring a parking reduction or alternative.

8 **b. Content**

9 The form and content of the parking agreement shall be approved by the director.  
10 It shall guarantee installation and maintenance of any required improvements by  
11 the owner, and/or the owner's continued participation in any parking  
12 management strategy required for a parking reduction. The parking agreement  
13 shall assure future implementation of a contingency plan by the owner if so  
14 ordered by the traffic engineer. The contingency plan may include strategies  
15 such as installation of parking, payment to the municipality for the full cost of  
16 providing the required parking, transportation demand management programs, or  
17 other parking management strategies identified in the parking reductions or  
18 alternatives of this section.

19 **c. Termination**

20 If for any reason the parking agreement terminates, owners and all successors  
21 and assigns who are parties to the parking agreement shall comply with all  
22 provisions of this title governing the required number of off-street parking spaces.

23 **2. Calculation of Parking Reductions**

24 **a. Multiple Reductions**

25 A development may be eligible for multiple reductions from the required number  
26 of parking spaces. The total impact of parking reductions shall be calculated as  
27 being multiplicative and not additive where a development is eligible for more  
28 than one. For example, if one reduction is 20 percent, and a second reduction is  
29 an additional 15 percent, their combined reduction shall be calculated as 80  
30 percent times 85 percent equals 68 percent, or a 32 percentage point total  
31 reduction, rather than adding 20 percent plus 15 percent equals 35 percent. This  
32 is because the 15 percent reduction applies to a base that is already reduced 20  
33 percent.

34 **b. Minimum Reduction Credit of One Space**

35 If the total approved reduction from the required number of parking spaces for a  
36 development is calculated to be a reduction of less than one parking space, it  
37 shall be credited as a reduction of one parking space.

38 **3. Qualifying Site Development**

39 Uses shall provide the following enhancements to be eligible for any reduction in the  
40 number of required parking spaces, except where stated otherwise. The qualifying site  
41 criteria shall not be required for the following parking reductions and alternatives: land  
42 banking, stacked and tandem parking, or smaller parking spaces for low-turnover uses.  
43 Industrial uses, public safety facilities, transportation facilities, and utility facilities are  
44 exempt from the qualifying site development criteria.

45 **a. Street Oriented Building**

46 Primary entrances and/or windows providing visual access shall comprise at  
47 least 15 percent of the area of any street facing building elevation. For  
48 nonresidential uses, windows providing visual access and/or primary entrances

- 1 shall comprise at least 50 percent of the length and 25 percent of the ground-  
2 floor wall area of any street facing building elevation.
- 3           **b. Walkway to the Street**  
4           A walkway meeting the requirements of section 21.07.060 shall connect at least  
5           one primary entrance to a street.
- 6           **c. Parking Facility Location<sup>42</sup>**  
7           For buildings constructed after [effective date], parking facilities including  
8           driveways shall comprise no more than one-third of the area between the street  
9           property line and the street facing building elevation, and garage doors shall  
10          comprise no more than one-third of the length of the street facing building  
11          elevation. These requirements apply to no more than two street frontages.
- 12          **d. Private Open Space**  
13          For developments that are required to provide private open space, an additional  
14          40 square feet of private open space that meets the requirements of subsection  
15          21.07.030 shall be provided for each reduction of one parking space. This shall  
16          be common private open space in the case of multifamily and mixed-use  
17          dwellings.
- 18          **e. Cross Access to Adjacent Properties**  
19          The director and the traffic engineer may determine there is potential for  
20          driveway or walkway cross-access to abutting properties and may require a  
21          cross-access facility and/or easement within the subject property to the site  
22          boundary.
- 23          **4. Downtown**  
24          Uses located in DT-1, DT-2, and DT-3 districts are exempt from providing off-street  
25          parking spaces. However, if parking is provided, all other standards of this section  
26          apply in the DT districts. Notwithstanding the provisions of F.1. and F.2. above, parking  
27          agreements and qualifying site criteria shall not be required for this exemption.
- 28          **5. Residences in Walking Distance to Downtown**  
29          Residential household uses located north of 15<sup>th</sup> Avenue, west of Orca Street, east of L  
30          Street, and south of Ship Creek are eligible for a reduction of up to 25 percent of the  
31          minimum number of required parking spaces.
- 32          **6. Mixed-Use Districts**  
33          Uses located in the NMU, CMU, RMU, MT-1, MT-2, and R-4A districts are eligible for a  
34          reduction of up to 10 percent of the minimum number of required parking spaces.
- 35          **7. Residences in Center City Neighborhoods**  
36          **a.** Residential household uses located in center city neighborhoods are eligible for a  
37          reduction of up to 10 percent of the minimum number of required parking spaces.
- 38          **b.** For the purposes of this provision, the center city area is bounded to the north by  
39          Elmendorf Air Force Base, to the south by Tudor Road, to the east by Ingra  
40          Street and the Seward Highway, and to the west by Minnesota Drive. Any part of  
41          Fairview, South Addition, Government Hill, or Mountain View community council  
42          is also in the eligible area.
- 43          **c.** This reduction recognizes proximity to employment centers, characteristics such  
44          as traditional street grids and development patterns, household characteristics,

<sup>42</sup> See Amendment #52.

1 emphasis on walkable northern city environments, and lower parking demand in  
2 these areas.

3 **8. Uses Adjacent to Transit Service**

4 A use is eligible for a reduction of up to five percent of the minimum number of required  
5 parking spaces if it is located within 800 feet of the street right-of-way centerline of any  
6 municipal public transit route, subject to approval by the traffic engineer and the director.  
7 The public transportation department may require a public use easement or transit stop  
8 and/or transit shelter improvements if the subject property abuts an existing or planned  
9 transit stop. If the public transportation department requires such an easement or  
10 improvements, then the use is eligible for an additional reduction of two percent or one  
11 more parking space, whichever is greater.

12 **9. Rideshare Programs**

13 A nonresidential use is eligible to substitute participation in municipal rideshare programs  
14 for up to a maximum of five percent of the minimum number of required parking spaces.  
15 The land area that would otherwise be needed in order to provide the required number of  
16 parking spaces shall be set aside on the site to provide for the future construction of a  
17 parking lot [AREA] in conformance with subsection 21.07.090F.12., *Land Banking*.

18 **a. Carpool**

19 Every designated carpool space may count as 1.8 spaces toward meeting the  
20 minimum number of required spaces. The carpool spaces shall be those closest  
21 to the primary entrance or elevator, but not closer than accessible spaces or  
22 those signed for exclusive customer/visitor use. Signs shall be posted indicating  
23 these spaces are reserved for carpool use. The traffic engineer shall consult with  
24 the public transportation department in providing carpool spaces and the location  
25 of carpool parking.

26 **b. Vanpool**

27 For every vanpool purchased or leased by the applicant for employee use  
28 operated through the municipal rideshare program, the number of required  
29 parking spaces shall be reduced by up to six spaces. The traffic engineer may  
30 require a safe and convenient designated vanpool passenger loading zone.

31 **10. Transit Pass Benefits**

32 A use in which the owner or employer offers transit passes cost-free to all employees or  
33 residents is eligible for a parking reduction of up to 10 percent of the minimum number of  
34 required parking spaces. The use shall be located within 800 feet of the street right-of-  
35 way centerline of any municipal transit route. The public transportation department may  
36 require a public use easement or transit stop and/or transit shelter improvements if the  
37 subject property abuts an existing or planned transit stop. If the public transportation  
38 department requires such an easement or improvements, then the use is eligible for an  
39 additional reduction of two percent or one more parking space, whichever is greater.

40 **11. Parking Cash-Outs**

41 A use is eligible for a reduction of up to 10 percent of the minimum number of required  
42 parking spaces if it implements a parking cash-out program by which commuters are  
43 provided the option to choose between free parking and its equivalent cash value for  
44 using an alternative mode of travel.

45 **12. Land Banking**

46 Subject to approval by the traffic engineer and the director, the land area that would  
47 otherwise be needed in order to provide up to 25 percent of the minimum number of  
48 required parking spaces may be set aside on the site to provide for the future

1 construction of a parking facility. The applicant shall submit a parking demand study  
2 prepared in a form and manner prescribed by the traffic engineer that indicates the  
3 reduced parking lot [AREA] will accommodate expected parking needs, and an alternate  
4 site plan to be approved by the traffic engineer that accommodates the parking that  
5 would be required without the land banked parking reduction. The area set aside shall be  
6 landscaped with site enhancement landscaping and/or pedestrian amenities approved by  
7 the director. The parking agreement shall guarantee that, if the director and the traffic  
8 engineer determine at some point in the future that additional parking spaces are needed,  
9 the owner shall construct parking on the land banked area in conformance with the  
10 alternate site plan.

11 **13. Affordable Housing**

12 Affordable housing units that are deed-restricted for households having an income at the  
13 time of initial occupancy of 30 percent or less of median family income are eligible for a  
14 reduction of up to 30 percent of the minimum number of required parking spaces.  
15 Affordable housing units for low income households having an income at the time of initial  
16 occupancy of 60 percent or less of median family income are eligible for a reduction of up  
17 to 15 percent of the minimum number of required parking spaces. The affordable  
18 housing units shall be consistent with the standards of subsection 21.07.100H.,  
19 *Standards for Affordable Housing*.

20 **14. Senior Housing**

21 Dwelling units that meet the definition of senior housing are eligible for a reduction of up  
22 to 15 percent of the minimum number of required parking spaces. Dwelling units that  
23 meet the definition of senior housing that is intended for, and solely occupied by, persons  
24 62 years of age or older are eligible for a reduction of up to 25 percent of the minimum  
25 number of required parking spaces. The agreement to provide a dwelling as housing for  
26 older persons is an obligation that runs with the land and is binding on subsequent  
27 property owners for as long as the required parking is not provided.

28 **15. Housing Density**

29 Residential household uses are eligible for a reduction of one percent of the minimum  
30 number of required parking spaces for every four dwellings per acre above a net density  
31 of 40 dwellings per acre on the site, up to a maximum reduction of 20 percent of the  
32 minimum number of required parking spaces.

33 **16. Shared Parking**

34 Shared use of required parking spaces may occur where two or more uses on the same  
35 or separate sites are able to share the same parking spaces because their peak parking  
36 demands occur at different times. The traffic engineer and director may approve shared  
37 parking facilities for uses with different peak business periods if the shared parking  
38 complies with all of the following standards:

39 **a. Shared Parking Study**

40 The applicant shall submit a shared parking study to the director that  
41 demonstrates the feasibility of shared parking. The study shall be provided in a  
42 form established by the traffic engineer and shall be made available to the public.  
43 The study shall demonstrate that any parking reduction requested will not result  
44 in the spillover of parking onto other properties or public streets, by, at a  
45 minimum, addressing the following: the size and type of the proposed  
46 development, location of required parking, the composition of tenants, the  
47 anticipated rate of parking turnover, and the anticipated peak parking and traffic  
48 loads for all uses that will be sharing off-street parking spaces.

49 **b. Calculation of Parking Spaces Required**

- The shared parking study shall follow one of the following procedures:
- i. The method under subsection 16.c.;
  - ii. The most current published procedures of the Urban Land Institute or the Institute of Transportation Engineers; or
  - iii. Other procedures as specifically approved by the traffic engineer.

**c. Alternative Calculation Method**

For each use sharing the parking facility, calculate the number of off-street parking spaces required for that use in table 21.07-5. Multiply that number across the row for its land use in table 21.07-7, *Shared Parking Credit*, to determine the typical parking required for that use during the eight time periods. For each time period, add the resulting products for each of the uses sharing the parking. The column total that generates the highest number of parking spaces then becomes the shared parking requirement. This represents the time period with the highest total parking demand.

Land Uses <sup>12</sup>	Weekday Time Periods				Weekend Time Periods			
	7 am to 6 pm	6 pm to 1 am	1 am to 3 am	3 am to 7 am	7 am to 6 pm	6 pm to 1 am	1 am to 3 am	3 am to 7 am
Residential	65%	100%	100%	100%	75%	90%	10%	100%
Religious Assembly	25%	50%	0%	0%	100%	50%	0%	0%
Health Services	100%	30%	5%	5%	100%	0%	0%	0%
Assembly	100%	50%	5%	5%	100%	50%	5%	5%
Fitness Center	90%	100%	60%	60%	100%	100	80%	80%
Movie Theater	60%	100%	0%	0%	80%	100%	0%	0%
Bar or Nightclub	40%	100%	90%	0%	50%	100%	90%	0%
Restaurant	80%	100%	50%	50%	85%	100%	25%	25%
Restaurant - Fast Food	100%	90%	15%	15%	100%	80%	15%	15%
Office or Financial	100%	10%	0%	5%	15%	0%	0%	0%
Retail Sales / Services	100%	80%	0%	0%	100%	60%	0%	0%
Visitor Accommodations	75%	100%	100%	100%	75%	100%	100%	100%

**NOTES:** <sup>12</sup> If one or more of the land uses proposed to make use of shared parking facilities do not conform to the land use classifications in this table, as determined by the director, then the applicant shall submit sufficient data to indicate the periods of peak parking demand for the uses. Based on this information, the traffic engineer shall determine the appropriate shared parking requirement.

**d. Distance to Parking Spaces**

Shared parking spaces for residential units shall be located within 500 feet of the dwelling unit entrance they serve. Shared spaces for other uses shall be within 800 feet of a primary entrance of the uses served. The traffic engineer and the director may approve a portion of shared parking spaces at a greater distance based on factors such as the pedestrian environment, availability of attendant parking, weather protection, and the type of use served.

**e. Pedestrian Connection**

1 Clear and safe pedestrian walkways shall connect the shared parking facility and  
2 the primary entrances of the uses it serves. The traffic engineer may require  
3 pedestrian street crossing improvements.

4 **f. Separation by Streets**

5 Separation of a use and its shared parking facility by a local street is allowed.  
6 Separation by a collector street shall be subject to approval by the traffic  
7 engineer. Separation by a street designated in the *Official Streets and Highways*  
8 *Plan* as a higher classification street than a collector is prohibited.

9 **g. Residential Neighborhoods**

10 A nonresidential use shall not participate in a shared parking facility that is  
11 located in a residential district, if the use itself is not permitted in the residential  
12 district.

13 **h. Instructional Signs**

14 The shared parking facility shall provide instructional signs on the premises  
15 indicating the availability of the facility for patrons of the uses it serves.

16 **i. Shared Parking Plan**

17 A shared parking plan shall be submitted for review and approval by the traffic  
18 engineer and the director. The shared parking plan may be combined with other  
19 parking plans required by this title.

20 **j. Changes in Use or Shared Parking Facility**

21 Any subsequent change to the shared parking facility or in use type shall require  
22 a review by the department and the traffic engineer for compliance with this  
23 section, including proof that sufficient parking will be available. Any change shall  
24 be approved prior to being implemented.

25 **k. Expiration**

26 Notwithstanding F.1.a. above, a shared parking agreement may be recorded for  
27 a time certain period, not to be less than ten years. At the end of the life of the  
28 agreement, property owners who are parties to the agreement shall comply with  
29 all provisions of this code governing the required number of off-street parking  
30 spaces.

31 **17. Off-Site Parking**

32 The traffic engineer and the director may approve the location of required parking spaces  
33 on a separate lot from the principal use if the off-site parking complies with all of the  
34 following standards:

35 **a. Accessible Parking Spaces**

36 Required accessible parking spaces shall not be located off-site.

37 **b. Location**

38 The maximum distance between off-site parking spaces and the use(s) served  
39 shall be the same as provided in subsection 21.07.090F.16.d. for sharing parking  
40 spaces (measured along the shortest legal pedestrian route). Off-site parking  
41 spaces shall not be separated from the use served by a collector or greater class  
42 right-of-way, unless approved by the traffic engineer.

43 **c. Pedestrian Connection**

44 Clear and safe pedestrian walkways shall connect the off-site parking facility and  
45 the primary entrance(s) of the uses served. The traffic engineer may require

1 sidewalk or pedestrian crossing improvements to enhance pedestrian safety or  
2 mobility to and from the off-site parking.

3 **d. Instructional Signs**

4 Instructional signs shall be posted on the principal site providing notice of the  
5 availability and location of additional parking. The off-site parking facility shall  
6 provide instructional signs indicating the availability of the facility for patrons of  
7 the uses it serves.

8 **e. Residential Neighborhoods**

9 A nonresidential use shall not participate in an off-site parking facility that is  
10 located in a residential district, if the use itself is not permitted in the residential  
11 district.

12 **18. District Parking**

13 The traffic engineer may reduce the minimum number of required off-street parking  
14 spaces for uses within the boundaries of a municipally recognized public parking district  
15 that provides off-site parking facilities to serve an area. To determine eligibility for this  
16 reduction or the size of the reduction to be allowed, the traffic engineer shall consider  
17 factors such as:

- 18 **a.** Peak hours of use and turnover rate;
- 19 **b.** The ability of the use to meet the parking requirement through other means;
- 20 **c.** The availability of spaces in the nearby district parking facility;
- 21 **d.** The relative distance to the use from the district parking facility; and
- 22 **e.** Measures provided by the applicant to ensure employee and patron use of the  
23 district parking facility, and ease and safety of pedestrian access.

24 **19. On-Street Curb Parking**

25 If approved by the traffic engineer, on-street curb parking spaces in the street or right-of-  
26 way abutting the frontage of the site may be counted toward the minimum required  
27 number of off-street parking spaces. In addition, as determined by the traffic engineer, a  
28 portion of the remaining on-street curb parking spaces located within the maximum  
29 distance provided in subsection 21.07.090F.16.d. for shared parking spaces may be  
30 counted toward the minimum required off-street parking spaces, in an amount consistent  
31 with a fair apportionment of on-street curb parking spaces among the properties on the  
32 street. Upon approval, each on-street curb space may be substituted for one required  
33 off-street space. The provisions apply only to street frontages where on-street curb  
34 parking is allowed. Determination of the location and dimensions of on-street curb  
35 parking spaces to be counted toward the parking requirement shall be the authority of the  
36 traffic engineer based on a review of the situation. The street curb next to on-street  
37 parking spaces shall be a vertical curb (not a rolled curb), and a sidewalk shall extend the  
38 full length of the subject property.

39 **20. Stacked and Tandem Parking**

40 **a. Nonresidential Uses**

41 Stacked and tandem parking spaces for nonresidential uses are allowed to count  
42 toward the minimum number of required spaces if the owner ensures through the  
43 parking agreement that attendant parking is provided for such spaces. An  
44 accessible passenger loading zone shall be provided with attendant parking  
45 services at or near a primary entrance. Availability of this service shall be  
46 conspicuously posted inside and outside the primary entrance. The traffic

1 engineer may waive the parking attendant requirement for automated parking  
2 structures.

3 **b. Residential Uses**

4 Two required parking spaces for any residential dwelling may be arranged in  
5 tandem or stacked one above the other using a car stacker, so long as parking  
6 required for the dwelling unit is arranged independently from parking serving any  
7 other dwelling unit, with unobstructed vehicle access for at least one of the  
8 spaces required for each dwelling unit, and the owner assigns the two spaces  
9 toward the same dwelling and enforces their assigned use.

10 **21. Smaller Parking Spaces for Parking Structures and Low-Turnover Uses**

11 If approved by the traffic engineer, up to 20 percent of the total number of required  
12 parking spaces located in a parking structure and/or designated for employee or resident  
13 parking only may be eight feet six inches wide, subject to the requirements of table  
14 21.07-9, *Parking Space and Aisle Dimensions*. Such spaces shall be signed for  
15 employee or resident parking only.

16 **22. Bicycle Parking**

17 A use is eligible to permanently or seasonally substitute bicycle parking spaces for  
18 required automobile parking spaces. Each automobile parking space shall be replaced  
19 by a minimum of six bicycle parking spaces not required by this title. Bicycle parking  
20 spaces shall comply with the standards of subsection 21.07.060F.15. and be separated  
21 from motor vehicle areas by bollards or other physical buffer approved by the traffic  
22 engineer.

23 **23. Other Eligible Reductions or Alternatives**

24 The traffic engineer and the director may approve any parking reduction or other  
25 alternative in addition to the choices above, or that increases the percentage reduction in  
26 any of the choices above, if the applicant demonstrates to the satisfaction of the traffic  
27 engineer and the director that the proposed parking management strategy will protect  
28 surrounding neighborhoods, and maintain traffic circulation patterns at least the same  
29 extent as would strict compliance with otherwise applicable off-street parking standards.  
30 Additional parking management strategies may include, for example, transportation  
31 demand programs, car sharing, unbundled parking, or a combination of strategies. The  
32 applicant shall provide a parking demand study prepared in a form and manner  
33 prescribed by the traffic engineer that demonstrates a reduction is appropriate based on  
34 the expected parking needs of the development, availability of transit, and similar factors.  
35 It shall be determined that:

36 **a.** The use will be adequately served by the proposed parking due to project  
37 location, transportation characteristics of the persons residing, working, or visiting  
38 the site, or because the applicant has undertaken a program or strategy that will  
39 reduce parking demand at the site; and

40 **b.** Parking demand generated by the project will not exceed the capacity of or have  
41 a detrimental impact on the supply of on-street parking in the surrounding area.

42 **G. Off-Street Loading Requirements**

43 No building or structure used for any use specified in the loading column of table 21.07-5 shall be  
44 erected, nor shall any such existing building or structure be altered so as to increase its gross  
45 floor area by 25 percent or more, without prior provision for off-street loading berth in  
46 conformance with the following minimum requirements:

1. **Types of Loading Berths**

Required off-street loading shall be provided in berths that conform to the following minimum specifications:

- a. Type A berths shall be at least 60 feet long by 10 feet wide by 14 feet six inches high, inside dimensions.
- b. Type B berths shall be at least 30 feet long by 10 feet wide by 14 feet six inches high, inside dimensions.
- c. Type C berths shall be located in the rear of a lot and utilize part of an adjacent alley. The building setback shall be a minimum of five feet from the property line along the alley for the entire width of the lot.

2. **Number of Spaces**

The following numbers and types of berths shall be provided for the specified uses in table 21.07-8, *Off-Street Loading Berths*; provided, however, that, in any DT district, or in any mixed-use district where an alley is available that is not shared with any adjacent R-1, R-1A, R-2A, R-2D, R-2F, R-2M, or R-3 zoned residential lot, one type C berth may be substituted for one type B berth. The uses specified in this subsection shall include all structures designed, intended, or arranged for such use.

TABLE 21.07-8: OFF-STREET LOADING BERTHS			
Use	Aggregate Gross Floor Area (square feet) or Number of Dwelling Units	Berths Required	Type
<b>Residential Uses</b>			
Multifamily and mixed-use dwellings	50-149 dwelling units	1	B
	150-249 dwelling units	2	B
	Each additional 100 dwelling units or portion thereof	1 additional	B
<b>Public/Institutional Uses</b>			
Cultural facilities	24,000--50,000	1	B
	50,001--100,000	2	B
	Over 100,000, each additional 50,000 or fraction thereof	1 additional	B
Educational facilities	Over 25,000	1	B
Health care facilities	25,000--100,000	1	B
	Over 100,000	2	B
Railroad freight terminals and other transportation facilities	12,000--36,000	1	A
	36,001--60,000	2	A
	60,001--100,000	3	A
	Each additional 50,000 or fraction thereof	1 additional	A
<b>Commercial Uses</b>			
Assembly uses	25,000--150,000	1	B
	150,001--400,000	2	B

TABLE 21.07-8: OFF-STREET LOADING BERTHS			
Use	Aggregate Gross Floor Area (square feet) or Number of Dwelling Units	Berths Required	Type
	Each additional 250,000 or fraction thereof	1 additional	B
All commercial establishments not otherwise specified	10,000 --24,000	1	B
	24,001--50,000	2	B
	50,001--100,000	3	B
	Over 100,000, each additional 50,000 or fraction thereof	1 additional	B
Visitor accommodations, health services, and office uses	25,000--40,000	1	B
	40,001--100,000	2	B
	Each additional 100,000 or fraction thereof	1 additional	B
Industrial Uses			
All industrial uses	12,000--36,000	1	A
	36,001--60,000	2	A
	60,001--100,000	3	A
	Each additional 50,000 or fraction thereof	1 additional	A

- 1 **3. Uses Not Specifically Mentioned**
- 2 In the case of a use not specifically mentioned in this section, the requirements for off-
- 3 street loading berths shall be the same as the use mentioned in this section which, in the
- 4 opinion of the director, is most similar to the use not specifically mentioned.
  
- 5 **4. Concurrent Different Uses**
- 6 When any proposed structure will be used concurrently for different purposes, the loading
- 7 requirements shall be the total requirements for each use based upon its aggregate gross
- 8 floor area, unless otherwise approved by the traffic engineer and the director.
  
- 9 **5. Location of Off-Street Loading Facilities**
- 10 Off-street loading facilities required under this title shall be in all cases on the same lot or
- 11 parcel of land as the structure they are intended to serve, except as provided in
- 12 subsection 21.07.090G.1.c. for type C loading berths. Where parking facilities are not
- 13 allowed between a building and a street, loading berths are also not allowed.
  
- 14 **6. Manner of Using Loading Areas**
- 15 No loading berth shall be so located that a parked vehicle or tractor-trailer using such
- 16 loading berth projects into any street or across a required pedestrian facility or sidewalk.
- 17 Loading berths shall be provided with access to an alley, or, if no alley abuts the lot, with
- 18 access to a street. Any required front, side, or rear setback may be used for loading
- 19 unless otherwise prohibited by this title. Design and location of entrances and exits for
- 20 required off-street loading berths shall be subject to the approval of the traffic engineer.
  
- 21 **7. Signs**
- 22 The owners of the property shall provide, locate, and maintain loading signs as specified
- 23 by the traffic engineer. Such signs shall not be counted against allowed advertising sign
- 24 area or number.

**H. Parking and Loading Facility Design Standards**

**1. Purpose**

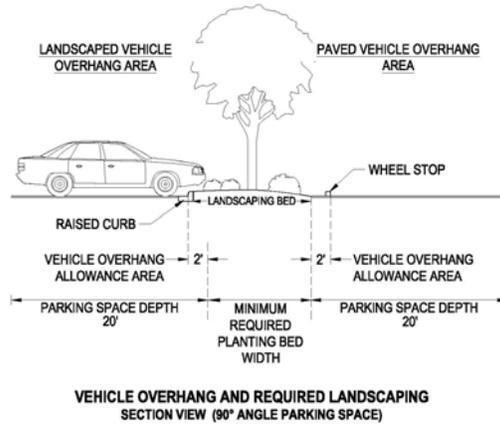
The parking and loading facility design standards promote vehicle areas which are safe, efficient, convenient, and attractive for motorists and pedestrians. Parking facility locations within a site are encouraged to be located elsewhere than the front area between the building and its street frontage, in order to enhance the function, character, and walkability of the area. These design standards also enhance the compatibility of parking and loading facilities with their surroundings.

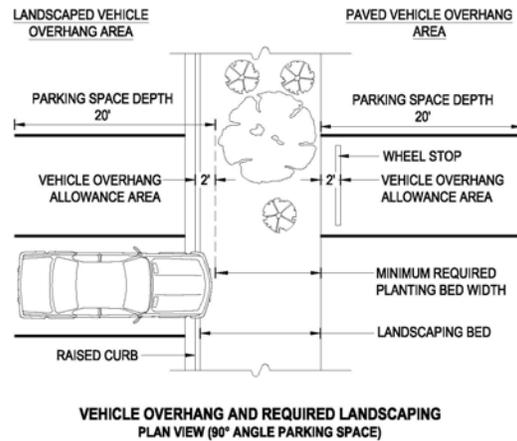
**2. Applicability**

These standards apply to any parking facility or loading facility including all parking spaces in a development, except where stated otherwise. A temporary parking lot shall comply with all applicable development requirements of this title for surface parking lots and parking lot landscaping, except when associated with another temporary use permitted pursuant to section 21.05.080.

**3. Landscaping and Screening**

Parking and loading facilities shall comply with the landscaping provisions of section 21.07.080. If the loading facilities are adjacent to the lot line, a maximum of 35 percent of one **side [SOE]** of the loading area perimeter landscaping and the site perimeter landscaping may be replaced by a screening fence of a minimum height of six feet. That area for the proposed screening fencing shall only be located where adjacent to a loading area and/or dumpster screening area, and shall not be located adjacent to a residentially zoned parcel or a street. Provisions for location and screening of refuse containers and other elements are in section 21.07.080. No automobile or bicycle parking facility or loading facility shall be permitted in any required landscaping area. No vehicle overhang allowance area, as measured in table 21.07-9, may extend into the minimum required planting bed width of required landscaping. See figures that follow.





1           **4. Drainage and Storm Water Management**

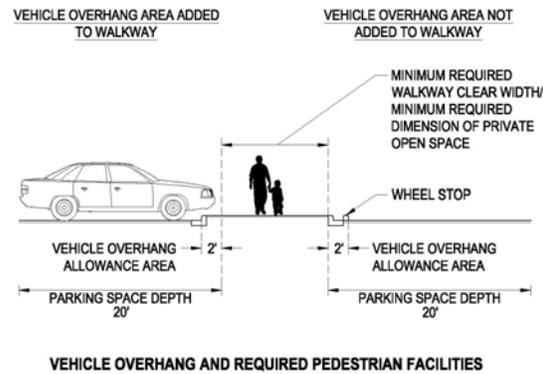
2           Parking and loading facilities shall comply with the parking and loading related provisions  
 3           of section 21.07.040, *Drainage, Storm Water Treatment, Erosion Control, and Prohibited*  
 4           *Discharges*.

5           **5. Exterior Lighting**

6           Parking and loading areas shall comply with the exterior lighting provisions of section  
 7           21.07.100.

8           **6. Pedestrian Access and Circulation**

9           Parking and loading facilities shall comply with the provisions of subsection 21.07.060E.,  
 10          *Pedestrian Facilities*. No vehicle overhang allowance area, as measured in table 21.07-  
 11          9, may extend into the minimum required dimension of required walkways, pedestrian  
 12          areas, or private open space. See figure that follows.



13          **7. Relationship to Buildings**

14          **a. Nonresidential Buildings**

15          Parking spaces and parking aisles shall be separated from any nonresidential  
 16          building by a walkway or site enhancement landscaping planting area, or both, of  
 17          at least four feet in width. Other motor vehicle areas shall also be subject to this

1 requirement only where the traffic engineer determines it necessary for a safe  
2 pedestrian walkway route between a building entrance or parking lots [AREAS].  
3 Otherwise, loading berths, rear service areas, motor vehicle entrance and service  
4 bays, queuing lanes, and drive-throughs are exempt.

5 **b. Multifamily Residential Buildings<sup>43</sup>**

6 Parking spaces, driveways, and circulation aisles shall be separated from any  
7 multifamily residential building façade by a site enhancement landscaping  
8 planting area of at least five feet in width, and allowing breaks for garage  
9 entrances. The area shall be planted with a minimum of 0.4 units of landscaping  
10 material per linear foot.

11 **8. [LOCATION OF PARKING LOTS WITHIN THE SITE**

12 THE LOCATION OF PARKING AND VEHICLE AREAS WITHIN THE PROPOSED  
13 DEVELOPMENT SITE SHALL BE IN ACCORDANCE WITH THE FOLLOWING  
14 STANDARDS FOR EACH USE SPECIFIED, EXCEPT WHEN AN ALTERNATE  
15 CONFIGURATION IS APPROVED BY THE TRAFFIC ENGINEER AND THE  
16 DIRECTOR.]

17 **a. SINGLE-FAMILY, TWO-FAMILY, AND TOWNHOUSE DWELLINGS**

18 SINGLE-FAMILY, TWO-FAMILY, TOWNHOUSE, MULTIFAMILY, AND MIXED-  
19 USE DWELLINGS SHALL COMPLY WITH PARKING, DRIVEWAY, AND  
20 GARAGE RELATED PROVISIONS OF SECTION 21.07.110.]

21 **b. DEVELOPMENT IN MIXED-USE DISTRICTS**

22 VEHICLE AREAS ARE NOT ALLOWED BETWEEN THE STREET AND THE  
23 PORTION OF THE BUILDING THAT COMPLIES WITH ANY OF THE  
24 MAXIMUM STREET SETBACKS ESTABLISHED IN SECTION 21.06.020.  
25 DIMENSIONAL STANDARDS TABLES.]

26 **9. Vehicular Access and Circulation**

27 Parking lots and structures shall be designed for a safe and orderly flow of traffic  
28 throughout the site, as provided in the subsections that follow.

29 **a. Key Elements**

30 The parking facility layout, circulation, and design plan shall address the following  
31 elements as they relate to parking lots, including but not limited to: fire lanes,  
32 emergency access, drive-throughs, queuing spaces, passenger loading zones,  
33 pedestrian circulation, and loading berths.

34 **b. Circulation Patterns<sup>44</sup>**

35 Internal circulation patterns and the location and traffic direction of all circulation  
36 aisles, driveways, and queuing lanes shall be designed and maintained in  
37 accordance with the municipal driveway standards currently established by the  
38 traffic engineer, and with accepted principles of traffic engineering and safety, per  
39 the traffic engineer's review based on the current manuals of the Institute of  
40 Transportation Engineers and the Urban Land Institute, and the *Manual of*  
41 *Uniform Traffic Control Devices* or the successor documents. Circulation  
42 patterns within parking facilities shall be well defined with pavement marking and  
43 signage, vertical curbs, landscaping, landscaped islands, and/or other similar  
44 features. In order to define circulation and provide better sight distance, curbed  
45 end islands shall be required at the end of each row of parking spaces. Where  
46 loading facilities are required, commercial truck circulation shall be considered,

<sup>43</sup> See Amendment #53.

<sup>44</sup> See Amendment #54.

1 and truck turning radii shall be shown on the parking facility layout, circulation,  
2 and design plan when required by the traffic engineer.

3 **c. *Parking Spaces Along Major Site Entrance Drives***

4 The provision, location, design, and dimensions of parking spaces on a major  
5 access driveway that serves as an entry or exit for a large establishment with  
6 multiple lots, tracts, or businesses, shall conform to municipal standards for on-  
7 street parking and be subject to review and approval by the traffic engineer.

8 **d. *Parking Lot [AREA] Entries/Driveways***

9 Entries and driveways providing access to parking lots [AREAS] shall conform to  
10 the municipal driveway standards currently established by the traffic engineer.  
11 Access to streets [ROADS] owned by the state of Alaska requires compliance  
12 with state driveway standards, department of transportation and public facilities  
13 approval, and a current valid state of Alaska driveway permit. Ingress and  
14 egress to parking facilities shall be designed to maintain adequate sight distance  
15 and safety and as prescribed in the municipal driveway standards. Residential  
16 driveway entrances shall comply with subsection 21.07.110H.3., *Driveway Width*.

17 **e. *Parking and Maneuvering***

18 All circulation aisles, driveways, and vehicle maneuvering areas required by this  
19 section shall be located entirely off-street and on the property unless specifically  
20 provided otherwise by this section.

21 **i. *Access to Parking Spaces***<sup>45</sup>

22 To ensure safe and efficient vehicular access to parking spaces, each  
23 required off-street parking space shall open directly on a parking aisle or  
24 driveway of such width and design as provided in table 21.07-9 and the  
25 illustrations that follow the table. Adequate ingress and egress to each  
26 parking space shall be provided without backing more than 25 feet.

27 **ii. *Maneuvering Area***

28 Off-street parking facilities shall be designed with sufficient maneuvering  
29 room so that all maneuvers associated with the parking shall occur in the  
30 off-street parking facility, and that all vehicles enter the abutting street in  
31 a forward motion.

32 **iii. *Some [SINGLE- AND TWO-FAMILY] Dwellings Exempted***

33 Single-family, [AND] two-family, [DWELLINGS AND] townhouse[S], and  
34 mobile home dwellings on individual lots shall be exempted from this  
35 subsection.

36 **iv. *Loading Berth Maneuvering***

37 Vehicle maneuvering for loading berths shall be subject to the  
38 requirements of subsection 21.07.090G.6., *Manner of Using Loading*  
39 *Areas*.

40 **f. *Dead-End Parking Aisles***

41 Dead-end parking aisles may be allowed only with the approval of the traffic  
42 engineer.

43 **g. *Alleys***

44 Subject to safety approval by the traffic engineer, the usable portion of an alley  
45 may be credited as circulation and/or parking aisle space.

<sup>45</sup> See Amendment #55.

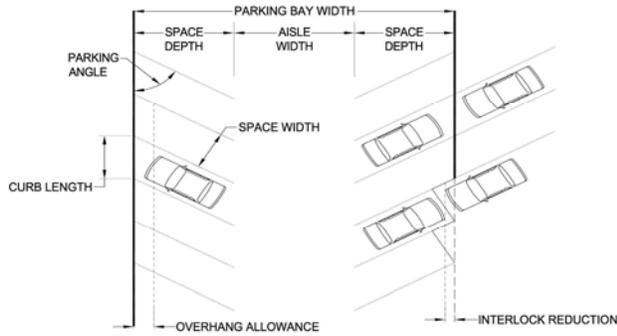
**h. Cross Access and Joint Access with Adjacent Sites**

The plan shall show existing parking and circulation patterns on adjacent properties and potential connections. Required parking lots [AREAS] serving a site, whether located on that same lot or on an adjacent lot, may be connected by means of a common access driveway within or between the interior of such lots. Applicants are encouraged to provide shared vehicle and pedestrian access to adjacent properties for convenience, safety, and efficient circulation. An access easement shall be provided on the plat, or a shared access agreement running with the land shall be recorded by the municipality, as approved and executed by the director, guaranteeing the continued availability of the shared access between the properties.

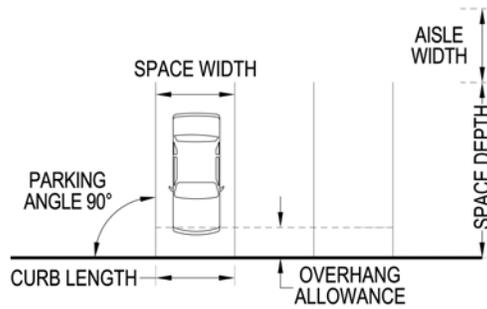
**10. Dimensions of Parking Spaces and Aisles**

The minimum dimensions for parking spaces and parking aisles shall be as provided in table 21.07-9, and calculated as depicted in the figures that follow the table. The minimum parking space width shall be 9'0" except as provided elsewhere in this section. The parking configuration stated in the following table and figures shall apply to all off-street parking, except as stated elsewhere in this section.

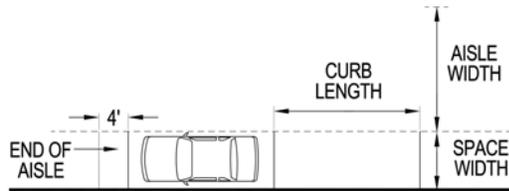
TABLE 21.07-9 PARKING ANGLE, STALL, AND AISLE DIMENSIONS								
Parking Angle	Space Width	Curb Length (Width Projection)	Space Depth (Vehicle Projection)	Aisle Width 1-way	Aisle Width 2-way	Typical Parking Bay Width (Module)	Interlock Reduction	Over-hang Allowance
0 (parallel)	8' 6"	23' 0"	8' 6"	12' 6"	24	41' 0"	0' 0"	0' 0"
	9' 0"	23' 0"	9' 0"	12' 0"	24	42' 0"	0' 0"	
	9' 6"	23' 0"	9' 6"	12' 0"	24	43' 0"	0' 0"	
	10' 0"	23' 0"	10' 0"	12' 0"	24	44' 0"	0' 0"	
45	8' 6"	12' 0"	18' 9"	12' 6"	24	61' 6"	3' 0"	1' 5"
	9' 0"	12' 9"	20' 6"	12' 0"	24	65' 0"	3' 2"	
	9' 6"	13' 5"	20' 10"	12' 0"	24	65' 9"	3' 4"	
	10' 0"	14' 2"	21' 3"	12' 0"	24	66' 5"	3' 6"	
60	8' 6"	9' 10"	19' 10"	18' 6"	24	63' 8"	2' 2"	1' 8"
	9' 0"	10' 5"	21' 10"	18' 0"	24	67' 8"	2' 3"	
	9' 6"	10' 12"	22' 1"	18' 0"	24	68' 2"	2' 5"	
	10' 0"	11' 7"	22' 4"	18' 0"	24	68' 8"	2' 6"	
75	8' 6"	8' 10"	19' 7"	19' 6"	24	63' 2"	1' 1"	1' 11"
	9' 0"	9' 4"	21' 8"	19' 0"	24	67' 4"	1' 2"	
	9' 6"	9' 10"	21' 9"	18' 6"	24	67' 7"	1' 3"	
	10' 0"	10' 4"	21' 11"	18' 0"	24	67' 10"	1' 5"	
90	8' 6"	8' 6"	18' 0"	23' 6"	24	60' 0"	0' 0"	2' 0"
	9' 0"	9' 0"	20' 0"	23' 0"	24	64' 0"	0' 0"	
	9' 6"	9' 6"	20' 0"	22' 0"	24	64' 0"	0' 0"	
	10' 0"	10' 0"	20' 0"	22' 0"	24	64' 0"	0' 0"	



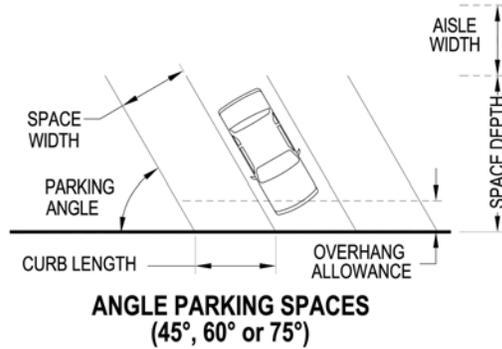
**PARKING DIMENSIONS**



**90° PARKING SPACES**



**PARALLEL PARKING SPACES**



- 1           a.     **Parking Angle**  
2           Parking angles between zero and 45 degrees and between 75 and 90 degrees  
3           are not permitted, except as approved by the traffic engineer. Angles between  
4           45 and 75 degrees are permitted. The dimensions for such angles shall be  
5           calculated by the applicant using a method prescribed by the traffic engineer.
- 6           b.     **Parking Aisle Width**  
7           Where the parking angle differs across a one-way parking aisle, the greater  
8           required parking aisle width shall be provided.
- 9           c.     **Reduction in Parking Space Depth Due to Interlock**  
10          Parking space depth (vehicle projection) may be reduced through the use of  
11          interlock between angled parking bays as shown in the parking dimensions  
12          figure. The amount of reduction in the parking space depth shall be as provided  
13          in the interlock reduction column of table 21.07-9. The parking angle of the  
14          abutting parking bays shall be equal in order to use the interlock reduction.
- 15          d.     **Overhang Allowance with a Parking Space**  
16          The maximum overhang allowance shall be as shown in table 21.07-9 and the  
17          figures that follow it. The distance between the end of the parking space and the  
18          face of any raised curb or wheel stop used in the parking space shall be equal to  
19          (no greater or less than) the overhang allowance provided in table 21.07-9. The  
20          relationship between the overhang allowance and adjacent required landscaping  
21          and pedestrian facilities is established in subsections 21.07.090H.3. and H.6.  
22          Surfacing options for the overhang allowance area of the parking space are  
23          provided in subsection 21.07.090H.14.d., *Paving*.
- 24          e.     **Parking Spaces Abutting a Wall, Fence, or Other Obstruction**  
25          Minimum required parking space dimensions shall be clear of all obstructions,  
26          other than wheel and curb stops and structural columns that meet the  
27          requirements of subsection 10.f. below. When the length of a parking space  
28          abuts a wall, fence, or other obstruction, the required width of the parking space  
29          shall be increased by one foot for each side with an obstruction. The parking  
30          space angle and dimension requirements shall apply to the inside dimension of a  
31          parking space abutting an obstruction.
- 32          f.     **Structural Columns**

1 A structural column may encroach into the width of a parking space by up to one  
2 foot if the column is located within four feet of either end of the parking space.  
3 Such column shall not be located within one foot of the drive aisle.

4 **g. Minimum Vertical Clearance**

5 A minimum height of 14 feet shall be maintained clear of obstructions from any  
6 parking lot surface to any structure or landscape feature above that may interfere  
7 with the safe passage of vehicles. The minimum vertical clearance for a  
8 structured parking facility, carport, or garage shall be seven feet four inches,  
9 except as follows:

10 i. The minimum vertical clearance for van accessible parking spaces,  
11 access aisles serving them, and vehicle routes to the van accessible  
12 spaces shall be eight feet two inches.

13 ii. The minimum vertical clearance for passenger loading zones including  
14 vehicular pull-up spaces, access aisles serving them, and a vehicular  
15 route between an entrance and exit and the passenger loading zone  
16 shall be nine feet six inches.

17 **h. Smaller Parking Spaces for Low Turnover Uses**

18 Reduced parking space dimensions may be approved by the traffic engineer  
19 pursuant to subsection F.22. above.

20 **i. Recreational Vehicle Spaces**

21 Parking spaces for recreational vehicles, if provided and delineated, shall be a  
22 minimum of 10 feet wide by 40 feet long.

23 **46**

24  
25 **11. Parking Facility Maintenance**

26 **a.** Paved surface parking lots with 20 or more spaces shall be cleaned annually  
27 including once following spring melt prior to June 1 or as snowmelt conditions  
28 permit, in a manner that meets air quality and water quality standards.

29 **b.** On-site storm water detention and runoff facilities serving parking facility runoff  
30 shall be cleaned and maintained in a functional manner.

31 **c.** Grit or oil and water separator devices shall be cleaned and maintained in a  
32 functional manner.

33 **12. Maximum Grade of Surface Parking Lots**

34 The maximum grade for any parking space or circulation aisle shall be five percent,  
35 except that for accessible spaces the maximum grade shall be two percent, as required  
36 by the Americans with Disabilities Act. Circulation aisles that are covered or heated may  
37 have an increased maximum grade with the approval of the traffic engineer.

38 **13. Paving**

39 **a. Material**

40 Except as provided below, all parking spaces, loading berths, driveways, and  
41 other motor vehicle driving surfaces shall be paved and maintained with dustless,  
42 all-weather, hard materials appropriate for the municipality's sub-arctic  
43 environment, and equal in strength to two inches municipal Type E asphaltic

<sup>46</sup> See Amendment #56.

1 concrete and a base material suitable for the intended traffic, to standards  
2 prescribed by the municipal engineer or as otherwise approved by the municipal  
3 engineer.

4 **b. *Exceptions for Small Parking Lots in Class B Districts***

5 Parking lots of 10 spaces or fewer in class B districts may instead be surfaced  
6 with a layer of crushed rock of no more than one inch in diameter, to a minimum  
7 depth of three inches.

8 **c. *Exceptions for Some Vehicle Storage Areas***

9 Outdoor vehicle storage areas associated with a self-storage facility use; storage,  
10 sales, or rental of heavy equipment; seasonal large vehicle storage; and tractor  
11 trailer storage areas not used for loading berths, loading berth maneuvering,  
12 access to bay doors, site access, or parking, need not be paved. Such areas are  
13 still subject to the drainage requirements of subsection 21.07.040.

14 **d. *Exceptions for Parks and Open Spaces***

15 Subject to review and approval by the traffic engineer and municipal engineer,  
16 some required parking spaces for parks facilities that are demonstrated to have a  
17 highly variable seasonal demand need not be paved.

18 **e. *Paving Alternatives***

19 Pervious alternatives to the specified surface may be used, subject to approval  
20 by the municipal engineer. All surfacing shall control dust, treat storm water to  
21 municipal standards, and be such that rock and other debris is not tracked off-  
22 site. If, after construction, the municipal engineer determines that the alternative  
23 is not adhering to these requirements, the surface shall be replaced.

24 **f. *Landscaping in Lieu of Paving***

25 The vehicle overhang allowance portion of the parking space depth as measured  
26 in table 21.07-9 and illustrated in the figures following the table, may be  
27 landscaped with a low-growth, hardy plant material in lieu of paving, allowing a  
28 bumper overhang while maintaining the required parking dimensions.  
29 Landscaped overhang allowance areas may be contiguous with required  
30 landscaping but shall not be counted toward the minimum required planting bed  
31 width.

32 **g. *Exception for Temporary Parking Lots***

33 Temporary parking lots associated with another temporary use pursuant to  
34 section 21.05.080, need not be paved, unless required by the municipal  
35 engineer.

36 **I. *Passenger Loading Zones***

37 All institutional, entertainment, and commercial uses such as schools/daycare, stadiums, and  
38 theaters that have high-volume peak traffic volumes shall provide an area for drop-offs and pick-  
39 ups that meets the following requirements:

40 **1. *Passenger Loading Zone***

41 In addition to the required minimum number of parking spaces established in subsection  
42 21.07.090E., the traffic engineer may require one or more passenger loading zone  
43 spaces, depending on the type, intensity, and traffic patterns of the proposed use. The  
44 passenger loading zone for large commercial establishments or other intensive uses may  
45 be required by the traffic engineer to include one or more spaces dedicated to taxi cabs  
46 and/or other specialized high occupancy vehicles.

**2. Passenger Loading Zone Dimensions**

Any passenger loading zone that is provided for a development shall consist of one or more passenger drop-off/pick-up spaces parallel to the driveway or circulation aisle adjacent to the building. Each space shall be a minimum of 20 feet in length and eight or more feet in width, with an access aisle at least five feet wide abutting the full length of the space. As an alternative, subject to approval of the traffic engineer, a passenger loading zone may consist of one or more parking spaces that meets the accessible parking space dimensional standards of subsection 21.07.090J.7.

**3. Plan**

The parking facility layout, circulation, and design plan shall show the location and design of proposed passenger loading zones. For certain intensive uses, the traffic engineer may require the plan to include a traffic control plan addressing projected usage, hours of operation, peak loading/unloading time, plans for directing traffic, safety measures, and other information deemed necessary by the traffic engineer to designing a safe and well-functioning drop-off area.

**4. Accessible Route**

An accessible pedestrian route to the building or facility entrance shall be provided pursuant to subsection 21.07.090J.8., *Accessible Routes*.

**5. Schools**

Passenger loading zones shall be required for schools (public or private). Length, location, and design of the passenger loading zones shall be approved by the traffic engineer.

**J. Accessible Parking Spaces**

**1. Required Number of Accessible Parking Spaces**

A portion of the total number of parking spaces provided in each parking facility for commercial, industrial, public and institutional, multifamily, and mixed-use residential uses shall be accessible parking spaces. The number of accessible parking spaces shall be determined based on the total number of parking spaces provided, in accordance with table 21.07-10, *Accessible Parking Spaces*, except where otherwise stated in this section.

TABLE 21.07-10: ACCESSIBLE PARKING SPACES		
Total Parking Spaces Provided	Total Accessible Spaces Required	Number of Accessible Spaces that shall be Van-Accessible
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	2
301 to 400	8	2
401 to 500	9	2
501 to 1000	2 percent of total	1 for every 6 accessible spaces

TABLE 21.07-10: ACCESSIBLE PARKING SPACES		
Total Parking Spaces Provided	Total Accessible Spaces Required	Number of Accessible Spaces that shall be Van-Accessible
1001 and over	20 plus 1 for each 100 over 1000	1 for every 6 accessible spaces

- 1  
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2. **Passenger Loading Zones Attendant Parking**  
 If passenger loading zones are provided, then at least one passenger loading zone shall be an accessible passenger loading zone. The requirements of table 21.07-10 do not apply to attendant parking spaces.
  3. **Multifamily and Mixed-use Residential**  
 Two percent, but not less than one space, of the parking spaces provided for a multifamily or mixed-use residential development with type A and type B dwelling units as defined in AMC title 23 shall be accessible.
  4. **Medical Facilities**  
 At least 10 percent of patient and visitor parking spaces provided to serve hospital outpatient facilities shall be accessible. At least 20 percent of patient and visitor parking spaces provided to serve rehabilitation facilities and outpatient physical therapy facilities shall be accessible.
  5. **Location**  
 Accessible parking spaces shall be located on the shortest accessible route of travel from adjacent parking to an accessible primary entrance. The accessible route of travel shall not pass behind parking spaces. In parking facilities that do not serve a particular building, accessible parking spaces shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible primary entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.
  6. **Location—Exceptions**  
 In multilevel parking structures, van accessible parking spaces are permitted to be located on one level. Accessible parking spaces shall be permitted to be located in different parking facilities if it is demonstrated to the traffic engineer that substantially equivalent or greater accessibility is provided in terms of distance from an accessible entrance(s), parking fee, and user convenience.
  7. **Dimensions<sup>47</sup>**  
 Car accessible spaces shall be at least eight feet wide with an access aisle at least five feet wide abutting the space. Van accessible spaces shall be at least eight feet four inches wide with an abutting access aisle at least eight feet in width. [ACCESSIBLE PARKING SPACE ACCESS AISLES SHALL BE PART OF AN ACCESSIBLE WALKWAY ROUTE TO THE BUILDING OR FACILITY ENTRANCE AS SPECIFIED IN SUBSECTION J.8. BELOW, ACCESSIBLE ROUTES.] Two accessible parking spaces may share a common access aisle.
  8. **Maximum Grade**  
 Accessible parking spaces and access aisles shall have surface slopes not exceeding two percent in all directions.

<sup>47</sup> See Amendment #57.

- 1           **9. Accessible Routes**  
2           **a. Location**  
3           At least one accessible route to the building or facility entrance shall be provided  
4           from accessible parking and passenger loading zones.
- 5           **b. Surface Textures**  
6           Ground surfaces along accessible routes shall be stable, firm, and slip-resistant.
- 7           **c. Changes in Levels**  
8           Changes in level up to one-fourth inch may be vertical and without edge  
9           treatment. Changes in level between one-fourth inch and one-half inch shall be  
10          beveled with a slope no greater than one to two. Changes in level greater than  
11          one-half inch shall be accomplished by means of a ramp.
- 12          **d. Gratings**  
13          If gratings are located in walking surfaces on an accessible route, then they shall  
14          have spaces no greater than one-half inch wide in one direction. If gratings have  
15          elongated openings, then they shall be placed so that the long dimension is  
16          perpendicular to the dominant direction of travel.
- 17          **e. Ramps**  
18          ADA ramps cannot protrude into the ADA access aisle. Ramp details shall be  
19          included on the plans.
- 20          **10. Signs and Striping**  
21          Each accessible parking space shall be designated as reserved by pavement markings  
22          and a sign showing the symbol of accessibility. Van-accessible spaces shall have an  
23          additional sign reading "Van-Accessible" mounted below the symbol of accessibility.
- 24          **a.** Signs shall be located so that they do not obstruct the ramps or other pedestrian  
25          access.
- 26          **b.** An accessible [ ] parking sign detail shall be included in the plan submittal per  
27          M.A.S.S.
- 28          **c.** All accessible spaces and aisles shall be striped with blue paint to color  
29          specifications prescribed by the *Manual of Uniform Traffic Control Devices*,  
30          including the total length of the curb encompassing the accessible parking space  
31          and accessible aisle.
- 32          **11. Implementation of ADA**  
33          Regulations may be promulgated under section 21.03.210, *Title 21—Text Amendments*, to  
34          implement the requirements of Americans with Disabilities Act of 1991 as it may be  
35          amended or interpreted by federal regulation.
- 36          **12. Standards for Parking as Principal Use**  
37          Where a parking structure or lot is a permitted principal or conditional use and is not  
38          providing required parking for another principal use, accessible parking spaces in  
39          accordance with this section shall be provided.
- 40          **K. Bicycle Parking Spaces**  
41          All nonresidential, multifamily, and mixed-use dwelling developments with more than 40 parking  
42          spaces required in table 21.07-5 shall provide at least four bicycle parking spaces, or a number of  
43          bicycle parking spaces equal to three percent of the number of required automobile parking  
44          spaces, whichever is greater.

**L. Vehicle Queuing Spaces**

The vehicle queuing space requirements of this section shall apply unless otherwise expressly approved by the traffic engineer **in accordance with L.7. below:**

**1. General**

Uses of land and structures requiring vehicles and customers waiting in vehicles for service at drive-through facilities, pump stations, auto service bays, or similar uses, shall provide sufficient queuing spaces within the site to avoid impeding traffic movement in the public right-of-way. Such uses shall demonstrate to the traffic engineer that sufficient in-line waiting spaces are provided on-site as part of the parking plan to ensure the queue does not extend into the adjacent street, and that queuing minimizes interference with parking facility circulation aisles.

**2. Minimum Number of Queuing Spaces Leading to Service Window**

In addition to the minimum number of required off-street parking spaces, any use listed in table 21.07-11, *Vehicle Queuing Spaces*, shall provide the number of on-site queuing spaces indicated in the table for each service window. The required number of queuing spaces does not include the vehicle space to be provided at the pick-up window, teller machine, or other station where the service occurs.

TABLE 21.07-11: VEHICLE QUEUING SPACES	
Activity Type	Minimum Queuing Spaces
Financial institution teller lane	4 <b>before</b> [IN ADVANCE OF] teller or window
Automated teller machine drive-through	3 <b>before</b> [IN ADVANCE OF] teller machine
Restaurant drive-through	With no ordering board/window, 4 before pick-up window; with ordering board/window, 4 <b>before</b> [IN ADVANCE OF] ordering board plus 4 between ordering board or window and pick-up window
Car wash bay, automatic	5 <b>before</b> [IN ADVANCE OF] entrance to car wash bay
Car wash bay or stall, self-service	2 <b>before</b> [IN ADVANCE OF] entrance to car wash bay or stall
Food and beverage kiosk	3 <b>before</b> [IN ADVANCE OF] pick-up Window
Fueling station pump island	2 at each end of pump island lane
Security gate entrance for self storage or vehicle storage facility	The queuing lane <b>before</b> [IN ADVANCE OF] the security gate shall measure a minimum of 50 feet in length and 24 feet in width. The width of the self-storage security gate is excluded.
Parking garage or structure	See subsection 21.07.090M., <i>Structured Parking</i>
School	See subsection 21.07.090I., <i>Passenger Loading Zones</i>
Other use with lane of vehicle queuing spaces	Determined by traffic engineer.

**3. Queuing Lanes Leaving the Use**

Queuing lanes shall be integrated with the on-site circulation and shall merge with the circulation aisle instead of exiting directly into a public right-of-way, except where the traffic engineer approves otherwise. The queuing lane may merge directly into a driveway, subject to approval by the traffic engineer. A minimum of 30 feet of queuing lane shall be required between the service window, bay, or station, and the point of vehicle egress to the adjacent parking facility circulation aisle, street, or right-of-way, however the traffic engineer may require more. The length and design of the queuing

lane leaving a car wash bay or stall shall ensure the water and ice from vehicles do not adversely affect adjacent streets, storm drainage systems, or the safe circulation of vehicles and pedestrians.

**4. Queuing Dimensions**

Queuing lanes shall have a minimum width of 10 feet along straight portions and 12 feet along curved segments. Queuing spaces shall have a minimum length of 20 feet.

**5. Traffic Circulation Conflicts**

Queuing spaces shall not interfere with on- or off-site traffic movements or movements into or out of off-street parking and loading areas.

**6. Delineation**

Queuing spaces shall be delineated from other queuing lanes, driveways, internal circulation and parking aisles, loading areas, and refuse collection areas by striping, curbing, landscaping, alternative paving materials, or raised medians. Walk-in customer crosswalks across queuing lanes shall be avoided to the extent reasonably feasible and permitted upon approval by the traffic engineer. If approved, such crosswalks shall provide mitigation such as warning signage aimed at both the pedestrian and vehicle.

**7. Exceptions**

The traffic engineer may approve a reduction in the number of required queuing spaces or other departure from the queuing space requirements if documentation prepared by a traffic engineering professional demonstrates to the satisfaction of the traffic engineer that the change is appropriate and consistent with the intent of the requirements. The applicant shall enter into an agreement with the municipality which is recorded, runs with the use of the land, and ensures continuation of the alternative strategy and the future implementation of contingency measures if ordered by the traffic engineer.

**M. Structured Parking**

**1. Purpose and Applicability**

Parking structures and structured parking within occupied buildings shall comply with the provisions of this subsection, in order to be compatible with the architectural character and quality of adjacent buildings; avoid adverse impacts to abutting sidewalks or residential properties; use color, massing, and other architectural features to reduce apparent bulk; and screen potential visual impacts from garage lighting or parked vehicles. It is also the intent of this section to ensure safe and convenient vehicle access and parking, and to avoid impeding traffic on adjacent streets and pedestrian facilities. The requirements which follow do not apply to garages for individual dwellings.

**2. Ground Floor Use**

In the CMU, RMU, R-4, and R-4A districts along streets that have been specifically designated in the comprehensive plan as a main street, transit street, mixed-use street, or with a similar street typology, ground-floor structured parking shall be enclosed along that street frontage by a first-story habitable space that:

- a. Has a minimum depth of 25 feet;
- b. Extends the full length of the building elevation facing the designated street, excluding pedestrian and vehicle entrances and exits, stairwells, elevators, and centralized payment booths;
- c. Is designed and used for residential, public/institutional, office, retail, or other commercial use; and

d. Includes ground floor windows providing visual access and/or primary entrances that comprise at least 25 percent of the ground level wall area.

**3. Façade Treatment**

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

**4. Screening**

Ground floor [LEVEL] structured parking within a building shall be screened by a wall or façade or other architectural treatment consistent with the rest of the building in terms of style, detail, and materials. The perimeter of each parking structure floor above the ground floor [LEVEL] shall have an opaque screen or other screening mechanism to shield vehicle headlights from public view. The screen shall be at least three and one half [3.5] feet high measured from the finished floor elevation. An architectural treatment, such as a finished fascia, shall be provided to shield any unfinished structural elements such as electrical elements, exposed metal beams, and mechanical appurtenances. Lights visible from the exterior of the structure shall be covered or screened with a diffusing lens and oriented to minimize the visual impact on adjacent streets and properties.

**5. Landscaping**

The perimeter of a parking structure shall be planted with L1 edge treatment landscaping in any downtown or mixed-use district, or with L2 visual enhancement landscaping in any other district, except at points of vehicular and pedestrian entrance and exit, where the structure abuts an alley right-of-way, where the structure directly abuts another building, or where there is a ground floor use that meets the standards of subsection M.2. above.

**6. Ingress and Egress**

- a. Non-automated parking structures designed to provide more than 500 parking spaces shall have at least two vehicle entrance driveways and two vehicle exit driveways.
- b. Vehicle entrance driveways shall provide a minimum of one queuing space in addition to the vehicle space at the ticket dispenser or access reader, unless a traffic analysis indicates more queuing is needed. Such queuing space(s) shall meet the standards of subsection 21.07.090L., *Queuing Spaces*.
- c. Vehicle exit driveways shall provide a minimum of 30 feet of on-site vehicle queuing that does not interfere with any parking stalls, rights-of-way, access easements, pedestrian facilities, or private streets.

**7. Maximum Gradients**

The maximum gradient of parking aisles shall be six percent. The grade of non-parking ramps shall be no greater than 12 percent, and shall comply with the requirements of Americans with Disabilities Act of 1991 as it may be amended or interpreted by federal regulation. Where special circumstances warrant, the traffic engineer may approve steeper grades according to accepted engineering practices, subject to special conditions of approval such as an ice-free snow melting [HEATED] ramp surface.

1 **8. Layout and Internal Circulation**

2 The configuration of parking and dimensions within a non-automated parking structure  
3 shall be subject to the requirements of table 21.07-9, except that a modified layout and  
4 internal circulation pattern may be approved by the traffic engineer when it can be shown  
5 that a structure meets the design guidelines of the latest Urban Land Institute, Parking  
6 Institute, or Institute of Transportation Engineers manuals.

7 **9. Automated Parking Structures**

- 8 **a.** Automated parking structures shall require a traffic analysis and be subject to  
9 review and approval by the traffic engineer.
- 10 **b.** Automated parking structures are exempt from the parking stall and aisle  
11 dimensions and vertical clearance requirements of this section.
- 12 **c.** Automated parking structures shall be located wholly within an enclosed building  
13 and shall not be visible from outside the building or facility.
- 14 **d.** Automated parking structures shall be operated as attendant parking.

15 **21.07.100 EXTERIOR LIGHTING**

16 [RESERVED]

17 **21.07.110 RESIDENTIAL DESIGN STANDARDS**

18 **A. Purpose**

19 The standards of this section 21.07.400-110 are intended to promote high-quality residential  
20 development and construction; protect property values; encourage visual variety and architectural  
21 compatibility; and promote an integrated character for the municipality's neighborhoods.  
22 Specifically, the standards:

23 1. Promote new residential developments that are distinctive, ~~have character,~~ and relate and  
24 connect to established neighborhoods;

25 2. ~~Avoid monotony in structure design and site layout by providing~~Provide for variety and visual  
26 interest in the exterior design of residential buildings;

27 3. ~~Enhance the residential streetscape, walkability, and the pedestrian environment by diminishing~~  
28 ~~the prominence of garages and parking lots (AREAS);~~

29 4. ~~Enhance public safety by preventing garages from obscuring main entrances or blocking views~~  
30 ~~of the street from inside residences;~~

31 5.3. Locate active living spaces, entrances, and windows to improve the physical and visual  
32 connection from residences to the street, ~~and foster to allow for~~ opportunities for casual  
33 surveillance of the street ~~and outwardly expressed proprietorship of the neighborhood;~~  
34 and

35 6.4. Improve the compatibility of residential development with ~~the residential character of~~  
36 surrounding neighborhoods and protect property values of both the subject property and  
37 surrounding development.

Comment [EM139]: Disagree--this is directly what Anchorage 2020 directs in policy #52.

Comment [EM140]: Disagree--this is an important provision of public safety design.

Comment [EM141]: Disagree— Crime Prevention Through Environmental Design (CPTED) stresses residents having ownership over outside areas as a way to reduce crime.

38 **B. Alternatives and Flexibility**

39 **1. Alternative Equivalent Compliance**

40 The alternative equivalent compliance procedure set forth in subsection 21.07.010D. may  
41 be used to propose alternative means of complying with the intent of this section.

Structures over eight units may apply directly to the ~~urban design commission~~ Planning and Zoning Commission for alternative compliance with plans at least 30 percent complete, that include exterior elevations and dimensions, floor plans, landscaping, and parking plans.

**Comment [EM142]:** Disagree--the Urban Design Commission has the expertise to review design plans, and the PZC does not.

**2. Minor Modifications**

Minor modifications may be applied, pursuant to section 21.03.120, *Minor Modifications*.

**3. Design Innovations**

For all residential developments, The decision-making body may approve design innovations that are not provide for by the menu choices for design features in the various menus of this section. The applicant shall demonstrate that the innovate design feature achieves the intent of the subsection, and that:

**Comment [EM143]:** Consultant removed limitation on using the design innovation only once—some limitation is necessary so that the applicant is not proposing new designs for each menu—in which case they should be going through the alternative compliance provision rather than this section.

a. Achieves an equal or better design solution for the development than would result from application of the basic menu choices; and

b. Does not adversely affect adjacent properties or streets

**4. Driveways**

The municipal driveway standards established by the traffic engineer, including parameters for driveway characteristics such as angles, profile, landing grades, number and distances between \ shall apply to all residential development

**Comment [EM144]:** Disagree--some basic and essential planning principles are appropriate as a base, and the driveway standards cover the details.

**C. Standards for Multifamily Residential**

**1. Purpose**

The purpose of these standards is to improve the appearance of ~~design and functionality of~~ multifamily development, recognizing the importance of design in the economic success of neighborhood areas, ~~and the need for more efficient land use, and the need to ensure the adequate protection of the surrounding area.~~ Specific objectives include:

**Comment [EM145]:** Disagree--the functionality will also be improved through the standards.

a. Provide visual interest and architectural variety in multifamily residential developments; ~~that avoids~~ featureless design, and reduces the apparent bulk of large building masses;

b. Promote ~~sensitive~~ design and planning of multifamily housing units that preserves or improves the characteristics of surrounding development;

**Comment [EBM146]:** Disagree—good design is sensitive to the surroundings.

c. Promote building design, placement, and orientation that contributes to public safety, attractive street frontages, pedestrian access, and a sense of neighborhood and community;

d. Promote building design, placement, and orientation that considers Alaska's northern climate in terms of weather protection and access to sunlight;

e. Protect property values of the subject property and surrounding developments and promote economic investment in neighborhoods;

f. Improve the quality of life of residents of multifamily residential dwellings; and

g. Provide flexible standards that allow for creativity and innovation.

**2. Applicability**

These standards apply to any multifamily structure (three or more units) or ~~the~~ residential portion of a mixed-use structure. This section does not apply in Girdwood.

**Comment [EM147]:** Does not mesh with the definition of multifamily in chapter 21.05

1 **3. Design Innovation Credit**

2 The decision-making body may approve a design innovation that is not covered by the  
3 menu choices to be used as credit for up to one design feature in the menu of this  
4 section. The applicant shall demonstrate a specific feature that realizes the intent of the  
5 subsection, and that:

- 6 a. Achieves an equal or better design solution for the development than would result from  
7 application of the basic menu choices; and  
8 b. Does not adversely affect adjacent properties or streets.

9 **4.3. Daylighting, Views, and Building Spacing**

10 a. **Windows**

11 Windows or primary entrance doors shall be provided on any building elevation  
12 facing an abutting street, required private common open space, or that has  
13 primary entrances to dwellings. Where windows are required by this subsection,  
14 At at least 15-7 percent of the wall area on each story shall be windows or  
15 primary entrance doors. An overall reduction in required window area may be  
16 approved if demonstrated by calculation by an energy rater certified by the state  
17 of Alaska that the reduction is necessary to achieve an upgraded Energy Star  
18 rating of Five Star or Five Star Plus. Windows in a garage door do not count  
19 towards the minimum area in this section.

20 b. **Building Spacing<sup>48</sup>**

21 i. Except as provided in b.ii., the average distance between any two building walls  
22 of two multifamily or mixed-use structures on the same site shall be the  
23 greater of the following:

24 (A) 25 feet.

25 (B) One foot distance for every one foot of building height.

26 ii. Side or end walls that do not provide the primary daylighting or windows into  
27 dwellings may be within 15 feet of each other.

28 c. b. **Exceptions**

29 Up to one-third of the required window and entrance [TRANSPARENT] wall area  
30 and/or required building space between buildings may be transferred to another  
31 story or side of the structure, subject to an administrative site plan review.  
32 Transferred space shall be added to private open space that meets the  
33 standards of section 21.07.030. It shall be demonstrated to the director's  
34 satisfaction that the transfer responds to a site specific attribute such as solar  
35 orientation, a noisy arterial street or objectionable view, or other factors that  
36 demonstrate the need for the transfer and that mitigating features will be provided  
37 for the affected wall or area.

38 **5.4. Building and Site Orientation**

39 Buildings shall be oriented to surrounding streets, sidewalks, common private open  
40 spaces, and the public realm through at least three (3) of the following menu choices:

41 a. **Courtyard Housing**

42 Arrange or configure the building(s) to enclose and frame a housing courtyard as  
43 described in subsection 21.07.060F.7.

Comment [EBM148]: Disagree--the 15% requirement was very minimal, and no developments would have trouble meeting that standard. A 7% requirement, particularly one that can count windows in the garage door, is not worth having in code--it would be better to not have a window requirement than to waste the applicant's time and the reviewer's time implementing 7%.

Comment [EBM149]: Disagree-- windows in the garage door do not fulfill the intent of daylighting indoor living space, providing views from indoor living space, or improving visual connection between residents and the street.

Comment [EBM150]: Disagree-- large multifamily buildings placed too close together result in dark "alleys" between the buildings, and prevent sunlight from reaching living spaces. A certain amount of separation distance is necessary--and this distance can often be counted towards the required open space.

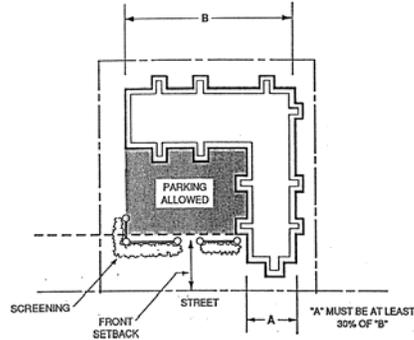
Comment [EBM151]: Disagree-- the wall left blank should be mitigated in some way, by landscaping is one idea.

<sup>48</sup> See Amendment #58.

1 **b. Orientation of Living Spaces and Windows**  
2 Provide windows and/or pedestrian entrances **comprising [SUCH THAT]** at least  
3 **20-10** percent of the ground-floor wall area of any elevation fronting on a street or  
4 private common open space or having a primary entrance serving multiple  
5 dwellings **[IS TRANSPARENT]**.

**Comment [EBM152]:** Disagree—considering that 15% isn't a very stringent requirement, going from 7% to 10% is a complete give-away.

6 **c. Street Frontage – Parking Beside or Behind the Building**  
7 No more than 70 percent of a street-facing building elevation shall have parking  
8 facilities (including garages) between it and the street.



9 **d. Street Frontage – Limited Parking Width**  
10 As an alternative to 5.c. above, limit driveways and parking facilities to no more  
11 than 50 percent of the total site area between the building and the street, and  
12 garages to no more than 50 percent of the street facing building elevation.  
13

14 **e. Street Corner Building**  
15 On a corner lot, provide choices 5.b. and 5.c. on both street frontages, such that  
16 the building (including its habitable floor area with windows) is placed nearest the  
17 corner, and any parking facilities are located beside or behind the building away  
18 from the street corner. [Illustrate]

19 **f. Entrance with Separated Walkway to the Street**  
20 Provide a primary entrance on each street-facing building elevation or a private  
21 common open space **visible from the street,** connected to the street by a clear  
22 and direct walkway separated from and not routed through a parking facility.

**Comment [EBM153]:** Disagree—If the primary entrance just needs to be on a building elevation facing a private common open space (name was changed in earlier section), but the open space doesn't need to be visible from the street, how will visitors know how to get into the building? It is very important that way-finding clues be included in building siting and design.

23 **g. Site Entry Feature**  
24 **If menu item "g" is selected to Highlight-highlight** and define a pedestrian and  
25 vehicle entrance to a development site, **two using three** or more of the following  
26 elements **are required:**

**Comment [EBM154]:** Disagree—unnecessary, and not parallel construction with the other options

- 27 i. Landscape treatment **with seasonal color and trees,** which clearly  
28 distinguishes and highlights the site entry.
- 29 ii. Plaza or courtyard as described in subsection 21.07.060F6. or 7.
- 30 iii. Identifying building primary entrance form including a covered entry.
- 31 iv. Special paving, pedestrian scale lighting, and/or bollards.
- 32 v. Ornamental gate and/or fence.

**Comment [EBM155]:** Disagree—A covered entry (which is a commonly provided feature for weather protection) and stamped concrete walkway and that's it! Not really an improvement over today.

1 | vi. The pedestrian and vehicle entrances shall not be required to be  
2 | adjacent to each other.

3 | **6.5. Building Articulation and Visual Variety**

4 | Any building elevation facing a street, **required** common private open space, or common  
5 | parking facility shall provide **[AT LEAST FOUR]** features from the menu below. If the  
6 | building has one or two applicable elevations where this section is required, then at least  
7 | four features shall be provided on each elevation. If a third elevation is applicable, at  
8 | least three-two features shall be provided on that elevation. If the building has at least  
9 | four dwelling units and the applicable building elevation is 40 feet or longer, then, wall  
10 | modulation in 6a. or 6b. shall be required as one of the **[FOUR]** features. Any applicable  
11 | elevation with the primary entrance shall have four features provided.

12 | **a. Wall Modulation**

13 | Provide wall plane projections, recesses, or reveals at least six feet wide, with a  
14 | change in plane of at least four feet, spaced at intervals of no more than 32 feet,  
15 | except:

- 16 | i. The maximum interval may be increased by two and one half feet for  
17 | each foot of additional change in wall plane of the projection or recess—  
18 | up to a maximum interval of 40-42 feet;
- 19 | ii. The depth of the modulation may be reduced by two feet where the wall  
20 | modulation is tied to a change in siding material, balcony, bay window, or  
21 | roofline modulation, as defined below;
- 22 | iii. The standard applies on a minimum of two-thirds of the height of the  
23 | building wall.

24 | **b. Wall Modulation – Overall Building Massing**

25 | Provide wall plane projections or recesses having a depth of at least 15-10  
26 | percent of the length of the building elevation or 15-10 feet (whichever is less),  
27 | extending at least 25 percent of the length of the building elevation, for at least  
28 | 60 percent of the building height, with no uninterrupted façade exceeding 56  
29 | horizontal feet.

30 | **c. Upper Story Cantilever or Step-Back**

31 | Provide an upper story cantilever or step-back with a change of wall plane of at  
32 | least four feet, or two feet if accentuated by a change in siding or the façade is  
33 | only two stories in height. At least two-thirds of the building elevation length shall  
34 | have such cantilever or step-back.

35 | **d. Change in Siding Material**

36 | Use two or more primary wall siding materials, or a change of color, not including  
37 | concrete or block foundation.

38 | **e. Ornamental Features and Detail Elements**

39 | Use two or more ornamental detail features at intervals, such as medallions,  
40 | shutters, columns, pilasters, wall modulations that don't meet 6.a. or 6.b. above,  
41 | balconies that don't meet 6.f. below, three and one half inch wide trim, or other  
42 | similar features approved by the director.

43 | **f. Balconies**

**Comment [EBM156]:** Disagree—as the pedestrian and vehicle entrances are not required to be adjacent, this option means nothing and is a complete give-away. Combine this with the reduction of required items from three to two, and the section becomes more of an administrative hassle than a benefit.

A clarifying amendment has been proposed for the intro to subsection g to say "...define a pedestrian and/or vehicle entrance..." to end some confusion that appears to exist.

**Comment [EBM157]:** Disagree—this language is unnecessary—of course this section only applies where this section is required.

**Comment [EBM158]:** Disagree--Reduction in required number of choices brings the level of standards so low, that the administrative burden to applicants and staff is not worth the design benefit.

**Comment [EBM159]:** Disagree

**Comment [EBM160]:** Disagree—what is the basis for this change?

**Comment [EBM161]:** Disagree

**Comment [EBM162]:** Disagree

1 Incorporate balconies at least ~~32-24~~ square feet in area and ~~eight-six~~ feet wide,  
2 provided at intervals to distinguish between the individual dwellings.

**Comment [EBM163]:** Disagree—  
an eight by four balcony (or five by six  
and a little) isn't large, but it is usable.  
Going down to eight by three or four  
by six is getting too small to be  
usable.

**Comment [EBM164]:** Disagree

3 **g. Bay Windows**  
4 Incorporate bay windows at least six feet wide and high extending at least 18  
5 inches from the wall plane.

6 **h. Additional Window Area**  
7 Provide windows and/or primary entrance doors comprising at least ~~25-20~~  
8 percent of the wall area of the building elevation. ~~Windows in a garage door do~~  
9 ~~not count towards the minimum area in this section.~~

**Comment [EBM165]:** Disagree

**Comment [EBM166]:** Disagree—  
windows in the garage door do not  
fulfill the intent of daylighting indoor  
living space, providing views from  
indoor living space, or improving  
visual connection between residents  
and the street.

10 **i. Foundation Landscaping**  
11 Provide a foundation planting bed along the foundation wall (breaks allowed for  
12 garage doors and pedestrian entrances) an average of ~~eight-six~~ feet in depth  
13 (minimum ~~six-four~~ feet at any point), and planted with at ~~least one-site~~  
14 ~~enhancement~~ landscaping ~~unit per linear foot, half of which shall be trees. Refer~~  
15 ~~to table 21.07-1, Landscaping Units Awarded.~~

**Comment [EBM167]:** Disagree

**Comment [EBM168]:** Disagree

16 **j. Roofline Modulation**  
17 Provide variations in roof form, orientation, or height using features at least six  
18 feet wide such as a terracing parapet, multiple peaks, jogged ridge lines,  
19 projecting roof forms and dormers, with a maximum of 32 feet of uninterrupted  
20 roofline between roof modulation elements. The vertical dimension of the  
21 roofline variation shall be the greater of two feet or 10 percent of the wall height.

**Comment [EBM169]:** Disagree—  
there is no standard to know what site  
enhancement landscaping is.

22 **k. Roof Forms and Attic Living Spaces**  
23 Provide a sloped roof with dormers at intervals and a pitch no greater than 12:12  
24 that incorporates living spaces within the roof form. Such living spaces shall not  
25 be considered in determining maximum FAR, pursuant to section 21.06.030E.2.

26 **l. Variation in Building Type or Scale**  
27 Combine a minimum of two building types within each development phase and/or  
28 two building scales (which include varying the number of stories) within the same  
29 building. Larger and smaller buildings or buildings that vary in the number of  
30 stories shall be mixed. A minimum of two out of every eight dwellings shall be a  
31 distinct or separate building type or scale. In larger developments of 30  
32 dwellings or more, provide at least three or more different changes in building  
33 type or scale. Changes in building type should include substantial variations in  
34 architectural form and design such as a different pattern or arrangement of  
35 modulation, articulation features, or window patterns.

36 **7.6. Primary Entrance Treatment**  
37 Each building shall incorporate at least ~~three-two~~ of the following massing, façade, or  
38 detail elements to define and emphasize a primary entrance:

**Comment [EBM170]:** Disagree--  
Reduction in required number of  
choices brings the level of standards  
so low, that the administrative burden  
to applicants and staff is not worth the  
design benefit.

39 **a.** Entrance on a porch or landing with a minimum ~~inside dimension of six feet of at~~  
40 ~~least 36 square feet~~ and sheltered by a roof, canopy, portico, marquee, or similar  
41 weather protection roof feature;

**Comment [EBM171]:** Disagree—a  
person could construct a 36' by 1'  
porch along their building front, which  
would be useless for weather  
protection. Minimum inside  
dimension is a better standard

42 **b.** Double doors;

43 **c.** Massing features such as architectural bays that define or emphasize entry  
44 locations;

- d. Side-lights (glazed openings to the side of the door), and/or transom-lights (glazed opening above the door) in the entry design;
- e. Outdoor entrance patio, plaza, or courtyard; or
- f. Integrated planters or wing walls that incorporate landscaped areas and/or seating areas.

**8.7. Weather Protection and Sunlight**

Building and site design shall respond to Alaska's northern climate, including the effects of snow, ice, low temperatures, wind exposure, and low and seasonal sunlight conditions, by providing at least ~~four~~<sup>three</sup> features from the following menu:

**a. Weather Protected Entrance**

Provide outdoor shelter that covers at least ~~36~~<sup>32</sup> square feet for any primary entrance that serves one dwelling, 48 square feet for any primary entrance that serves up to four dwellings, and 64 square feet for any primary entrance that serves more than four dwellings.

**b. Sheltered Passenger Loading Zone, Bicycle Parking, or Transit Stop**

Provide pedestrian shelter over a passenger loading zone, accessible parking aisle or route, bicycle parking, or a transit shelter.

**c. Ice-Free Walkway**

Provide an ice-free (~~snow melting~~ [HEATED]) walkway for a required walkway connection to a primary entrance.

**d. Orientation for Sunlight Access**

Provide windows and/or primary entrances for at least ~~20~~<sup>15</sup> percent of the wall area with a solar orientation ~~and demonstrate each is likely to receive at least six hours of sunlight access on March/September 21.~~ Natural features existing at the time of development, such as trees, shall not be considered as blocking sunlight access, but newly installed landscaping material shall be planted so as to minimize blocking of sunlight access.

**e. Year-round Access to Sunlight**

Ensure that one or more windows of every dwelling in the development will receive sunlight access for at least one hour on December 21. Natural features existing at the time of development, such as trees, shall not be considered as blocking sunlight access, but newly installed landscaping material shall be planted so as to minimize blocking of sunlight access.

**f. Sunlight Access for Neighbors**

~~Preserve sunlight access at least six hours daily on March/September 21 to any adjacent lot zoned PR, any sidewalk across the street, and neighboring residentially zoned property, through building placement, massing, and height.~~

**g.f. Daylighting**

Provide for apartment daylighting and building spacing as follows: Locate at least one window in the main living area of each dwelling such that an imaginary daylight plane extending from the window and formed by an angle of 60 degrees that is unobstructed for a horizontal distance of 60 feet. The plane angle shall be measured horizontally from the center of the bottom of the window. As an alternative, two angles with a sum of 60 degrees may be used. [Illustrate]

**h.g. Sun Trap**

**Comment [EBM172]:** Disagree-- Reduction in required number of choices brings the level of standards so low, that the administrative burden to applicants and staff is not worth the design benefit.

**Comment [EBM173]:** Disagree— what is the basis for this change?

**Comment [EBM174]:** Disagree

**Comment [EBM175]:** Disagree— without this, there will be arguments over what "solar orientation" means. This is easy to demonstrate with programs like CAD or Google Sketch-Up.

**Comment [EBM176]:** Disagree— why eliminate something that is a choice? If nobody wants to choose it, that's fine, but it doesn't hurt to have it available as a choice.

Incorporate a sun trap or “pocket” meeting the requirements of subsection 21.07.060F.12, *Sun Pocket* that captures direct and reflected sunlight as part of a common private open space.

**i.h. Atrium**

Provide an atrium interior sunlit common private open space or primary entrance area, meeting the requirements of subsection 21.07.060F.11., which takes advantage of direct and/or reflected sunlight.

**i.i. Stepped or Terraced Building Forms**

Provide a stepped or terraced building form above the second story that adheres to a daylight plane with a step-back angle no steeper than one foot of rise per one foot of run, to reduce the potential shadowing and wind turbulence effects of a tall building.

**k.j. Sunlit and Wind Protected Courtyards**

Provide a housing courtyard as described in subsection 21.07.060F.7.

**9.8. Accessory Elements**

**a. Storage**

A multifamily project shall provide at least ~~40–32~~ square feet of covered, enclosed, and secure bulk storage area per dwelling unit for bicycles, winter tires, and other belongings that typically cannot be accommodated within individual dwelling units. Storage areas shall not include closets accessed from within the dwelling, but may include garage floor area not required for vehicle maneuvering or parking. Storage and other accessory buildings shall be designed with materials and/or architectural elements that are related to the principal building(s).

Comment [EBM177]: Disagree—Imagine a family of four having to store two sets of tires and four bicycles—that would be tight in a five by eight space, but much worse in a four by eight space.

**b. Trash Receptacles/Dumpsters**

This provision applies only to new multifamily developments

Outdoor refuse collection receptacles shall not be located in any required front setback and shall, to the extent reasonable feasible and depending on size, location, and configuration of the site, and need for access by refuse collection vehicles, be set back from the front plane of the principal structure. Refuse collection receptacles shall not be located within any area used to meet the minimum landscaping or parking requirements and loading berth requirements of this chapter, or be located in a manner that obstructs or interferes with any designated vehicular or pedestrian circulation routes onsite.

Comment [EBM178]: Disagree—why not reference the appropriate section, instead of being redundant?

~~Where dumpsters are allowed, they shall comply with the requirements of 21.07.080H.~~ Where dumpsters are not provided, multifamily developments shall provide covered storage for trash receptacles. Such storage shall not be located between any building and the primary adjacent street frontage.

**c. Garages**

**i. Attached or Detached Garages**

This provision applies only to new multifamily developments. To the maximum extent feasible, garage entries and carports shall not be located between a principal multifamily building and a required street frontage, but shall instead be internalized in building groups ~~so that they are not visible from adjacent streets.~~

1                   ii.     **Size**  
2                   Street-facing detached garages and carports shall be limited to six  
3                   spaces per structure to avoid a continuous row of garages or carports.  
4                   No more than six garage doors may appear on any multifamily building  
5                   elevation facing a street, and the plane of each garage door shall be  
6                   offset at least two feet from the plane of the garage door adjacent to it.

7                   iii.     **Design**  
8                   Detached garages and carports shall be integrated in design with the  
9                   principal building architecture, and shall incorporate similar and  
10                  compatible building and roof forms, scale, materials, color, and details.

11                 d.     **Mechanical and Electrical Equipment**  
12                 Mechanical and electrical equipment serving a single building shall be screened  
13                 from view as provided below. This requirement applies to heating, ventilation,  
14                 and cooling equipment; pumps; generators; and groups of four or more utility  
15                 meters. The screening requirement does not apply to telecommunications  
16                 equipment, chimneys, minor vent pipes, wall vents that are flush/near-flush with  
17                 the building wall, or solar collectors and reflectors. Screening shall comply with  
18                 AMC [Title 23](#) and the access and safety requirements of utilities.

19                 i.     **Rooftop Mechanical and Electrical Equipment**  
20                 Rooftop mechanical and electrical equipment shall be screened from  
21                 view of abutting streets and the ground level of residentially zoned lots  
22                 using the menu choices provided in subsection d.ii. below. If menu  
23                 choice ii.(C). is the only choice selected, then the roof mounted  
24                 equipment shall also be set back from the roof edge (where the roof  
25                 meets the façade wall) at least three feet for each foot of height of the  
26                 equipment.

27                 ii.     **Mechanical and Electrical Equipment – Other**  
28                 All other mechanical and electrical equipment shall be screened from  
29                 view from [the primary](#) abutting streets, except where located more than  
30                 [40-25](#) feet from the [primary street or right-of-way](#), using one of the  
31                 following choices:

- 32                 (A)     Sight-obscuring landscaping consisting of shrubs, trees, berms,  
33                 and/or hardscape materials. Other landscaping required by this  
34                 [Title](#), such as perimeter landscaping, may be used if it meets  
35                 this standard.
- 36                 (B)     A sight-obscuring fence, wall, or structure that is adequate in  
37                 height to screen the equipment.
- 38                 (C)     Wall-mounted utility meter bases finished in a color that is  
39                 consistent with other areas of the building façade, unless an  
40                 alternative color or design is approved by the director.
- 41                 (D)     Equipment that is disguised, camouflaged, or hidden so that its  
42                 function as mechanical or electrical equipment is imperceptible  
43                 to an uneducated eye.

**Comment [EBM179]:** What does this mean? Not defined.  
Important that these be screened or placed away from all abutting streets.  
**Comment [EBM180]:** Disagree—this was a compromise worked out at the Assembly T21 Committee.

44     D.     **Standards for Townhouse Residential**  
45             1.     **Purpose**  
46             The purpose of these standards is to:

- 1 a. Provide ~~visual interest and~~ architectural variety to attached dwellings ~~that adds~~  
2 ~~visual interest to the neighborhood~~;
- 3 b. ~~Diminish Reduce~~ the ~~visual~~ impacts of rows of garages and driveways on the  
4 pedestrian environment and street;
- 5 c. Reduce the apparent bulk and scale of townhouse buildings, and avoid long  
6 unbroken facades;
- 7 d. ~~Encourage Provide for~~ pedestrian access to be convenient, visible, ~~and~~ safe,  
8 and inviting; and
- 9 e. ~~Promote Provide~~ daylighting and views, front yard landscaping, front entries, and  
10 windows facing the street.

Comment [EBM181]: Disagree—it isn't just a visual impact—it is a functional impact as well, affecting a safe pedestrian environment.

11 2. **Applicability**

12 These standards shall apply to any townhouse development and any townhouse-style  
13 structure ~~of four or more units, any attached single family use, and any two-family use~~  
14 ~~that is constructed in townhouse style~~. This section does not apply in Girdwood.

Comment [EBM182]: Disagree—this leaves 3-unit townhouse style structures with no design standards—loophole.

15 3. **Design Innovation Credit**

16 The decision-making body may approve ~~design innovations as provided in 21.07.110B.3,~~  
17 ~~a design innovation that is not covered by the menu choices to be used as credit for up to~~  
18 ~~one design feature in the menus of this section. The applicant shall demonstrate a~~  
19 ~~specific feature that realizes the intent of the subsection, and that:~~

Comment [EBM183]: Disagree--Side-by-side unit construction has similar design issues, whether there are two units or six units in a row. These standards should apply to all side-by-side construction—if not, there is a loophole for attached-single-family and townhouse-style two-family construction, which would have no design standards.

20 a. ~~Achieves an equal or better design solution for the development than would result from~~  
21 ~~application of the basic menu choices; and~~

22 b. ~~Does not adversely affect adjacent properties or streets.~~

23 4. **Building Size**

24 The maximum number of dwellings attached in a single row or building shall be:

25 a. ~~Two Four~~ dwellings in the R-2A and R-2D districts.

26 b. ~~Four dwellings in the R-2F district.~~

27 c. ~~Six~~ dwellings in the R-2M district.

28 d. ~~Ten~~ dwellings in all other districts in which the use is allowed.

Comment [EBM184]: Disagree—These districts allow no more than two units on a single lot. Having structures that are larger will change the nature of the district.

29 5. **Daylighting, Views, and Building Spacing**

30 a. **Windows**

31 Windows and/or primary entrance doors shall be a minimum of ~~45 seven (7)~~  
32 percent of the wall area of any building elevation facing a street, ~~private common~~  
33 ~~open space~~, or that has primary entrances to dwellings. ~~Windows in a garage~~  
34 ~~door do not count towards the minimum area in this section.~~

35 b. **Building Spacing**

36 The average distance between any front and/or rear building walls of two  
37 townhouse structures (with ~~five four~~ or more units) on the same site shall be ~~the~~  
38 ~~greater of the following: a minimum of 20 feet.~~

39 i. ~~20 feet.~~

40 ii. ~~One foot distance for every one foot of building height up to 30 feet.~~

c. **Exceptions**

- i. Up to ~~one-third~~<sup>one-half</sup> of required window/door area and/or required building space between buildings may be transferred to another wall elevation or side of the residential structure, subject to an administrative site plan review. ~~Transferred space shall be added to private open space that meets the standards of 21.07.030.~~ It shall be demonstrated to the director's satisfaction that the transfer responds to a site-specific attribute such as solar orientation, a noisy arterial street, or objectionable view, and that mitigating features will be provided for the affected wall or area.
- ii. An overall reduction in required window area may be approved if demonstrated by calculation by an energy rater certified by the state of Alaska that the reduction is necessary to achieve an upgraded Energy Star rating of Five Star or Five Star Plus.

Comment [EBM185]: Disagree—This leaves building walls with 3.5% windows—why even bother?

6. **Entryway Treatment**

Primary entrances shall be given emphasis and physical access by ~~two of the four of~~ the following ~~menu items~~:

- a. Placement on a street-facing building elevation, or where visible from an ~~the~~ ~~primary~~ abutting street, or facing a common private open space such as an entry courtyard;
- b. A porch, landing, or other outdoor transition space with a minimum dimension of four feet, and distinguished from abutting parking surfaces by changes in material or elevation;
- c. A sheltering roof structure such as an overhang, recess, portico, or other permanent architectural feature of at least 16 square feet; and
- d. Connection to the street by walkways and/or the unit's individual driveway.

Comment [EBM186]: Disagree—all of these requirements are reasonable, and are almost always provided anyway. Having all of them is not a hardship, and greatly increases the livability of a dwelling unit.

7. **Building Articulation**

Any townhouse building elevation ~~facing~~ ~~abutting~~ a ~~primary~~ street, ~~required~~ common private open space, or having at least one primary entrance shall provide features from the menu below. If the building has one or two applicable elevations, then at least four features shall be provided on each elevation. If a third elevation is applicable, at least ~~three~~ ~~two~~ features shall be provided on that elevation. If the building has four or more dwellings ~~and the applicable building elevations is 40 feet or longer, then~~ feature 6.a. shall be required as one of the features on each applicable elevation. Any applicable elevation with the primary entrance shall have four features provided.

Comment [EBM187]: Unsure what these changes mean. Primary street isn't defined.

Comment [EBM188]: Disagree—menus were carefully calibrated to provide a variety of choices while not placing too onerous of a burden on the designer. When the requirements are pushed too low, the administrative burden to applicant and reviewer becomes greater than the benefit of the requirement.

- a. Projections, recesses, or reveals at least four feet wide, with a change in wall plane of at least two feet, provided at intervals of no more than 24 feet apart or at the common wall between units, except:
  - i. The maximum interval may be increased by two ~~and one-half~~ feet for each foot of additional width and change in wall plane of the projection or recess—up to a maximum interval of 48 feet.
  - ii. The standard applies on a minimum of two stories of a three story elevation.
- b. Upper story cantilever or step-back with a change of wall plane of at least four feet or two feet if accentuated by a change in siding or the façade is only two

Comment [EBM189]: Disagree

- 1 stories in height. **At least two-thirds of the building elevation length shall have**  
2 **such cantilever or step-back.**
- 3 c. Use of two or more wall siding materials, or a change of color only if the color  
4 change is delineated with trim.
- 5 d. Use of two or more **façade [ORNAMENTAL]** detail features such as medallions,  
6 shutters, columns, pilasters, wall modulations that don't meet 6.a. above, three  
7 and one half inch wide trim, balconies that don't meet 6.e. below, or other similar  
8 features approved by the director.
- 9 e. Balconies at least 24 square feet in area and six feet wide, provided at intervals  
10 to distinguish individual dwellings.
- 11 f. Covered entry porches or landings at least 24 square feet in area and six feet  
12 wide, provided at intervals to distinguish individual dwellings.
- 13 g. Bay window at least six feet wide and six feet high extending at least 18 inches  
14 from the wall plane, or another type of large window of at least the same size,  
15 provided at intervals to distinguish individual dwellings.
- 16 h. Variations in roof form, orientation, or height at least six feet wide such as  
17 dormers, projecting roof forms, multiple roof peaks, or terracing parapet, with a  
18 vertical change in roof plane of at least two feet, or jogged ridge lines, with a  
19 maximum of 32 feet of uninterrupted roofline between roof variation features.
- 20 i. Variations in architectural form or scale between individual dwellings, such as  
21 reversed elevations, a different pattern or arrangement of articulation elements or  
22 windows in the end units, or a different dwelling unit design, or change in  
23 dwelling unit scale (width or height).
- 24 j. Provide the building elevation without garage bays (i.e., free of garage doors).
- 25 k. Provide windows and/or primary entrances comprising at least 20 percent of the  
26 wall area of the building elevation.

27 **8. Front-Facing Garages**

28 Where the garage or driveway ~~faces abuts~~ the primary street or is on the same building  
29 elevation as the primary entry to the dwelling, the garage door width may not exceed 67  
30 percent of the width of each dwelling the following standards shall be met:

31 a. The garage door width shall not exceed the greater of 10 feet or 50 percent of the width  
32 of the elevation of the dwelling, except as provided below.

33 b. The garage door width may be up to 67 percent of the width of each dwelling, if the  
34 building elevation provides at least one feature more than the minimum number  
35 required in subsection D.7., *Building Articulation* and the landscape areas  
36 required in D.9. below are planted with an additional 0.1 landscape units per  
37 square foot.

38 **9. Utility Meters, Electrical Conduit, and Other Service Utility Apparatus**

39 Utility meters and rooftop mechanical equipment shall comply with the multifamily utility  
40 screening requirements in subsection C.9.d. above.

Comment [EBM190]: Disagree with changes.

Comment [EBM191]: Disagree—  
see major issues list.

1 **9.10. Landscaping**

2 A landscaping plan which complies with 21.07.080 for multifamily development shall be  
3 prepared and submitted for all new townhouse developments.

4 **a. Semi-Private Transition Space**

5 The area between the front entry porch or landing and the abutting street shall be  
6 planted ~~as provided in 9.d. below.~~ [WITH SITE ENHANCEMENT  
7 LANDSCAPING.] Front driveway width and other motor vehicle parking facilities  
8 shall not encroach into this area.

9 **b. Front Driveway Separations**

10 Where townhouse units are served by individual garages or driveways fronting  
11 onto the street or on the same building elevation as the primary entry to the  
12 dwelling, a landscaping planting area with a width of no less than four feet shall  
13 be provided between each individual driveway. The planting area shall extend  
14 out the full distance to the street, shared driveway, parking bay, or circulation  
15 aisle, but in no case extend out less [BE SHORTER] than eight feet from the  
16 building. Driveways may be combined for a maximum of two dwellings, however  
17 no driveway or driveway combination shall exceed 32 feet without a landscaped  
18 break.

19 **c. Common Parking Facilities and Driveways**

20 A foundation planting bed of an average of six feet in depth (minimum of five at  
21 any point) shall be provided (with breaks allowed for building access) along  
22 townhouse structure elevations that abut common parking and access facilities,  
23 including parking bays, circulation aisles, or access driveways shared in common  
24 among multiple units. As an alternative, the landscaping area required beyond  
25 the minimum four foot dept may be placed elsewhere on the site abutting the  
26 common parking facility. The bed shall be planted with 0.1 landscaping units per  
27 square foot.

28 **d. Landscaping Bed and Planting Material Standards**

29 Landscaping area required by this section shall be planted with 0.2 landscape  
30 units per square foot of planting area, except that planting areas with a minimum  
31 inside dimension of 12 feet or more may be planted with 0.1 landscape units per  
32 square foot. Planting beds shall be separated from parking spaces and  
33 driveways by landscape edging. Landscaping areas shall be protected from  
34 common parking lots [AREAS] and circulation aisles by vertical curbing or a  
35 permanent hardscape feature such as curb stops, bollards, or boulders.

36 **10. Utility Meters, Electrical Conduit, and Other Service Utility Apparatus**

37 Utility meters and rooftop mechanical equipment shall comply with the multifamily utility  
38 screening requirements in subsection C.9.d. above.

39 **E. Standards for All Single-Family Residential Structures**

40 **1. Applicability**

41 The standards of this subsection E. apply to all single-family and two-family detached  
42 residential structures.

43 **2. Permanent Foundation**

44 All dwellings shall be on a permanent foundation.

45 **3. Aspect Ratio or Roof Design**

46 **a.** The dimensions of a rectangle, drawn to encompass the whole structure  
47 measured at 30 inches above the ground, shall be as follows: the shorter

dimension of the rectangle shall be more than 30 percent of the longer dimension of the rectangle; or

b. If all of the dwelling is single-storied, it shall have a pitched roof of at least three to 12 (rise to run).

c. The director may provide a waiver in writing at a design concept phase, that exempts a structure from meeting either of these requirements.

4. Appeals

The ~~urban design commission~~ Board of Adjustment shall hear appeals from the director's decision in this subsection.

Comment [EBM192]: Disagree—the UDC has the best expertise to make decisions regarding design standards.

F. Standards for Some Single-Family ~~and Two-Family~~ Residential Structures

1. Applicability

The standards of this subsection F. apply to any single-family use except for single-family residential uses on lots of 20,000 square feet or greater, ~~any two-family use that is not constructed in townhouse-style and is on a lot less than 20,000 square feet,~~ and [APPLY TO] any multifamily use with single-family style construction on a single lot. This section does not apply in Girdwood.

2. Mix of Housing Models

Any subdivision or development of five or more units shall have a mix of housing models, as determined during the building permit process, according to the following table:

TABLE 21.07-12-9 MIX OF HOUSING MODELS	
Number of units	Number of different models required
5-4015	2
41-2030	43
2131-3045	54
31-46 or more	65

Comment [EBM193]: Disagree—a great deal of future development on small lots will be infill, meaning there won't be large subdivisions. Having a variety of housing styles is important to help the infill fit in with existing neighborhoods. The municipality could pre-approve various designs to help make this more affordable for developers.

Each housing model shall be noticeably different through at least three of the following variations:

- a. Noticeably different window placement and entrance location.
- b. Noticeably different façade detail elements, siding material, or siding colors.
- c. Noticeably different placement of the building footprint on the lot. A four foot setback differential to the closest front corner of the adjacent façade shall be acceptable.
- d. Noticeably different garage placement.
- e. Noticeably different roof design/feature. This includes the main ridgeline being oriented differently, two or more additional roof planes, addition of at least one dormer, or a different roof style.
- f. Noticeably different exterior elevations.
- g. Noticeably different building massing.

1 | **h.** The development (of five or more units) shall be arranged to avoid placing  
2 | identical housing types, including mirror image floor plans, on lots that share side  
3 | lot lines.

**Comment [EBM194]:** Disagree—this is not a variation, and thus not a choice, and so shouldn't be in the list. Remove the "h" so that the statement is just a part of subsection 2.

4 | **3. Primary Entrance**

5 | **a.** A porch or landing with a minimum inside dimension of at least ~~four sixteen~~  
6 | ~~square~~ feet shall be provided at the primary entrance. The porch or landing shall  
7 | be covered by a roof of at least ~~four feet by four feet, located at the primary~~  
8 | ~~entrancesixteen square feet.~~

**Comment [EBM195]:** Disagree—a two by eight porch and roof aren't going to be effective.

9 | **b.** The ~~location of the~~ primary entrance ~~of to~~ each residence and the walkway to  
10 | that entrance shall be clearly visible from the street. The roofed porch/landing of  
11 | primary entrances on side elevations shall extend at least three feet from the  
12 | elevation. Primary entrances shall not be located on the rear of the structure.

13 | **c.** A hard-surfaced pedestrian walkway shall be provided from the street, sidewalk,  
14 | or driveway to the primary entrance. Roof drainage shall not fall upon the  
15 | walkway.

16 | **4. Garages**

17 | **a.** Where a garage (with no habitable **floor** area above) extends from the rest of the  
18 | structure towards the street, the width of the non-garage portion of the front  
19 | **building** elevation shall be no less than the length that the garage extends from  
20 | the rest of the structure.

21 | **b.** Garage doors facing the street shall comprise no more than ~~60-67~~ percent of the  
22 | total width of a dwelling's **building** elevation ~~and no more than 30 percent of the~~  
23 | ~~overall square footage (area) of the dwelling's front building elevation that faces~~  
24 | ~~the street.~~ Single-story homes are exempted from the garage door ~~area-width~~  
25 | limitation.

**Comment [EBM196]:** Disagree—60% was already a compromise. This doesn't implement Anchorage 2020 policy #52.

**Comment [EBM197]:** Disagree—doesn't implement Anchorage 2020 and allows a single story home to have an all-garage front, not even mitigated by a second story.

26 | **c.** Dwelling units with a street-facing **building** elevation that is 40 feet wide or  
27 | narrower and with garage doors that face the street shall feature at least one  
28 | design element from each of the three lists below.

29 | **i. List A:**

30 | **(A)** At least one dormer that is oriented toward the street.

31 | **(B)** The front **building** elevation has two or more facades that are  
32 | offset by at least 16 inches. Each façade or a combination of  
33 | offset facades shall be at least one third of the area of the  
34 | **building** elevation, ~~and facades that receive credit for a bay~~  
35 | ~~window shall not receive credit for this choice.~~

**Comment [EBM198]:** Disagree—this deletion allows one design feature to meet two menus, which does not do enough to improve the design of homes.

36 | **(C)** Front-facing balcony, accessible from a habitable room, at least  
37 | six feet wide, that projects from a façade at least two feet and is  
38 | enclosed by an open railing.

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- ii. *List B:*
    - (A) A primary entrance area with a covered porch or landing at least eight feet wide, incorporating visual enhancements such as gabled roof forms, roof brackets, fascia boards, side lights, and/or ornamental columns divided visually into top, middle, and bottom.
    - (B) A bay window on the front elevation at least six feet wide that extends a minimum of 12 inches outward from a façade, forming a bay or alcove in the room within.
    - (C) If the garage is more than one car wide, multiple garage doors are used.
  - iii. *List C:*
    - (A) Windows and primary entrance door(s) that occupy a minimum of 25 percent of the wall area of the front elevation. Windows in the garage door ~~do not~~ count towards the 25 percent.
    - (B) Trim (minimum three and one half inches wide) of a different color from the primary siding color, shall outline all windows, doors, and roof edges on the front **building** elevation, and may outline corners and projections/recesses on the front **building** elevation.
    - (C) A minimum of two different siding materials and/or patterns are used on the front **building** elevation. Doors and trim do not qualify as a type of siding material.
  - d. The **house may encroach into the** minimum front **[BUILDING]** setback **[MAY BE REDUCED]** by **up to** five feet when there is no garage, or where there is a garage (attached or detached) where the front wall of the garage is located at least **10-8** feet behind the front façade of the house.

Comment [EBM199]: Disagree—garage door windows do not connect the living space with the street and help implement CPTED principles.

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5. **Windows**
- a. Windows and primary entrance door(s) shall occupy a minimum of **15-7** percent of the wall area of a building elevation facing a street ~~or required private common open space~~. Windows in the garage door ~~do not~~ count towards the **15-7** percent requirement.
  - b. Any **building** elevation with solar orientation shall have at least one window that is a minimum of six square feet.
  - c. An overall reduction in required window area may be approved if demonstrated by calculation by an energy rater certified by the state of Alaska that the reduction is necessary to achieve an upgraded Energy Star rating of Five Star or Five Star Plus.

Comment [EBM200]: Disagree

Comment [EBM201]: Disagree—this will help people keep track of their kids by making the open space visible from inside the unit. Helps give them ownership over the open space, which implements CPTED principles.

Comment [EBM202]: Disagree

Comment [EBM203]: Disagree

39 **G. Prohibited Structures**

40 [RESERVED]

41 Quonset hut is defined as a self-supporting structure that is shaped like a longitudinal half of a  
42 cylinder resting on its flat surface, with or without straight sides of six feet or less on the cylinder  
43 (non-gable) sides, that is more than 10 feet wide across the gable end, or 15 feet along the non-  
44 gable side, or 10 feet high, and has two of the four following characteristics:

1. Prefabrication.
2. Fabric or plastic material or corrugated metal roofing.
3. Ribbed appearance in the roofing material
4. A roof system that is in height as tall as or taller than the wall systems on the non-gable sides.

**H. Site Design**

1. **Subdivisions**  
Subdivisions of land shall comply with the standards of chapter 21.08, *Subdivisions*.

2. **Multiple Structures on One Lot**  
**RESERVED**

**a. Intent**

This section regulates the development of multiple residential structures on a single lot. The section is intended to allow flexibility from the subdivision regulations while still achieving neighborhoods that are healthy, safe, and convenient, and meet the goals of the comprehensive plan. The approval processes and standards are intended to result in a development with a cohesive neighborhood identity, an attractive and functional streetscape, a hierarchy of streets and driveways, convenient and safe pedestrian circulation, sufficient parking near each dwelling unit, usable and well-located open space, a positive image of higher density residential development, and well designed and visually pleasing structures and neighborhoods.

**b. Applicability and Review Process**

i. This section applies to the development of two or more principal residential structures on a single lot. It does not apply to the development of an accessory dwelling unit or a caretaker's unit.

ii. Multiple residential structures on a single lot are permitted in the R-2M, R-3, R-4, R-4A, B-3, RO, NMU, CMU, and RMU districts.

iii. Applicable developments with between two and 15 dwelling units shall be approved by administrative site plan review pursuant to subsection 21.03.180B. Applicable developments with 16 or more dwelling units shall be approved by the Planning and Zoning Commission using the major site plan review process (subsection 21.03.180C.).

iv. All approvals under this section shall use the approval criteria of subsection C. below, in addition to the general site plan review approval criteria. The decision-making body may place conditions on the development as it may deem necessary to meet the approval criteria.

**c. Approval Criteria**

i. The proposal shall clearly distinguish between streets and driveways. Streets shall allow vehicles to travel into and within the development, and shall be the means for assigning an address to dwelling units. Driveways shall access garages and parking areas. Some small developments may not need a street network.

ii. The area between the front of a unit facing a street and the street shall include landscaping or lawn, so that the streetscape features green

**Comment [EBM204]:** Two important criteria that were approved by the Planning and Zoning Commission have been omitted. One is that dwelling units be oriented towards a street or towards courtyard/common open space. The other is that "developers should make every effort to design and arrange dwelling units in such a manner as to provide "eyes on the street", take advantage of solar access, and to the extent feasible, provide privacy for neighboring units' yards." Sunlight, privacy, visibility—these are good concepts to be encouraged.

1 space rather than just paved parking areas. Adequate snow storage  
2 area shall be provided. On-street parking shall be accommodated (if  
3 provided).

4 iii. In addition to sidewalks required by section 21.07.060, pedestrian  
5 pathways shall be provided to large open space areas and in the middle  
6 of long blocks. Pedestrian circulation should be convenient both within  
7 the development and to appropriate neighboring areas outside the  
8 development.

9 iv. The development is designed to take advantage of any significant natural  
10 features on site, and to provide usable open space and recreation areas.

11 **d. Development Agreement**

12 The developer shall enter into a subdivision agreement with the department,  
13 using the provisions established in subsection 21.08.060A., *Improvements*  
14 *Associated with Land Use Permits.*

15 **e. Minimum Standards**

16 All development with multiple residential structures on a single lot shall meet the  
17 following minimum standards, in addition to the applicable standards of this Title.

18 **i. Open Space**

19 A minimum of 30 percent of the site shall be reserved as open space  
20 which shall meet the standards of section 21.07.030, *Private Open*  
21 *Space.* Any requirement of section 21.07.030 for open space for the  
22 individual use of a dwelling shall count toward the total 30 percent  
23 requirement. The open space shall not be simply the lot setbacks and  
24 leftover fragments such as corner bits that are unusable for other  
25 purposes.

26 **ii. Buffers for Neighboring Uses**

27 Common open space with L4 screening landscaping shall be provided  
28 along any lot line abutting a residential neighborhood where the density  
29 is less than half the density of the development with multiple residential  
30 structures on a single lot.

31 **iii. Building Spacing**

32 Within a development, no portion of any single-, two-, or three-story  
33 building shall be closer than 10 feet from any other single-, two-, or three-  
34 story building

35 **iv. Vehicle Plug-In**

36 Each unit with no garage shall be provided with at least one electrical  
37 outlet that is convenient to the required parking space(s).

**Comment [EBM205]:** Omitted is a requirement for buildings taller than 3 stories to be separated from other buildings by at least 20 feet. This is a reasonable requirement to prevent dark, wet, tunnel-like spaces between tall buildings.

38 **3. Driveway Width**

39 **a.** This section limits the width of a driveway at the property line and at the curb.  
40 The intent of these limitations is to provide adequate space for snow storage  
41 within the right-of-way, to have space for on-street parking where appropriate,  
42 and to discourage the majority of the front area of a lot from being paved and/or  
43 used for vehicle parking. The municipal driveway standards established by the  
44 traffic engineer, including parameters for driveway characteristics such as  
45 angles, profile, landing grades, number, and distances between shall, where not  
46 in conflict with this section, apply to all residential development.

- 1 b. Unless otherwise provided in this title, the total width of driveway entrances to a  
2 residential lot from a street shall not exceed 40 percent of the frontage of the lot  
3 on the street at the property line and 30 percent at the curb.
- 4 c. Notwithstanding the above, a driveway for residential uses may always have a  
5 driveway throat width be a minimum of 14 feet wide at the curb and shall not  
6 have a driveway throat width be wider than 20 feet at the curb, except as  
7 provided below.
- 8 d. Notwithstanding the above, the width of a two-way driveway providing common  
9 access to at least eight dwellings may be up to a maximum of 24 feet wide.
- 10 d.e. Notwithstanding the above, the total width of driveway entrances For for  
11 townhouse uses, the total width of driveway entrances shall not exceed 50  
12 percent of the frontage of the lot on the street at the property line and at the curb,  
13 provided that driveways of abutting dwelling units are attached in pairs to the  
14 maximum extent feasible in order to maximize spacing between driveways along  
15 the street frontage.
- 16 e.f. Flag lots are exempt from the percentage limitations, but shall have a maximum  
17 driveway throat width at the curb of 20 feet.
- 18 g. When a driveway serves both residential and nonresidential principal uses, such  
19 as in mixed-use development, the driveway dimensions shall be as required for  
20 the nonresidential use.

21 4. Alleys

- 22 a. Access to parking for residential uses for all new subdivisions and new  
23 residential construction shall be from the alley when the site abuts an alley,  
24 except that street access is permitted in any of the following situations:
- 25 i. Access to a townhouse dwelling on a corner lot may be from the  
26 [SECONDARY] street frontage having the secondary front setback or the  
27 alley.
- 28 ii. Due to the relationship of the alley to the street system and/or the  
29 proposed housing density of the development, the traffic engineer  
30 determines that use of the alley for parking access would be a significant  
31 traffic impact or safety hazard.
- 32 iii. The traffic engineer determines that topography or other natural feature  
33 or physical barrier makes alley access infeasible.
- 34 iv. The alley is not improved and traffic engineer determines that  
35 improvement is not feasible.
- 36 v. A single-family dwelling, two-family dwelling, or [TWO-UNIT] townhouse  
37 dwelling with two units, with alley access may have a garage or driveway  
38 that faces the street if the garage door is no wider than 10 feet and the  
39 driveway no wider than 12 feet at any point.
- 40 b. In situations where a group of lots front[ING] an entire block on one side of a  
41 street between two intersections, abut a mid-block alley, and are being  
42 developed together, then parking access to the structures shall be from the alley,  
43 and the front setback may be reduced to 10 feet. The buildings may encroach  
44 into the front setback by a maximum of 5 feet.

- 1 c. If a new development includes alleys, the lot depth requirement is reduced by  
2 half the width of the alley and the lot area requirement is reduced by 12 percent  
3 for those lots that abut an alley. Vehicular access to all dwelling units on lots  
4 abutting alleys shall be from the alley, and vehicular access to such units from  
5 the street is prohibited.

6 **I. Affordable Housing**

7 **1. Purpose**

8 This subsection provides the minimum acceptable standards for affordable housing units  
9 that are intended to be counted towards a bonus incentive or any other requirement of  
10 this ~~title~~Title, to ensure that affordable housing will provide a benefit to future residents  
11 and the community overall.

12 **2. Standards**

13 Affordable housing units shall meet the following standards in order to be credited  
14 towards a requirement, menu choice, or as a special feature bonus incentive of this  
15 ~~title~~Title.

- 16 a. The affordable housing units shall meet the definition of affordable housing in  
17 chapter 21.14~~;~~.
- 18 b. At least 50 percent of the habitable floor area of affordable housing units shall be  
19 located in a story above grade plane, as defined in chapter 21.14, except that the  
20 finished surface of the floor above the affordable housing unit shall be a minimum  
21 of four feet above grade;
- 22 c. The affordable housing units shall be intermingled with all other dwelling units in  
23 the development; and
- 24 d. The exterior appearance of the affordable housing units shall be indistinguishable  
25 from the other dwelling units in the development, except where the director  
26 determines that the exterior is compatible in appearance and consistent in quality  
27 with the other dwelling units.

28 **21.07.120 PUBLIC/ INSTITUTIONAL AND COMMERCIAL DESIGN STANDARDS**

29 **A. Purpose**

30 This section is intended to promote high-quality building design that actively considers the  
31 surrounding context in nonresidential and mixed-use areas, encourages visual variety in such  
32 areas, promotes building layout and design suitable for the municipality's northern climate, fosters  
33 a human scale, promotes accessible and attractive street fronts, projects a positive image to  
34 encourage economic development in the municipality, and protects property values of both the  
35 subject property and surrounding development. It is also the intent of this section to provide  
36 flexible standards that allow for creativity and innovation, and to differentiate between different  
37 commercial areas.

38 **B. Applicability**

39 Development of any use categorized in table 21.05-1 ~~or table 21.05-2~~, *Tables of Allowed Uses*,  
40 as a ~~public/institutional~~community or commercial use shall comply with the standards of this  
41 section 21.07.120, except as follows:

- 1 1. Special-purpose public facilities such as schools, airports, and fire stations with highly  
2 unique design and functionality requirements shall be granted specific exemptions from  
3 this section, if the director finds substantial public benefit and adequate mitigation of  
4 impacts to the immediate neighborhood.
- 5 2. Developments that meet the applicability threshold of section 21.07.130A. are exempt  
6 from this section.
- 7 3. In the case of a mixed-use residential building, these standards shall apply to the  
8 nonresidential portion of the structure and the standards of section 21.07.110, *Residential*  
9 *Design Standards*, shall apply to the residential portion of the structure. In case of  
10 overlap and/or conflict, the more stringent standard shall apply.

11 **C. Alternative Equivalent Compliance**

12 The alternative equivalent compliance procedure in subsection 21.07.010D. may be used to  
13 propose alternative means of complying with the intent of this section. Applicants for alternative  
14 equivalent compliance shall demonstrate design strategies that address each of the core subject  
15 areas set forth below in subsection E.

16 **D. Prohibitions and Requirements**

17 **1. Fabric Structures**

18 Frame-supported, arch-supported, or inflated tension fabric or membrane structures are  
19 prohibited in all commercial and mixed-use districts, except that a portion of a structure's  
20 roof or wall membrane may consist of non-inflated tension fabric based on a site-specific  
21 architectural design, subject to an administrative site plan review.

22 **2. Mechanical and Electrical Equipment**

23 Mechanical and electrical equipment serving a single building shall be screened from  
24 view as provided below. This requirement applies to heating, ventilation, and cooling  
25 equipment; pumps; generators; and groups of four or more utility meters. The screening  
26 requirement does not apply to telecommunications equipment, chimneys, minor vent  
27 pipes, wall vents that are flush/near-flush with the building wall, or solar collectors and  
28 reflectors. Screening shall comply with AMC ~~the Title~~ 23 and the access and safety  
29 requirements of utilities.

30 **a. Rooftop Mechanical and Electrical Equipment**

31 Rooftop mechanical and electrical equipment shall be screened from view of  
32 abutting streets and the ground level of residentially zoned lots using the menu  
33 choices provided in subsection 2.b. below. If menu choice b.iii. is the only choice  
34 selected, then the roof mounted equipment shall also be set back from the roof  
35 edge (where the roof meets the façade wall) at least three feet for each foot of  
36 height of the equipment.

37 **b. Mechanical and Electrical Equipment – Other**

38 All other mechanical and electrical equipment shall be screened from view from  
39 abutting streets, except where located more than 40 feet from the street or right-  
40 of-way, using one of the following choices:

- 41 i. Sight-obscuring landscaping consisting of shrubs, trees, berms, and/or  
42 hardscape materials. Other landscaping required by this ~~the Title~~, such  
43 as perimeter landscaping, may be used if it meets this standard.
- 44 ii. A sight-obscuring fence, wall, or structure that is adequate in height to  
45 screen the equipment.

- 1                   iii.     Wall-mounted utility meter bases and CT cabinets finished in a color that
- 2                             is consistent with other areas of the building façade, unless an
- 3                             alternative color or design is approved by the director.
  
- 4                   iv.     Equipment that is disguised, camouflaged, or hidden so that its function
- 5                             as mechanical or electrical equipment is imperceptible to an uneducated
- 6                             eye.

**E.     Menu of Design Choices**

To provide for flexibility, the standards of this section 21.07.120 are arranged into menus of design feature choices. The applicant shall select a minimum number of design features from each menu. The menus are organized into two subject areas that affect the community/public realm: (a) building orientation and (b) wind protection and sunlight.

**1.     Minimum Number of Design Features**

The minimum number of design feature choices required from each menu is provided in Table 21.07-13.

**2.     Shared Credit Among Menu Choices**

Unless otherwise indicated, achievement of a design feature choice in a menu may count toward other design features in the same menu or other menus if the feature also achieves the requirements of the other design feature choice(s).

**3.     Design Innovation Credit**

The decision-making body may approve a design innovation that is not covered by the menu choices to be used as credit for up to one design feature in this section. The applicant shall demonstrate a specific design quality that realizes the intent of the subsection, and

- a.     Achieves an equal or better design solution for the development than would result from application of a basic menu choice; and
- b.     Does not adversely affect adjacent properties or streets.

<b>TABLE 21.07-1310: BUILDING SIZE AND MINIMUM NUMBER OF DESIGN FEATURES</b>		
Design Feature Menus	Less than or equal to 12,000 square feet of gross floor area	Greater than 12,000 square feet of gross floor area
Building Orientation Choices	2	3
Wind Protection And Sunlight Choices	2	2

**4.     Building Orientation**

**a.     Purpose**

The design choices for building orientation address the building's relationship to surrounding streets, walkways, and parking. Building orientation features are to encourage pedestrian accessibility and views to indoor activity, enhance public street safety and natural surveillance opportunities, and promote active uses at or near the ground-level.

**b.     Orientation Design Choices**

**i.     Windows and Entrances**

Provide visual access windows and/or primary entrances on street-facing building elevations (up to a maximum of two elevations) **[ON THE**

- 1                   **GROUND FLOOR]** for at least 35 percent of the length and 15 percent of  
2 the ground floor wall area. An elevation that is more than 150 feet away  
3 from the facing street shall be exempt, unless it is the only applicable  
4 elevation. Qualifying windows shall be no more than four feet above  
5 finished grade.
- 6                   ii.       **Building Placement Closer to the Street**  
7 A building that achieves item b.i. above may receive credit for an  
8 additional orientation feature if at least 40 percent of the length of at least  
9 one ground floor street-facing building elevation complies with the  
10 maximum setback standards of subsection 21.06.030C.5. In mixed-use  
11 districts, the percentage is increased to at least 60 percent of the building  
12 elevation length.
- 13                   iii.       **Corner Building**  
14 At a street corner provide items b.i. and b.ii. above on both street-facing  
15 building elevations of a corner building.
- 16                   iv.       **Street Oriented Entrances**  
17 Provide at least one primary entrance within 60 feet of a street sidewalk,  
18 or 90 feet for buildings over 25,000 square feet of gross floor area, and  
19 connected to the street by a clear and direct walkway.
- 20                   v.       **Primary Pedestrian Walkway**  
21 Provide a primary pedestrian walkway that meets the requirements of  
22 21.07.060F.4., *Primary Pedestrian Walkway* (except that when the  
23 building is within 50 feet of the street, the walkway may be shorter than  
24 50 feet), between a primary entrance and the abutting street. This choice,  
25 while offered in both menus, shall only count as a choice for one menu.
- 26                   vi.       **Upper Floor [LEVEL] Windows**  
27 Provide windows or spandrel glass (fake windows) on each building  
28 elevation facing an abutting street or having a primary entrance for  
29 customers or visitors. Windows shall comprise an average of 35 percent  
30 or more of the length and 15 percent of the area of each upper floor  
31 building elevation. Exterior wall areas of building mechanical rooms are  
32 exempt.
- 33                   vii.       **Additional Window Area**  
34 Achieve menu choice b.i., *Windows and Entrances*, and increase the  
35 coverage to 67 percent of the ground floor wall area. If there is more  
36 than one story, also achieve b.vi., *Upper Level Windows*, and increase  
37 the coverage to 34 percent of the upper floor wall area.
- 38                   viii.       **Screening Vegetation**  
39 In areas not zoned for mixed-use, L4 screening landscaping along  
40 abutting streets may count as an orientation feature.
- 41                   ix.       **Prominent Entrance Feature**  
42 Provide a prominent and inviting primary entrance that is visible from the  
43 street, connected by a direct walkway to the street, and highlighted by  
44 two of the following:
- 45                   (A)       Portico, overhang, canopy, or similar permanent feature  
46 projecting from the wall;

- 1 (B) Recessed and/or projected entrance that covers at least 80
- 2 square feet;
- 3 (C) Arches, peaked roof forms, terracing parapets, or other change
- 4 of building roofline;
- 5 (D) Changes in siding material, or detail features such as tilework, to
- 6 signify the entrance;
- 7 (E) Entrance plaza, patio, or similar common private open space.

8 **5. Wind Protection and Sunlight**

9 **a. Purpose**

10 The design choices for wind protection and sunlight address the combined  
11 effects of Alaska's northern climate, including snow, ice, rain, temperature, wind  
12 exposure, long and dark winters, and the low and seasonal sunlight conditions.  
13 Building design should maximize the use, comfort, convenience, and accessibility  
14 of public spaces and walkways; optimize relationships to sunlight and wind; and  
15 give consideration to microclimatic impacts on the site and surrounding  
16 community.

17 **b. Weather Protection Design Choices**

18 **i. Weather Protected Entrance**

19 Provide either an outdoor pedestrian shelter (entry canopy) or a  
20 recessed protected area that covers at least 80 square feet for primary  
21 entrances (up to a maximum of two entrances) that serve a building less  
22 than or equal to 12,000 gross square feet, and at least 120 square feet  
23 for primary entrances (up to a maximum of two) that serve a building  
24 greater than 12,000 gross square feet.

25 **ii. Weather Protected Passenger Loading Zone, Bicycle Parking, or**  
26 **Transit Shelter**

27 Provide a pedestrian shelter over a taxi stand, valet or passenger loading  
28 zone, bicycle parking, or transit stop.

29 **iii. Sheltered Façade Walkway**

30 Provide pedestrian shelter meeting the requirements of subsection  
31 21.07.060F.9., *Pedestrian Shelter such as a Canopy, Awning, or*  
32 *Marquee* or a pedestrian arcade meeting the requirements of subsection  
33 21.07.060F.10., *Arcade (or Building Recess)*. The shelter shall extend  
34 over a minimum of 35 percent of the length of one ground floor building  
35 elevation that contains a primary entrance or abuts a sidewalk or  
36 walkway.

37 **iv. Primary Pedestrian Walkway**

38 Provide a primary pedestrian walkway that meets the requirements of  
39 21.07.060F.4., *Primary Pedestrian Walkway* (except that when the  
40 building is within 50 feet of the street, the walkway may be shorter than  
41 50 feet), between a primary entrance and the abutting street. This  
42 choice, while offered in both menus, shall only count as a choice for one  
43 menu.

44 **v. Ice-free Walkway**

45 Provide an ice-free (snow melting [HEATED]) walkway meeting the  
46 requirements of subsection 21.07.060F.5., *Ice-Free (Snow Melting*  
47 *[HEATED]) Walkway*, for a required walkway connection to a primary

1 entrance or for the sidewalk passenger loading zone at the primary  
2 entrance, extending at least the full length of the passenger loading  
3 zone, but not required to exceed more than three loading spaces.

4 **vi. Weather Protected Transition Space**

5 Provide an outdoor, publicly accessible sheltered transition space  
6 meeting the requirements of subsection 21.07.060F.14., *Sheltered*  
7 *Transition Space*, such as seating along a building façade that faces the  
8 street or publicly accessible open space, as a transition between indoor  
9 areas and unsheltered outdoor spaces.

10 **vii. Sunlight Access for Neighbors**

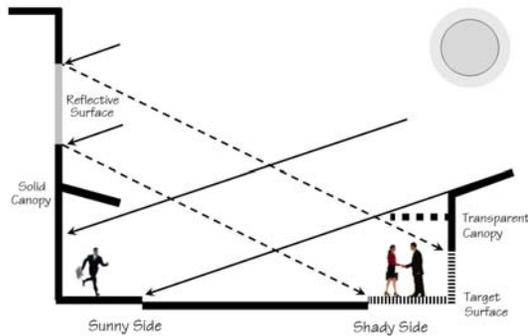
11 Preserve sunlight access to adjacent public parks, sidewalks across the  
12 street, and neighboring properties through building placement, height,  
13 and/or massing. The building placement, massing, and height shall be  
14 such that at least two-thirds of the neighboring area receives at least four  
15 hours of sunlight access on March/September 21.

16 **viii. Sun Trap**

17 Preserve or create a publicly accessible sun trap or “sun pocket” meeting  
18 the requirements of subsection 21.07.060F.12., *Sun Pocket*, that  
19 captures direct and/or reflected sunlight, as part of a public space or  
20 common private open space.

21 **ix. Reflected Sunlight as an Amenity**

22 Provide reflected sunlight as described in subsection 21.07.060F.13.,  
23 *Reflected Sunlight*, into publicly accessible pedestrian spaces and  
24 walkways, and/or any ground floor wall areas abutting such public  
25 spaces, to brighten or increase the microclimatic comfort of those  
26 spaces.



27 **x. Transparent or Translucent Sheltering Roof**

28 Provide a transparent or translucent roof on one of the design choices  
29 from the weather protection menu above if the roof covers more than 60  
30 square feet, has no dimension shorter than 6 feet or clearance height  
31 less than 12 feet. The transparent or translucent roof shall allow sunlight  
32 to penetrate through to the sheltered pedestrian area.

33 **xi. Atrium**

1 Provide a publicly accessible atrium, galleria, or similar kind of sunlit  
2 interior space meeting the requirements of subsection 21.07.060F.11.,  
3 *Atrium, Galleria, or Winter Garden*, which takes advantage of direct  
4 and/or reflected sunlight to provide brightness and orientation, and  
5 reduce the need for artificial lighting.

6 **xii. Height Transition**

7 Provide a building form that is terraced down using a building wall step  
8 back above the first, second, or third floor along the full length of at least  
9 one of its elevations facing abutting streets, public parks, or shorter  
10 buildings on abutting lots. The building mass shall not penetrate a  
11 daylight plane that rises inward over the building at an angle of one foot  
12 of run for every two feet of rise, and starting at the building wall at the  
13 height at which the step back begins. For buildings greater than 60 feet  
14 in height, the high rise portion is exempt.

15 **xiii. Plaza or Courtyard**

16 Provide a publicly accessible plaza or courtyard of at least 1,200 square  
17 feet in area with a minimum dimension of 30 feet. The plaza shall be  
18 located along a walkway connection between the street and a primary  
19 entrance of use or between the parking lot and a primary entrance.

20 **21.07.130 LARGE ESTABLISHMENTS**

21 **A. Large Commercial Establishments**

22 Large commercial establishments often have high visibility from major public streets and a great  
23 volume of use by many residents and visitors. As a consequence, their design determines much  
24 of the character, function, and image of this community and its streetscapes and commercial  
25 areas. The purpose of this section is to encourage major commercial developments to contribute  
26 to and respect the municipality as a unique place and to physically integrate with the community  
27 in a positive and architectural and site design sensitive manner. The standards of this section  
28 augment existing basic standards for development found elsewhere in this chapter with more  
29 specific interpretations that apply to large commercial establishments. These standards promote:  
30 a basic level of architectural variety and interest; a compatible appearance and scale; pedestrian  
31 and parking lot access; orientation of buildings and entrances in relation to surrounding streets;  
32 provisions for adaptive reuse of prominent vacant buildings; and mitigation of negative impacts of  
33 large scale commercial developments.

34 **1. Applicability**

35 The standards of this section 21.07.130 shall apply to any use in the Retail Sales; Animal  
36 Sales, Service, and Care; Food and Beverage Services; or Entertainment and Recreation  
37 use categories, or any combination thereof, occupying more than 20,000 gross square  
38 feet of floor area, provided the following limitations:

39 **a.** The standards of this section shall apply only to buildings which are intended  
40 exclusively or principally for the uses listed above, such as a general  
41 merchandise retail store, grocery store, or multi-tenant retail building.

42 **b.** This section shall not apply to mixed-use buildings with upper stories, or distinct  
43 sections designed specifically for residential, office, or other uses not listed  
44 above.

45 **c.** **RESERVED—POTENTIAL AMENDMENTS TO SELF-STORAGE FACILITIES**  
46 **IN 21.05 TO ADDRESS MULTI-STORY FACILITIES**

1       **2. Relationship to Other Standards**

2       The provisions of this section shall replace the provisions of section 21.07.120,  
3       *Public/Institutional and Commercial Building Standards*, but shall apply in addition to all  
4       other generally applicable standards found elsewhere in this chapter and [Title](#).  
5       Where there is a conflict with generally applicable standards in this chapter, the  
6       standards of this section shall apply. Where there is a conflict with district-specific  
7       standards in chapter 21.04 of this [Title](#), the district-specific standards shall apply.

8       **3. Alternative Equivalent Compliance**

9       The alternative equivalent compliance procedure in subsection 21.07.010D. may be used  
10       to propose alternative means of complying with the intent of this section. Applicants for  
11       alternative equivalent compliance shall demonstrate design strategies that address each  
12       of the mandatory standards set forth below in subsection E.

13       **4. Major Site Plan Review**

14       All applicable large commercial establishments shall be approved by major site plan  
15       review in accordance with section 21.03.180. The urban design commission shall ensure  
16       that the site plan provides architectural variety, compatible scale, access amenities,  
17       mitigation of negative impacts, and convenience and safety of patrons.

18       **5. Mandatory Standards**

19       **a. Vehicular Access**

20       Primary vehicular access shall be from a street designated collector or greater on  
21       the *Official Streets and Highways Plan*. Secondary vehicular access may be  
22       from a street designated less than a collector, provided the applicant  
23       demonstrates that any traffic and visual impacts on adjacent residential and  
24       commercial areas are sufficiently minimized.

25       **b. Parking**

26       Aesthetic features, landscaping, and the design of parking **lots [AREAS]** shall  
27       reduce the appearance of large expanses of parking from neighboring streets,  
28       and enhance the view of the establishment from its principal point(s) of access.

29       **c. Weather Protection for Pedestrians**

30       i. Buildings and roofs shall be designed so that drainage from the roof  
31       shall not fall on sidewalks, walkways, or building entrances.

32       ii. All primary entrances shall have a roof, canopy, arcade, overhang, or  
33       similar effective weather protection **that meets the standards of**  
34       **subsection 21.07.060F.9., Pedestrian Shelter.**

35       iii. Building elevations that face public streets or customer parking **lots**  
36       **[AREAS]** and that have a walkway along the façade shall provide  
37       weather protection meeting the standards of subsection  
38       21.07.060F.9., *Pedestrian Shelter such as a Canopy, Awning, or*  
39       *Marquee*, or subsection 21.07.060F.10., *Arcade (or Building*  
40       *Recess)*, along at least 60 percent of such building elevation. This  
41       standard is intended to apply to up to two elevations, but the urban  
42       design commission may increase or reduce the requirement.

43       **d. Adjacent Residential Development**

44       Level 4 screening landscaping shall be provided along property lines that are  
45       adjacent to a residential district. The landscaping shall allow for any pedestrian  
46       connections provided by this section.

47       **e. Community Space**

1 The establishment shall provide at least one public space, such as a plaza, patio,  
2 courtyard, or atrium, either indoors, outdoors, or a combination of  
3 indoors/outdoors, at or near the principal customer building entrance. Each  
4 public space shall be no less than 5 percent of the gross building area, up to a  
5 maximum of 2,000 square feet, and no dimension shall be less than 30 feet.  
6 Outdoor community space shall meet the standards for plaza or courtyard in  
7 subsection 21.07.060F.6. Indoor community space shall meet the standards for  
8 atrium, galleria, or winter garden in subsection 21.07.060F.11. Common spaces  
9 are encouraged to provide views of the Chugach mountains or other major  
10 landmark(s). Community space fulfills the private open space requirement of  
11 section 21.07.030. If any standards of this subsection conflict with subsection  
12 21.07.030, this subsection shall control.

13 **f. Wall Modulation**

14 Each building elevation that faces a street or a customer parking lot [AREA] shall  
15 be modulated. The wall and foundation line shall be offset at intervals so that  
16 there is at least one offset every 140 feet of wall length that varies the depth of  
17 the building wall by a minimum of 12 feet. Offsets shall comprise at least 20  
18 percent of the length of the elevation, for at least 60 percent of the building  
19 height.

20 **g. Ground Level Expression**

21 Each building elevation that faces a public street shall provide, along at least 60  
22 percent of the building length, three of the following features:

- 23 i. Windows with kickplates or projecting sills;
- 24 ii. Architectural bays and mullions dividing windows;
- 25 iii. Pedestrian scale ornamental lighting;
- 26 iv. Tilework, masonry or stone veneer, glass block, or other similar  
27 accent materials;
- 28 v. Belt courses or masonry strips of distinct color or texture;
- 29 vi. Columns with plinths; or
- 30 vii. Other façade detail features [ORNAMENTAL DETAILS] integrated  
31 into the façade design.

32 **h. Materials and Colors**

33 The buildings shall have exterior building materials and colors which are  
34 aesthetically pleasing and compatible with the overall site plan. Construction  
35 material shall provide color, texture, and scale.

36 **i. Roofs**

37 Provide a modulated roof on each building elevation facing a street or  
38 residentially zoned lot, using features such as a terracing parapet, multiple  
39 peaks, jogged ridge lines and dormers, with a maximum of 140 feet of  
40 uninterrupted roofline between roof modulation elements. Each modulation  
41 element shall provide a minimum of three feet of vertical change in the roofline.  
42 Modulation elements shall equal [FOR] at least 20 percent of the roofline on each  
43 applicable building elevation.

44 **j. Entryways**

1 Primary entrances shall incorporate changes in architectural mass, surface, or  
2 finish to provide a clearly defined primary entrance that is easily visible from  
3 streets and sidewalks. At least two of the following features shall be provided:

- 4 i. Recessed or projected entrance;
- 5 ii. Peaked, arched or other entrance roof form;
- 6 iii. Transom or sidelight-clerestory windows, along with double entry  
7 doors or sidelight windows;
- 8 iv. Ornamental-architectural facade detail features such as tilework,  
9 moldings, or lighting; or
- 10 v. Integrated planters or wing walls that incorporate landscaped and/or  
11 seating areas.

12 **k. Prohibited Materials**

13 Exterior building materials shall not include the following as a general field  
14 material:

- 15 i. Plywood;
- 16 ii. Unstained or untreated wood, except for cedar or redwood; and
- 17 iii. T-111 siding.

18 **l. Mechanical and Electrical Equipment Screening**

19 Large commercial establishments shall comply with the mechanical and electrical  
20 equipment screening provisions of subsection 21.07.120D.2.

21 **m. Outdoor Sales, Display, and Storage**

22 **i. Intent Statement**

23 To screen storage and display areas of large commercial establishments  
24 from adjacent properties, public streets, and customer entrances, and to  
25 mitigate visual and noise impacts.

26 **ii. Permanent Outdoor Display, Sales, and Storage of Merchandise**

- 27 **(A)** Any outdoor storage, display, or sales location shall be  
28 permanently defined on a site plan.
- 29 **(B)** The maximum size of permanent outdoor storage, display, and  
30 sales areas shall be 10 percent of the footprint of the principal  
31 building, or 15,000 square feet, whichever is less.
- 32 **(C)** Permanent outdoor storage, display, and sales areas shall be  
33 contiguous to the building and shall not be within 100 feet of  
34 residential property.
- 35 **(D)** All outdoor storage, display, and sales areas shall have  
36 permanent walls and/or screening fences, no more than 15 feet  
37 high, made of materials and colors designed to be  
38 complementary to those used as predominant materials and  
39 colors on the building. Merchandise shall not be stacked above  
40 the height of the screening wall or fence.

1 (E) Outdoor storage, display, and sales areas shall be counted when  
2 calculating required parking.

3 iii. **Temporary Outdoor Display and Sales**  
4 Temporary outdoor display and sales of merchandise shall not be  
5 located in required parking **lots [AREAS]**, on required pedestrian  
6 walkways or sidewalks, in the required community space, or in required  
7 landscaping.

8 n. **Master Site Plan and Secondary Buildings**

9 i. **Intent**  
10 To integrate the location, orientation, and appearance of all structures  
11 and improvements within a large commercial establishment as a unified,  
12 coherent and accessible site development.

13 ii. **Master Site Plan**  
14 Large commercial establishments on sites that include more than one  
15 building, or that include multiple pad lots or platted lots for separate  
16 commercial establishments, shall, at the time of plat review or major site  
17 plan review, be required to establish a master site plan for the location,  
18 design and orientation of principal and secondary buildings on site.

19 iii. **Applicability of Large Commercial Establishment Regulations**  
20 Building and site design standards for large commercial establishments  
21 in this section, unless stated to apply specifically to principal buildings,  
22 apply to both principal and secondary buildings on any commercial tract  
23 within a large commercial establishment site or site master plan area.

24 iv. **Usage of Public/Institutional and Commercial Design Standards**  
25 As an alternative to meeting the building orientation requirements of  
26 subsection en.v. below, and the requirements of *Mandatory Standards*  
27 subsections 5.a. through 5.m., and subsection A.6., *Optional Standards*  
28 *Menu*, the design of individual secondary buildings with less than 20,000  
29 square feet of gross floor area may instead be approved through  
30 compliance with the standards of subsection 21.07.120,  
31 *Public/Institutional and Commercial Design Standards*.

32 v. **Secondary Building Orientation to Public Streets**  
33 Peripheral secondary buildings located at the edge of the site next to a  
34 public street or street corner shall provide windows on the street-facing  
35 elevation as established in subsection 21.07.120E.4.b.i.

36 6. **Optional Standards Menu**  
37 In addition to the mandatory standards of subsection E. above, establishments shall  
38 choose three features from the options below.

39 a. **Location of Parking Lots**  
40 No more than 50 percent of vehicle parking spaces provided shall be located in  
41 the front parking **lot [AREA]** (defined in chapter 21.14).

42 b. **Building Placement Close to the Street**  
43 A minimum of 30 percent of the front building elevation of the principal building  
44 shall be within 20 feet of a property line abutting a street, and a customer  
45 entrance shall be located in the 30 percent.

46 c. **Pedestrian-Friendly Entrance**

1 At least one **primary** [CUSTOMER] entrance of the principal building is located  
2 within 90 feet of the property line abutting the street from which the main access  
3 to the site is taken, and connected to the street by a direct walkway.

4 **d. Multiple Entrances**  
5 The principal building(s) shall have customer entrances on at least two sides of  
6 the building that face an abutting street from which access to the site is taken,  
7 with at least one of the required entrances facing the street to which the building  
8 is closest. A corner entrance shall be counted as an entrance on either façade.

9 **e. Building [FAÇADE] Walkways**  
10 Walkways a minimum of six feet unobstructed clear width, excluding vehicular  
11 overhang, shall be provided along the full length of every building **elevation**  
12 [FAÇADE] that has a customer entrance or abuts a customer parking lot.  
13 [VEHICLE OVERHANG SHALL NOT ENCROACH INTO THE MINIMUM  
14 REQUIRED WALKWAY WIDTH OR AREA.]

15 **f. Upper Level Windows**  
16 Provide visual access windows on each street-facing building elevation (up to a  
17 maximum of two elevations) comprising at least 15 percent of the ground  
18 elevations facing streets and residentially zoned lots shall provide windows along  
19 35 percent of each upper floor façade. For the purposes of this section only,  
20 floors shall be considered 15 foot increments in height, and rooftop mechanical  
21 penthouses are exempt.

**Comment [EBM206]:** Doesn't make any sense. The department's amendment read "...of the ground floor wall area."

**Comment [EBM207]:** The consultant did not accept an additional amendment from the department that exempted elevations from this standard that are more than 150 feet away from the facing street, unless it is the only applicable elevation, and clarified that the windows had to be at the pedestrian level.

22 **g. Screening Vegetation**  
23 In areas not zoned mixed-use, L4 screening landscaping shall be provided along  
24 lot lines that abut public streets, totaling at least 25 percent of the site perimeter.

25 **h. Foundation Landscaping**  
26 Planting beds at least eight feet wide with 1.0 landscaping units per linear foot  
27 shall be provided along at least 50 percent of each building elevation that faces  
28 public streets and/or parking **lots** [AREAS].

29 **i. Ice-free Walkway**  
30 Provide an ice-free (**snow melting** [HEATED]) walkway along a minimum of 35  
31 percent of the length of the building elevation that contains a primary entrance.  
32 The walkway shall be a minimum of six feet unobstructed clear width, excluding  
33 vehicular overhang. [VEHICLE OVERHANG SHALL NOT ENCROACH INTO  
34 THE MINIMUM REQUIRED WALKWAY WIDTH OR AREA.] This feature is not  
35 applicable for credit where the walkways and entrances are covered.

36 **B. Large Non-Residential Establishments in or Surrounded by Large Lot Residential**  
37 **Districts**<sup>49</sup>

38 Certain non-residential uses that are allowed in large lot residential districts have the potential to  
39 create negative impacts on large lot residential neighborhoods when the nonresidential uses are  
40 significantly larger and more intensive than the typical development in these areas. This section  
41 provides consistent standards for such cases.

42 **1. Applicability**  
43 The standards of this section shall apply to any child care center, neighborhood  
44 recreation center, religious assembly, educational facility (elementary, middle, or high

<sup>49</sup> This section was provisionally adopted by the Assembly on October 12, 2010, by AO 2010-65. Thus it was not included in the provisionally adopted draft that was posted on the website in May 2010.

1 school, or instructional services), commercial horticulture, commercial kennel, veterinary  
2 clinic, cultural facility, or utility facility, or any combination thereof, where the sum of the  
3 gross floor area of all applicable buildings on the lot is more than 10,000 square feet, and  
4 the use is within a class B zoning district or the parcel under development abuts property  
5 in a class B zoning district for more than 50 percent of its boundary. Single-family  
6 residential dwelling units associated with such a use (e.g., a rectory) shall not be counted  
7 toward the gross floor area size threshold, but shall meet the standards below.

8 **2. Relationship to Other Standards**

9 The provisions of this section are in addition to other requirements of this title, and may  
10 be more stringent than other requirements of this title. Where there is a conflict with  
11 other applicable standards, the more stringent standard shall apply.

12 **3. Setbacks**

13 Structures that are over 35 feet in height shall be setback beyond the underlying side or  
14 rear setbacks of the district by one foot per foot of height over 35 feet.

15 **4. Buffers**

16 a. L3buffer landscaping shall be provided along all lot lines that abut a residential  
17 zoning district or a street.

18 b. The developer shall retain existing vegetation in buffer areas that are in the side  
19 and rear setbacks.

20 c. The decision-making body may adjust the buffer requirements of subsections  
21 5.a. and 5.b. above if the applicant demonstrates that the requirements are  
22 unreasonable for the specific situation.

23 **5. Parking**

24 a. No parking lot, circulation aisle, driveway, loading area, or vehicular storage area  
25 shall be within 25 feet of any side or rear lot line.

26 b. Vehicle storage and fleet vehicle parking are not allowed within setbacks equal to  
27 those of the abutting property.

28 **6. Vegetated Open Space**

29 A minimum of 35 percent of the lot area shall remain as planted open area, landscaped  
30 area, bio-retention area (and other similar vegetated area designed to retain/detain storm  
31 water runoff), or natural vegetation area, to exclude buildings, driveways, parking areas,  
32 sidewalks, etc., unless the decision-making body determines that retention of less than  
33 35 percent provides a development character in keeping with the surrounding  
34 neighborhood.

35 **7. Long Elevations**

36 Building elevations longer than 100 feet that face residential lots or public streets shall  
37 provide façade modulations that meet either subsection 21.07.110C.6.a., or  
38 21.07.110C.6.b., or provide an eight-foot wide foundation planting bed along the  
39 foundation of the entire elevation (breaks allowed for garage doors and pedestrian  
40 entrances), planted with at least one landscaping unit per linear foot, half of which shall  
41 be trees. Refer to table 21.07-1, *Landscaping Units Awarded*.

42 **C. Tall Buildings**

43 **[RESERVED]**

44 **21.07.140 OPERATIONAL STANDARDS**

1 **A. Purpose**  
2 The purpose of these operational standards is to prevent land or buildings within the municipality  
3 from being used or occupied in any manner so as to create any dangerous, injurious, noxious, or  
4 otherwise objectionable condition that would create adverse impacts on the residents,  
5 employees, or visitors on the property itself or on nearby properties.

6 **B. Applicability**  
7 The provisions of this section 21.07.140 shall apply to all land within the municipality. The  
8 director may authorize temporary exemptions from one of more of the standards in this section  
9 during construction.

10 **C. Standard**  
11 No use may cause excessive noise, vibrations, smoke, dust or other particulate matter, toxic or  
12 noxious matter, humidity, heat, or glare at or beyond any lot line of the lot on which it is located.  
13 No equipment or process shall be used which creates visual or audible interference in any radio  
14 or television receivers off the premises, or causes a fluctuation in line voltage off the premises.

15 The term "excessive" is defined for the purpose of this subsection as to a degree exceeding that  
16 generated by uses permitted in the district in their customary manner of operation, or to a degree  
17 injurious to the public health, safety, welfare, or convenience.

18

# 1 CHAPTER 21.08: SUBDIVISION STANDARDS

## 2 21.08.010 PURPOSE

### 3 A. General

4 These standards are enacted generally to promote the goals, objectives and purposes of the  
5 comprehensive plan ~~as to the health, safety, convenience, quality of life, and welfare of the~~  
6 ~~present and future inhabitants of the municipality~~; to ~~secure~~ require adequate utilities and public  
7 facilities; ~~to~~ provide for ~~consideration of~~ school and open space needs; ~~and~~ to protect sensitive  
8 natural areas such as critical habitat, high-value wetlands, and riparian corridors; to enhance or  
9 preserve other significant natural features; to ensure the functional and efficient layout and  
10 appropriate use of land so as to achieve property lots of reasonable utility and minimize public  
11 costs to construct and maintain infrastructure; and to facilitate orderly growth and harmonious  
12 development of the municipality.

Comment [EBM208]: Disagree with the changes to the purpose statement.

### 13 B. Specific Concepts for Subdivision Development

14 Planning, layout, and design of a subdivision are of the utmost concern. The subdivision should  
15 provide safe, efficient, and convenient movement to points of destination or collection. Modes of  
16 travel to achieve this objective should not conflict with each other or abutting land uses. Lots and  
17 blocks should provide appropriate settings for the buildings that are to be constructed, make use  
18 of natural contours, and protect residents from adverse noise and vehicular traffic. Important  
19 natural features of the area should be preserved. Schools, parks, and other community facilities  
20 should be planned as an integral part of the area. New development should reflect and maintain  
21 the character of the neighborhood through layout of roads and lots, consideration of connectivity  
22 with minimal cut-through traffic, pedestrian access to neighborhood destinations, and buffers or  
23 open space where appropriate to maintain privacy and views.

## 24 21.08.020 APPLICABILITY

### 25 A. Generally

26 This chapter shall be applicable to all subdivision of land within the municipality that results in the  
27 partitioning, dividing, combining, or altering of any lot, parcel, or tract of land, including  
28 subdivisions created by an exercise of the power of eminent domain by an agency of the state or  
29 municipality.

### 30 B. Approvals Required

#### 31 1. General

32 Before a preliminary plat for a subdivision shall be granted, the owner or his or her  
33 authorized agent shall apply for and secure approval under the provisions of section  
34 21.03.200190, *Subdivisions and Plats*.

#### 35 2. Before Certificate of Zoning Compliance

36 A certificate of zoning compliance shall not be issued, pursuant to section 21.03.060, and  
37 a building or structure shall not be occupied, until and unless all dedications and  
38 improvements required by this chapter have been installed or agreements/guarantees  
39 made in a satisfactory manner and approved by the municipality.

### 40 C. *Design Criteria Manual*

41 Whenever the *Design Criteria Manual* is referenced in this chapter, the reference shall mean the  
42 version of the *Design Criteria Manual* in effect at the time of preliminary plat approval.

**21.08.030 DESIGN STANDARDS**

**A. Subdivision Layout and Design Generally**

No subdivision shall be approved unless it complies with all of the following standards:

**1. Name of Subdivision**

The ~~title Title~~ under which the subdivision will be recorded shall not duplicate the name of any existing subdivision in the municipality.

**Comment [EBM209]:** Disagree—this “title” means the name of the subdivision and should not be capitalized.

**2. Compliance with Comprehensive Plan**

The design of subdivisions shall further the goals and policies of the comprehensive plans as set forth in this ~~title Title~~.

**3. Compliance with Other Provisions of this Title**

All subdivisions shall comply with all other applicable zoning, design, and development requirements set forth in this ~~title Title~~.

**B. Phasing Schedule**

The platting authority may require that a subdivision conform to a phasing schedule based upon the scheduled availability of infrastructure to serve the subdivision. Submittals for the initial phase of a subdivision shall indicate utility easements and transportation connections to adjacent and undeveloped land/areas that are not part of the initial phase yet are under the same ownership.

**C. Maintenance of Existing Natural Drainage**

~~The general lot configuration and layout of proposed rights of way, open space tracts, and development setbacks shall be consistent with naturally occurring drainage features and historical drainage patterns within the subdivision and surrounding areas. The subdivider shall demonstrate to the department of public works [PROJECT MANAGEMENT AND ENGINEERING] that reasonable efforts have been made to avoid and/or mitigate the damming, diversion, and/or contamination of natural and historical drainageways or watercourses.~~ The subdivision design shall ensure that neighboring parcels, adjacent rights of way, water bodies, wetlands, and existing storm drainage facilities are not adversely impacted by new or altered drainage resulting from the development.

**Comment [EBM210]:** Disagree—this is an important statement as to the intent and basis for a drainage plan.

**D. Drainage Design**

All drainage facilities shall comply with the standards of section 21.07.040, *Drainage, Erosion and Sediment Control, Storm Water Runoff, and Prohibited Discharges*, as implemented by the *Design Criteria Manual*.

**E. Legal and Physical Access**

A subdivision shall have legal and physical access.

**F. Streets**

All streets shall comply with the standards of this chapter and section 21.07.060, *Transportation and Connectivity*, the specifications of the *Design Criteria Manual*, and the following intent and standards:

**1. Intent**

Streets shall be arranged in relation to topography to provide usable lots, safe streets, safe and convenient pedestrian walkways and crossings, reasonable gradients, and minimum damage to terrain and existing vegetation. The Platting Board may approve subdivisions with private streets.

**Comment [EBM211]:** Disagree—a variance is required in order to not dedicate a street to the public, and this statement adds confusion to the situation.

2. **Street Grades**

- a. Except as provided in this section, cul-de-sac turnaround grades shall not exceed five percent, and other street grades shall not exceed ten percent.
- b. Notwithstanding subsection 2.a. above, residential street grades in a subdivision may be up to 15 percent. However, any street grade exceeding ten percent requires municipal engineer approval. [DESIGN OF GRADES IN EXCESS OF TEN PERCENT IS GOVERNED BY THE DESIGN CRITERIA MANUAL (DCM).]
- c. Applicable streets shall comply with the standards of subsection 21.08.030H., *Subdivisions on Slopes*.

3. **Street Alignment**

- a. Arterial and collector streets shall be aligned to continue those streets from adjoining areas into the proposed subdivision. Local streets shall be aligned to discourage their use by through traffic. ~~This provision is not intended to encourage cul-de-sacs or dead-end streets.~~ The platting board may require Stub stub streets with temporary turnaround areas shall to be extended to the boundaries of the proposed subdivision, where appropriate, to provide future street connections to adjacent unsubdivided areas.
- b. Grade or median separations of street lanes may be permitted to preserve natural features, provide space for landscaping, or facilitate access in subdivisions containing hillside lots.

**Comment [EBM212]:** Disagree—this provision should be automatic to ensure connectivity. It should not only happen when the platting board requires it. This is a critical element in obtaining and ensuring traffic and pedestrian circulation.

4. **Street Intersections**

Streets shall intersect at or as near as is feasible to a 90-degree angle and in no event at less than a 75-degree angle. The distance between intersection centerlines shall be at least 150 feet. Corner roundings at intersections shall conform to the standards of the municipal engineer.

5. **Cul-de-Sacs**

- a. Where topography and traffic circulation permit, the length of a cul-de-sac right-of-way shall not exceed 900 feet in the R-6, R-8, R-9, R-10, and TA zoning districts, and 600 feet in all other zoning districts. The platting authority may approve longer cul-de-sacs when necessary to accommodate natural features.
- b. The length shall be measured from the centerline of intersecting through streets to the radius point of the cul-de-sac bulb.
- c. A cul-de-sac right-of-way shall terminate with a turnaround having a minimum radius of 50 feet and a minimum return radius of 50 feet. Commercial/industrial cul-de-sacs shall have a minimum radius of 65 feet. The platting authority may permit a cul-de-sac street to terminate with a T-shaped or Y-shaped turnaround, or other turnaround approved by the traffic engineer, when such a design is required by extreme environmental or topographical conditions or unusually or irregularly shaped boundaries.

**Comment [EBM213]:** Disagree— inappropriate to address sidewalks in this location—sidewalk requirements are addressed in chapter 7.

~~Sidewalks, walkways, pathways and trails shall not be required in cul-de-sacs.~~

As noted in the sidewalk section in chapter 7, cul-de-sacs can contain high density development and may need sidewalks, the requirement of which in cul-de-sacs should be based on average daily trips (as a compromise).

6. **Alleys**

Dead-end alleys shall be prohibited. ~~Where alleys are permitted or required, front street driveways are prohibited.~~

**Comment [EBM214]:** This conflicts with 21.07.110H.4.

1           **7. Street Names and Addresses**

2           **a.** The subdivider shall provide names for all new streets in the subdivision, which  
3           names shall neither duplicate, nor be subject to confusion with, the spelling or the  
4           pronunciation of any existing street name in the municipality. The subdivider's  
5           selection of street names shall be subject to review by the director, who may  
6           reject any proposed street name that does not conform to this section or to any  
7           regulation promulgated pursuant to this section. The municipality shall name all  
8           streets that are peripheral to the subdivision and all extensions of existing streets  
9           into the subdivision. ~~Where a new street extends or continues an existing street,~~  
10          ~~the name of the existing street shall be used for the new street.~~

11          **b.** The director may promulgate regulations establishing a uniform street  
12          designation terminology. All street names shall conform to the terminology so  
13          established.

14          **c.** Street names may be modified using the procedure adopted by the director,  
15          which shall be approved by the platting board.

16           **8. Street Addresses**

17          **a.** The director shall assign all official street address numbers within the  
18          municipality. A permanent address shall be assigned to occupiable buildings,  
19          and to other locations at the discretion of the director. Buildings with more than  
20          one unit shall be assigned sub-addresses. Addresses shall be displayed as  
21          required in section 21.07.010C.

22          **b.** The director may promulgate regulations establishing uniform street address  
23          numbering technology and procedures. All street addresses shall conform to the  
24          numbering technology and procedures adopted by regulation, unless unusual or  
25          exceptional circumstances warrant utilization of alternate technology or  
26          procedures.

27           **G. Block Arrangement**

28           **1.** Blocks shall have sufficient width to provide for two tiers of lots of depth meeting the  
29           minimum requirements of this ~~title~~ Title, except where lots back onto a collector or greater  
30           street, natural feature, or subdivision boundary, or where lots face an approved loop road  
31           or cul-de-sac.

32           **2.** Residential blocks in class A improvement areas (as defined in 21.08.050B) shall not be  
33           less than 300 feet nor more than 500 feet long. Residential blocks in class B  
34           improvement areas shall not be less than 300 feet nor more than 1,320 feet long. The  
35           platting authority may approve a longer block length when necessary to accommodate  
36           natural features such as steep slopes, or when the longer block is divided by an improved  
37           pedestrian easement that provides connectivity and traffic circulation is not impaired.

38           **H. Subdivisions on Slopes**

39           **1. Applicability**

40           This section applies to parcels to be subdivided that are five acres or more, and

41           **a.** Have an average slope of 20 percent or greater over the entire property; or

42           **b.** 30\_percent [%] of the area to be subdivided has slopes of 30\_percent [%] or  
43           greater.

1           **2. Additional Submittal Requirements**

2           In addition to the submittal requirements in section 21.03.200190, applications for  
3           applicable subdivisions shall include a geotechnical engineering report that contains the  
4           following information:

5           **a.**     Geology of the site: description of the geology of the site, including the nature,  
6           strength, and stability of the soils, the character and depth of any imported  
7           material; depth to groundwater and to bedrock; any avalanche and mass wasting  
8           areas; fractures; and any other significant geologic features.

9           **b.**     Slope stability analysis: conclusions concerning the effects of material addition  
10          and/or removal, grading, presence of water (both on and offsite), seismic activity,  
11          and erosion, on slope stability.

12          **c.**     Conclusions regarding the adequacy of the site for development, and specific  
13          recommendations for procedures for cut and fill slope stability, seepage and  
14          drainage control, grading, and all other applicable design criteria to mitigate  
15          geologic hazards, slope failure, and soil erosion, and to minimize disturbance to  
16          natural ecological and drainage functions.

17          **d.**     A summary of field exploration methods and tests on which the report is based,  
18          such as probings, core drilling, ~~borehole photography~~, or test pits.

19           **3. Design Standards**

20           **a.**     For phases of subdivisions where all the lots created are 40,000 square feet or  
21           greater in area, the subdivider shall show for each lot that has an average slope  
22           of 20 percent or greater, to the satisfaction of the platting authority, a **site**  
23           **disturbance [BUILDING]** envelope that:

24                   i.     Meets the requirements of subsection 21.07.020C.3.b.; and

25                   ii.    If applicable, accommodates on-site systems meeting the requirements  
26                   of AMC ~~title-Title~~ 15.

27           **b.**     Phases of subdivisions that include any lots less than 40,000 square feet in area  
28           shall use the conservation subdivision process at section 21.08.070.

29           **4. ROW Reductions**

30           The platting authority may, with the recommendation of the municipal engineer, approve  
31           reductions in right-of-way standards in order to keep grading and cut and fill slopes to a  
32           minimum.

33           **5. Downslope Lots**

34           Road/driveway access to all lots less than 5 acres with an average slope of 30 **percent**  
35           **[%]** or greater shall be from the upslope side of the lot.

36           **6. Sidewalks/Pathways [TRAILS]**

37           Any requirements for sidewalks or **pathways [TRAILS]** along roads may be limited, by the  
38           platting authority, to providing a sidewalk/**pathway [TRAIL]** on one side of the road only.  
39           In such case, the sidewalk/**pathway [TRAIL]** shall be a minimum of 6 feet wide and  
40           separated from the road.

41           **7. Grading**

42           For phases of subdivisions where all the lots created are 40,000 square feet or greater in  
43           area, grading shall be limited to the road right-of-way to the maximum extent feasible.  
44           Mass grading of the entire subdivision is prohibited, except that previously disturbed

1 areas, such as former gravel pits, may be graded. Lots shall be individually graded,  
2 within their **site disturbance** [BUILDING] envelope, at the time of building construction,  
3 pursuant to section 21.07.020C. For the purposes of this subsection only, "previously  
4 disturbed" means alteration of the natural landform. It does not mean simply the removal  
5 of vegetation.

6 **8. Vehicular Routes**  
7 [RESERVED]

8 **I. Seismic-Induced Ground Failure Hazard**

9 ~~1. A geotechnical investigation shall be performed to evaluate the potential for seismic induced~~  
10 ~~ground failures across that portion of the subdivision within seismic zones 4 and 5 of the~~  
11 ~~municipality's *Seismic-Induced Ground Failure* mapping. The requirement for a~~  
12 ~~geotechnical investigation shall apply to all zoning districts, unless otherwise waived by~~  
13 ~~the platting authority.~~

14 ~~2. A report of the findings and recommendations of the geotechnical investigation shall be~~  
15 ~~prepared by a civil engineer licensed in the state of Alaska and submitted to the platting~~  
16 ~~authority, [PREPARED BY A CIVIL ENGINEER LICENSED IN THE STATE OF~~  
17 ~~ALASKA]. The report shall include a discussion of the suitability of the proposed~~  
18 ~~development and recommendations for any needed mitigation.~~

19 ~~3. The scope of geotechnical investigation shall include subsurface explorations (test borings or~~  
20 ~~excavations), laboratory testing, and engineering analysis to evaluate the potential for,~~  
21 ~~and potential magnitude of liquefaction, settlement, horizontal spreading, and faulting,~~  
22 ~~following methods conforming with the state of practice; and stability of existing slopes,~~  
23 ~~natural or man-made, following methods defined in AMC chapter 23.15, section 1802.2.6,~~  
24 ~~paragraph D. These evaluations shall be based on probabilistic ground motion~~  
25 ~~parameters corresponding to 475-year or greater return period.~~

26 ~~4. The platting authority may reject a proposed subdivision in its entirety if the geotechnical~~  
27 ~~investigation does not demonstrate that the area can be developed in accordance with~~  
28 ~~AMC title 23.~~

29 ~~5. The geotechnical investigation submitted with the plat application may supplement the~~  
30 ~~requirements for geotechnical investigations included in AMC title 23.~~

31 **J.I. Avalanche Zones**

32 No lot shall be created, unless it is restricted to non-structural uses, that is completely in the "high  
33 hazard area", as identified on municipal avalanche maps based on the 1982 *Anchorage Snow*  
34 *Avalanche Zoning Analysis* or on amendments to those maps reviewed and approved by the  
35 geotechnical advisory commission.

36 **K.J. Lot Dimensions**

37 Subject to the lot dimensions and area requirements of chapter 21.06, all lots shall have the  
38 minimum dimensions required by this section.

- 39 1. The depth of a lot shall be at least 80 feet.
- 40 2. The width of a lot, except for a townhouse lot, shall be at least one-third the depth of the  
41 lot.
- 42 3. If a lot is to be served by an on-site wastewater disposal system, the lot **shall** [MUST]  
43 have the minimum area required for such a lot under AMC chapter 15.65.

**Comment [EBM215]:** The planning and zoning commission reviewed and recommended language for this section that was developed by Planning and Project Management and Engineering. There is legitimate concern about opening up big scars in hillside areas for road excavations, as happened in Prominence Pointe. This provision has been crafted to be as practical as possible and to allow development of hillside areas in a way that prevents a developer from blasting away the entire hillside.

The PZC recommended language should be included.

**Comment [EBM216]:** Disagree—this section is important to address high-seismic hazard areas of the municipality. Anchorage 2020 calls for minimizing new developments for human occupancy in high natural hazard areas.

Although Department heads and Boards/Commissions have the authority to request Geotechnical Advisory Commission review, leaving it to their discretion will most likely delay the process more.

- 1 4. Notwithstanding any other provision of this section, the width of the flagpole portion of a  
2 flag-shaped lot shall be no less than:
- 3 a. Thirty feet when both public water and sewer systems are to serve such a  
4 residential lot.
- 5 b. Forty feet when both public water and sewer systems are to serve such a  
6 commercial or industrial lot.
- 7 c. Twenty-four feet when only a public water or a public sewer system is to serve  
8 such a lot.
- 9 d. Twenty-four feet when the lot is located in the R-6, R-8, R-9, R-10 or TA districts  
10 and will not be served by either the public water or the public sewer system.
- 11 5. The length of the flag pole portion of the lot shall not exceed 300 feet in the R-6, R-8, R-  
12 9, R-10 or TA districts or 120 feet in all other districts, and all other measurements shall  
13 be consistent with other sections of this ~~the~~ Title.
- 14 6. To the extent possible, side lot lines shall follow natural terrain and create building sites  
15 that integrate into the natural terrain and minimize the need for fill and grading.
- 16 7. Lots tracted out for open space, well protection areas, or for undevelopable areas such  
17 as wetlands, are exempt from these dimensional requirements and the dimensional  
18 standards of chapter 21.06.

19 **L.K. Lot Frontage and Access**

- 20 1. Except when platted under subsection 21.03.200E., *Unified Development Plats*, or except  
21 for lots tracted out for open space, well protection areas, or for undevelopable areas such  
22 as wetlands, all lots shall have frontage on a street.
- 23 2. Unless approved by the director, access to a residential use on a residential lot shall not  
24 be from a collector or greater street as designated on the *Official Streets and Highways Plan*.  
25
- 26 3. Subdivisions shall be designed to minimize lots with access to residential major streets  
27 carrying more than 1,000 average daily trips.
- 28 4. The frontage of a lot on a cul-de-sac bulb shall be at least 35 feet, except that the  
29 frontage on a cul-de-sac bulb of a lot with a side setback abated under subsection  
30 21.06.020A.3., *Construction on Adjoining Lots*, shall be at least 18 feet. This subsection  
31 does not apply to flag lots.
- 32 5. In class A improvement areas, there shall be no more than one flag lot facing onto each  
33 cul-de-sac bulb.

34 **M.L. Landscaping**

- 35 1. The platting authority shall consider and require, where appropriate, landscaping and  
36 screening under section 21.07.080, *Landscaping, Screening, and Fences* to separate  
37 property from incompatible uses or structures, including but not limited to streets  
38 designated for collector or greater capacity on the *Official Streets and Highways Plan*,  
39 commercial, or industrial uses. The area containing the landscaping shall be shown as  
40 an easement or open space area on the plat. The landscaping shall be installed before  
41 final plat approval, or its installation shall be guaranteed under section 21.08.060,

1 *Subdivision Agreements*, or by other performance guarantees acceptable to the platting  
2 authority. The landscaping shall be maintained by the property owner or designee.

- 3 2. If a landscaping easement is required, no more than 50 percent of such easement shall  
4 coincide with any utility easement, per the requirements of 21.07.080G.2.c., unless the  
5 utilities are installed in a conduit or utilidor of sufficient size to reduce the risk of land  
6 disturbance if repairing, replacing, or upgrading utility lines, in which case the  
7 landscaping easement and the utility easement may coincide completely.

Comment [EBM217]: Wrong cross reference.

8 **N.M. Reserve Strips**

9 Privately owned strips may not be reserved to control access to public rights-of-way.

10 **O.N. Electrical and Telecommunication Utilities**

11 The width and alignment of transmission easements within subdivisions shall conform to the  
12 *Utility Corridor Plan*. The platting authority shall ~~preclude not allow~~ structures or uses of land  
13 within or beneath areas of electrical or telecommunications ground or aerial easements that are  
14 incompatible with electrical distribution or transmission facilities, provided however, the  
15 landscaping required by 21.07.080 may be permitted as provided in 21.08.030M.2.

Comment [EBM218]: Wrong cross reference.

16 **P.O. General Subdivision Standards Are Minimum Standards**

- 17 1. The design standards in this chapter are minimum standards. The platting authority may  
18 impose more restrictive standards when it finds they are necessary to conform the design  
19 of a proposed subdivision to the approval criteria for subdivisions or to meet other  
20 requirements set forth in this ~~the~~Title.
- 21 2. When the platting authority finds that it is not feasible to conform the design of a  
22 proposed subdivision to meet the approval criteria for subdivisions or other requirements  
23 set forth in this ~~the~~Title, the platting authority may reject a proposed subdivision in its  
24 entirety.

25 **21.08.040 DEDICATION**

26 **A. Streets**

- 27 1. All street rights-of-way shall be dedicated to the public.
- 28 2. Street right-of-way widths shall conform to the *Official Streets and Highways Plan*  
29 (OSHP), provided, however, private streets shall meet the standards of XYZ. These  
30 standards are considered to be minimum standards and may be increased in a particular  
31 instance, where necessary, to make a proposed street conform to sound traffic  
32 engineering standards and principles. When steep slopes or other terrain features  
33 dictate, slope easements that exceed normal right-of-way requirements will also be  
34 required. Notwithstanding the above, the maximum dedication width that may be required  
35 for an arterial or collector street is 70 feet if the entire width of the street is within the  
36 subdivision, or 35 feet if the street is on an exterior boundary of the subdivision.
- 37 3. The platting authority may approve the dedication of a half-street only when the other half  
38 of the street has been dedicated or when the platting authority reasonably anticipates that  
39 the other half of the street will be dedicated. When a subdivision borders a dedicated half  
40 street, the platting authority shall require the dedication of the other half of the street,  
41 unless it determines that the street would be unnecessary or undesirable.

Comment [EBM219]: Don't know what these standards are. The paragraph is about right-of-way width. Private streets are generally on private tracts under common ownership, and thus it makes no sense to talk about them having a "right-of-way width".

Delete the amendment.

**B. Alleys**

The platting authority may require the dedication of alley rights-of-way where it finds that alleys are necessary for service access, off-street loading, or parking. The minimum width of an alley right-of-way shall be 20 feet.

**C. Walkways**

The platting authority shall require the dedication of pedestrian walkways where it finds that pedestrian walkways are necessary to provide for convenient and safe pedestrian circulation, to protect pedestrians from hazardous traffic, or as required in section 21.07.060, *Transportation and Connectivity*. The minimum width of a walkway ~~dedication-dedicated easement~~ shall be 10 feet. The platting authority may require a wider dedication for reasons of topography, project use, or construction needs (if the walkway is to be paved).

**D. Trails**

The platting authority shall require the dedication of an easement for a trail designated on adopted municipal plans. If the platting authority approves an alternate location for a trail easement as a substitute for an existing easement, the existing unused easement shall be vacated, unless the property owner agrees otherwise. The platting authority may modify the alignment, width, and scope of trail easements as necessary to integrate trail and subdivision design.

**1. Access to Chugach State Park, Community Use Areas, and Natural Resource Use Areas**

a. The platting authority shall require the dedication of a public pedestrian easement for a trail designated on adopted municipal plans, for connectivity with a trail or access point to a large Community Use Area or Natural Resource Use Area (as defined in the *Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan* or the *Chugiak-Eagle River Comprehensive Plan*), and for connectivity with a trail or access point identified in the most current *Chugach State Park Access Inventory*. If the platting authority approves an alternate location for a trail easement as a substitute for an existing easement, the existing unused easement shall be vacated, unless the property owner agrees otherwise. The platting authority may modify the alignment, width, and scope of trail easements as necessary to integrate trail and subdivision designs, so long as the resulting trails are of comparable gradient, directness, and utility, and reflect the general locations and patterns of existing public access routes. An acceptable pedestrian easement shall be at least 20 feet wide, centered on an existing, recognized, new, or relocated trail.

~~b. The platting authority shall require the dedication of a vehicular right-of-way for public access to trails and parks access points as defined in an adopted plan. An acceptable vehicular right-of-way shall be a public street that is platted and dedicated in accordance with relevant provisions of this code.~~

**Comment [EBM220]:** Disagree—it is inappropriate to delete this section. If an adopted plan (which will have been through a public process) calls for a vehicular right-of-way to reach an access point, then the platting authority should require the subdivision to be consistent with the adopted plan.

**E. Riparian Protection and Maintenance Easements**

1. The platting authority shall require the dedication of riparian maintenance and protection easements where a stream, water body, or wetland traverses or is adjacent to the subdivision, in accordance with subsection 21.07.020B., *Stream, Water Body, and Wetland Protection*.

2. The easement shall conform substantially to the line of the watercourse. The width of the easement shall be that which the platting authority finds necessary to provide access to widen, deepen, slope, improve, and maintain the stream, and to protect the stream and

1 adjacent property from soil erosion, flooding, water pollution, and destruction of fish and  
2 wildlife habitat. At a minimum, the easement shall be the same as the applicable setback  
3 required in the zoning district, as set forth in section 21.07.020B.4., *Buffer/Setback*  
4 *Requirements*.

- 5 3. Section 21.07.020B., *Stream, Water Body, and Wetland Protection*, sets forth additional  
6 restrictions on development and the use of land and structures within the easement and,  
7 in some districts, beyond the easement.

- 8 4. In cases where two or more easements coincide, the outer limits of the combined  
9 easement shall be the greater of the two or more easements, measured from the outer  
10 edge of the outermost watercourse edge in either direction.

- 11 5. Credit towards other open space dedication or private open space set-aside  
12 requirements shall be given for the dedication of riparian protection and maintenance  
13 easements at a ratio of one-to-one.

14 **F. Reserve Tracts**

15 1. **Sites Designated**

16 a. The platting authority may require that an area designated as a park, playground,  
17 or open space in an officially adopted plan, as preservation wetland (as  
18 designated in the *Anchorage Wetlands Management Plan*), or as a school site  
19 pursuant to AMC subsection 25.25.040 be designated as a reserve tract. The  
20 designation shall be supported by a report from the municipal agency or  
21 department requesting the reservation, containing a statement that the  
22 municipality intends to purchase the designated area within the period allowed  
23 under subsection F.2 below.

24 b. Special, natural, or manmade features of historical or community significance in a  
25 proposed subdivision which enhance or have unique value to the community may  
26 be set aside in a reserve tract for acquisition, or voluntarily dedicated to the  
27 public.

28 2. **Time for Acquisition**

29 a. Within 24 months of filing of a final plat, or the period of the school site  
30 designation provided by AMC subsection 25.25.040B, whichever is earlier, the  
31 municipality or any other public or private agency may acquire any parcel  
32 designated as reserve tract on the plat, by purchase or as otherwise authorized  
33 by law, for the purpose for which the parcel was reserved under subsection F.1.  
34 above.

35 b. If a reserve tract is not acquired within such time, it shall be released from the  
36 reserve tract designation, unless the time for acquisition is extended by the  
37 reserve tract's owners, or by another provision of law.

38 c. In consideration of the reservation, the municipality shall pay the owners of the  
39 reserve tract an amount equal to the municipal real property taxes that accrue on  
40 the reserve tract, during the period of reservation.

41 **G. Utility Easements**

- 42 1. Public utilities shall be placed in dedicated rights-of-way unless the utility demonstrates  
43 that there is a specific need that warrants a location elsewhere. Pad-mounted facilities  
44 may be located in easements abutting rights-of-way. Electric and telecommunication  
45 utilities ~~are encouraged to shall~~ co-locate in trenches. In new subdivisions developed

Comment [EBM221]: Was this vetted with the utilities?

1 after the effective date of this Title, electrical and telecommunication utility easements  
2 shall, to the extent practicable, be located in a rear property line easement.

**Comment [EBM222]:** Disagree—  
This is a step backward from current code (21.80.050) which says “Whenever possible, utilities shall be placed in dedicated rights-of-way except where that placement conflicts with a municipal or state transportation project identified in the LRTP.” Placing utilities in the ROW is cheaper (don’t have to dig up a whole new trench), has less of an environmental impact at the placement of the utilities, and has less of an environmental impact throughout the life of the utilities.

- 3           2.       In situations where utilities may not be placed within rights-of-way, easements shall be  
4                   provided for utilities, and shall be centered along or adjacent to lot lines to the greatest  
5                   extent practicable.
- 6           3.       Where a utility has demonstrated, pursuant to G.1. above, the need to locate outside the  
7                   right-of-way, utility easements shall be sized as follows, but the platting authority may  
8                   approve different standards when justified by demonstrable site conditions or utility  
9                   needs. The platting authority shall size the easements as small as is feasible. After  
10                  [date of passage] utility easements shall not be placed in tracts set aside to protect  
11                  environmental features, such as wetlands or steep slopes.
- 12                   a.       Utility easements along rear lot or side lot lines where a primary voltage  
13                   conductor is placed shall be at least ten feet wide, or a total of 20 feet wide along  
14                   adjoining rear lots.
- 15                   b.       Utility easements along rear lot or side lot lines where a service voltage  
16                   conductor is placed shall be five feet wide, or a total of ten feet wide along  
17                   adjoining side lots.
- 18                   c.       Where a front yard easement is needed to accommodate a transmission utility,  
19                   which is included in the utility corridor plan, the easement shall generally be ten  
20                   feet wide.
- 21                   d.       The platting authority may require wider utility easements along the rear lot lines  
22                   of hillside lots.
- 23           4.       The platting authority shall require the dedication of utility easements when a utility  
24                   company demonstrates a specific need for them or an easement is needed to  
25                   accommodate the routing included in the *Utility Corridor Plan*.

26 **21.08.050       IMPROVEMENTS**

27 **A.       General Requirements**

- 28           1.       **Compliance**  
29                   The subdivider shall construct and install improvements in accordance with this section,  
30                   the design standards in section 21.08.030, and the Design Criteria Manual and  
31                   Municipality of Anchorage Standard Specifications.
- 32           2.       **Minimum Standards**  
33                   The improvement standards in this section are minimum standards. The platting  
34                   authority may require additional or more extensive improvements when it finds they are  
35                   necessary to conform a proposed subdivision to the standards of section 21.08.030, or  
36                   the subdivider may provide such additional or more extensive improvements.
- 37           3.       **Eligibility for Conditional Certificates and Certificates of Zoning Compliance**  
38                   **Warranty**
- 39                   a.       All improvements required under this section shall be constructed under a  
40                   subdivision agreement as provided in section 21.08.060, *Subdivision*  
41                   *Agreements*. Lots in subdivisions shall not be eligible for conditional certificates  
42                   of zoning compliance or certificates of zoning compliance until the subdivision  
43                   improvements included in this section have been accepted for warranty by the  
44                   municipality.

**Comment [EBM223]:** Disagree—  
the topic of this section is about when a project goes on warranty.

- b. Projects may be placed on warranty in the autumn season without landscaping and/or permanent erosion control provided that:
  - i. All other improvements are accepted for warranty;
  - ii. Temporary erosion control is maintained throughout the winter;
  - iii. The warranty guarantee plus a performance guarantee for landscaping is provided;
  - iv. The subdivider/developer meets all of the criteria to go on warranty; and
  - v. A separate warranty period is provided for the landscaping/permanent erosion control.

**4. Engineer Registered in the State of Alaska**

- a. The subdivider shall have construction plans for the improvements required under this section prepared by an engineer registered in the state of Alaska, in accordance with the requirements of the municipal engineer.
- b. The engineer shall maintain in good standing professional liability insurance in the amount of \$1,000,000 during the term of the agreement. Policies written on a "claims-made" basis shall [MUST] have a two year tail of coverage from the completion of the subdivision agreement term. The required insurance policy shall provide for no less than 30 days advance notice to the municipality prior to cancellation.

**B. Improvement Areas Defined**

For the purpose of this section, the municipality is divided into two distinct improvement areas. The class A improvement area includes areas of more dense population and/or intensive development, and thus requires a more urbanized level of improvements. The class B improvement area includes areas that are less densely populated and/or intensely developed, and thus requires a less urbanized level of improvements. The zoning districts associated with each improvement area are listed in the table below:

District Type	Class A	Class B
Residential	R-1 R-1A R-2A R-2D R-2M R-2F	R-6 R-7 R-8 R-9 R-10
Residential (cont.)	R-3 R-4 R-4A R-5	
Commercial	B-1 B-1B B-3 CBD R-O MC	
Industrial	I-1 I-2 MI	
Mixed-Use	NMU	

TABLE 21.08-1: IMPROVEMENT AREAS DEFINED		
District Type	Class A	Class B
	CMU RMU MMU	
Other Districts	AD	TA W
AF District PCD District PLI District PR District RUC District	The platting authority shall place a subdivision within any of these districts in the improvement area that it finds to be most compatible with the proposed use of the parcel and the zoning district classifications of the surrounding area.	

The table above is a general classification of areas within the Municipality of Anchorage. The zoning districts described in each zone will, on occasion, exist in the other classification. When that occurs, the predominant zoning district classification applies to those properties. Predominant is defined to be where 75% or more of the properties are within a specific classification.

Comment [EBM224]: Disagree—see major issues list.

C. Improvement Requirements by Improvement Area

The subdivider or developer shall construct and install the required improvements prescribed by this section for the improvement area where the subdivision is located in accordance with the Table below 21.08-2:

TABLE 21.08-2: REQUIRED IMPROVEMENTS BY IMPROVEMENT AREA		
R = Improvement Required		
Improvement	Class A	Class B
Paved Interior Streets	R	
Strip-Paved Access and Peripheral Streets	R	R
Strip-Paved Interior Streets		R
Curbs and Gutters	R	
Sidewalks	R	
Walkways	R	R
Street Lighting	R	
Traffic Control Devices	R	R
Monuments	R	R
Drainage	R	R
Telephone & Electrical Facilities	R	R
Water Supply Facilities	R	
Sanitary Sewer Facilities	R	
Landscaping	R	R

D. Interior Streets

1. Residential Interior Streets

a. Categories

There are two categories of residential interior streets:

i. Residential Minor Streets

Residential minor streets have the sole purpose of providing frontage for service and access to individual lots. These streets carry only traffic having either an origin or a destination on the street itself, and include cul-de-sacs or small loops carrying 500 average daily trips.

ii. **Residential Major Streets**

Residential major streets are access streets that provide frontage for service and access to individual lots and may carry a small amount of through traffic from tributary residential minor streets. Residential major streets carry from 500 to 2,000 average daily trips. Lot frontage on residential major streets with average daily trips in excess of 1,000 should be restricted.

b. **Determination of Average Daily Trips**

For the purpose of classifying and designing residential streets, the average daily trips carried by a street shall be determined by applying trip rates from the most current *Institute of Transportation Engineers Trip Generation Manual* or other acceptable estimates approved by the traffic engineer.

c. **Improvement Design**

Interior residential streets, except as provided in subsection 21.08.050E., shall be improved in accordance with table 21.08-3 and table 21.08-4.

**TABLE 21.08-3: PAVED RESIDENTIAL STREETS, MINIMUM STANDARDS**

A.D.T. <sup>2</sup>	Street Section <sup>1</sup> (feet)		Number of Lanes		Design Speed <sup>3</sup> (mph) <sup>4</sup>	Right of Way (feet)	Spillover Parking <sup>5</sup>	Application
	Standard	Optional	Moving	Parking				
0--75 Residential minor	31		2	1	20	60	No	Cul-de-sacs, low-volume residential streets
		24	2	0	20	60	Yes	
76--300 Residential minor	31		2	1	25	60	No	Residential minor streets, cul-de-sacs and small loops
		24	2	0	25	60	Yes	
301--600 Residential minor	33		2	2	25	60	No	Residential minor streets, loop streets, high-volume cul-de-sacs
		24	2	0	25	60	Yes	
601--1,000 Residential major	33		2	2	25	60	No	Residential major streets, loop streets and high-volume cul-de-sacs
		28	2	1	25	60	Yes	
1,001--2,000	38	24	2	0	25	60	Yes	Residential limited access
			2	2	30	60	No	Residential subconnector
		38	3 <sup>6</sup>	0	30	60	Yes	No on-street parking permitted

NOTES:

<sup>1</sup> Street dimensions are from back of curb.

<sup>2</sup> See subsection 21.08.050D.1.b., *Determination of Average Daily Trips*.

<sup>3</sup> Horizontal curve design of residential streets requires best judgment of planners and engineers in addition to design analysis.

<sup>4</sup> Design speed (not posted speed) for vertical and horizontal curves.

<sup>5</sup> Spillover parking; homeowners' association required. See subsection 21.08.050E below.

<sup>6</sup> Center turning lane required.

16

**TABLE 21.08-4: STRIP-PAVED STREETS, MINIMUM STANDARDS**

A.D.T.	Street Section <sup>7 9</sup> (feet)	Design Speed <sup>8</sup> (mph)	Right-of-Way (feet)	Application
0--500	20	20	50	Residential loop streets, rural peripheral/access roads
501--1,000	24	25	50	Residential loop streets, urban peripheral/access roads
1,001--2,000	24	25	60	Major residential streets

<sup>7</sup> Dimensions are from edge of pavement.  
<sup>8</sup> Design speed (not posted speed) for horizontal and vertical curves.  
<sup>9</sup> Street sections require two-foot shoulders with ten- and 12-foot driving lanes, respectively.

**2. Commercial and Industrial Interior Streets**

Commercial and industrial interior streets shall be improved in accordance with [table Table 21.08-5 below](#):

**Commercial and industrial interior streets shall be improved in accordance with table 21.08-5 below:**  
**TABLE 21.08-5: CLASS A COMMERCIAL AND INDUSTRIAL STREETS, MINIMUM STANDARDS**

Street Section <sup>10</sup> (feet)	Number of Lanes		Design Speed <sup>11</sup> (mph)	Right-of-Way (feet)	Application
	Moving	Parking			
33	2	0	30	60	No on-street parking
40	2	2 <sup>12</sup>	30	60	Commercial/industrial streets
47	3(1TL)	0	35	60	Major commercial/industrial streets; no on-street parking permitted; parking <b>shall</b> <b>[MUST]</b> be provided off-street; turning movements when traffic warrants

<sup>10</sup> Street dimensions are from back of curb.  
<sup>11</sup> Design speed (not posted speed) for vertical and horizontal curves.  
<sup>12</sup> Parking may be provided off-street when a planter strip is used.

Comment [EBM225]: Disagree— inappropriate to have this language in the table.

**E. Optional Residential Interior Streets**

- Residential interior streets shall provide for on-street parking unless the platting authority finds it is practical to substitute spillover parking for on-street parking in accordance with subsection E.2. below. If the platting authority so finds, residential interior streets may be improved in accordance with this section and table 21.08-3.
- The platting authority may find that it is practical to substitute spillover parking for on-street parking only in residential subdivisions containing at least five acres or 25 dwelling units with a homeowners' association that is responsible for operating and maintaining spillover parking facilities.
- Spillover parking substituted for on-street parking shall conform to the design standards in section 21.07.090, *Off-Street Parking and Loading*, shall be a designated common area owned and administered by the homeowners' association, and shall not be located within an individually owned lot or tract. The design of spillover parking **lots [AREAS]** shall be approved by the traffic engineer. The spillover parking **lot [AREA]** shall be shown on the plat, and a plat note shall be provided limiting the use of that area to spillover parking. Spillover parking **lots [AREAS]** shall not be counted toward required open space requirements. Spillover parking spaces in addition to the off-street parking

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spaces required under section 21.07.090 shall be provided for each lot fronting on a street without on-street parking under the following formula, using the maximum residential density permitted for the lot by its zoning district.

Housing Type	Number of Spaces Per Unit
Dwelling, single-family [DETACHED]	1.5
Dwelling, single-family attached (1 to 4 units)	1.0
Dwelling, multiple-family (exceeding 4 units)	0.5

**F. Access Streets, Peripheral Streets, and Half Streets**

**1. Access Streets**

The platting authority may require off site access streets when it finds that they are necessary for the efficient flow of traffic or for emergency vehicle access. The platting authority shall determine the length and the classification of ~~the any~~ access street that the platting authority requires the subdivider shall to improve. Access streets shall be improved in accordance with table 21.08-4.

**Comment [EBM226]:** This is confusing. The platting authority can't require dedication of a street that isn't part of the plat or if the applicant doesn't own the property.

**2. Peripheral Streets**

- a. The platting authority may require the improvement of peripheral streets when it finds that they are necessary for the efficient flow of traffic or for emergency vehicle access.
- b. Peripheral streets whose improvement is required under this subsection shall be improved in accordance with table 21.08-4, provided that peripheral streets used for access to individual lots shall be improved in accordance with tables 21.08-3 and 21.08-5.

**Comment [EBM227]:** Disagree—the OSHP is the adopted plan that determines the classification of streets.

**3. Half Streets**

The municipal engineer or the platting authority may require the improvement of a half street in the urban area to one-half of the street width specified in table 21.08-3, if underground utilities will be installed before street construction.

**G. Curbs and Gutters**

Where required, the subdivider shall construct curbs and gutters in accordance with the *Design Criteria Manual* and *Municipality of Anchorage Standard Specifications* (MASS), or, in the case of a state-maintained road, the current standard specifications of the state department of transportation and public facilities. Curbs shall be of the American Association of State Highway and Transportation Officials (AASHTO) vertical type.

**H. Pedestrian Facilities**

**1. Sidewalks**

- a. Sidewalks are required as determined by the transportation and connectivity standards in section 21.07.060.
- b. Sidewalks shall be improved in accordance with table 21.08-8 below.
- c. Sidewalks at bus stops shall comply with the specifications of the *Design Criteria Manual*.

2. **Walkways**

- a. Walkways are required as determined by the transportation and connectivity standards in section 21.07.060.
- b. Walkways shall be improved in accordance with table 21.08-8 below, as determined by the platting authority.
- c. Walkways in dedicated pedestrian easements may be improved or unimproved, as determined by the platting authority.

3. **Pathways**

- a. Pathways shall be located and constructed as determined by the Anchorage Non-Motorized Transportation Plan: Pedestrian Plan and the Anchorage Non-Motorized Transportation Plan: Bicycle Plan, unless the platting authority determines that an alternative pathway location or facility is more appropriate.
- b. Where a pathway, a walkway and/or a sidewalk are co-located, the facility shall be constructed according to the specifications for a pathway.

**Comment [EBM228]:** Disagree—it is inappropriate for the platting authority to have the power to overrule an adopted plan.

4. **Trails**

Trails shall be located and constructed as determined by the *Areawide Trails Plan* and other adopted municipal plans unless the platting authority determines that an alternative trail location or pedestrian facility is more appropriate.

**Comment [EBM229]:** Disagree—mentioning the other adopted municipal plans is important, as the Hillside District Plan supersedes the Trails Plan for that area, and some of the greenbelt plans have trail components.

[WHERE A TRAIL AND A SIDEWALK ARE CO-LOCATED, THE FACILITY SHALL BE CONSTRUCTED ACCORDING TO THE SPECIFICATIONS FOR A TRAIL.]

**Comment [EBM230]:** Disagree—it is inappropriate for the platting authority to have the power to go against adopted plans.

**TABLE 21.08-8: MINIMUM SIDEWALK, WALKWAY, AND TRAIL IMPROVEMENTS**

Type of material	Minimum width	Separation from curb	Right-of-way	Notes
<b>Sidewalks</b>				
4" PCC	5	0	N/A	As a general rule, sidewalks should only be attached to the curb where on-street parking is allowed.
4" PCC	5	7	N/A	
Pavers	5	0 or 7	N/A	Decorative concrete or brick pavers
<b>Walkways</b>				
4" PCC	5		N/A	Walkways through commercial developments as required by 21.07.060 and 21.07.090 are generally not located in easements
4" PCC	5		10'	Not recommended where peat is surcharged
1 ½" AC	5		10"	Generally used for improved walkways creating through-block connections; between cul-de-sac bulbs; connecting to parks, trails, other open space
Gravel	5		10'	May be used in class B improvement areas
Unimproved			10'	
<b>Pathways</b>				
1 ½" AC	6	7		
<b>Trails</b>				
1 ½" AC	See Trails	7		

TABLE 21.08-8: MINIMUM SIDEWALK, WALKWAY, AND TRAIL IMPROVEMENTS

Type of material	Minimum width	Separation from curb	Right-of-way	Notes
Gravel	Plan	7		For class B improvement areas or nature trails
Unimproved				Generally for existing historical trails or trails through parks and open space

1  
 2 **I. Street Lighting**  
 3 Street lighting apparatus shall meet municipal standards for materials and design and be  
 4 provided with underground power. The location of the streetlight poles shall be approved by the  
 5 traffic engineer and shall comply with standards contained in the *Design Criteria Manual*.

6 **J. Traffic Control Devices**  
 7 Traffic and street name signs and traffic signals shall be installed in accordance with the  
 8 requirements of the traffic engineer and the *Alaska Traffic Manual*, per the requirements of AS  
 9 28.01.010.

10 **K. Monuments**  
 11 Monuments and lot corner markers for determining the boundaries of subdivisions and lot corners  
 12 shall be set by a professional registered land surveyor licensed by the state of Alaska. Survey  
 13 monumentation shall conform to such additional standards as the municipal surveyor may  
 14 establish by regulation under AMC chapter 3.40.

15 **L. Drainage System**  
 16 A drainage system approved by the municipal engineer, including necessary storm drainage  
 17 facilities, drain inlets, subdrains, footing drain stub-outs, manholes, culverts, bridges and other  
 18 appurtenances, shall be installed. The design of the drainage system shall provide for the  
 19 preservation of designated high-quality wetlands critical to water table levels and wildlife habitat  
 20 within and surrounding the subdivision, shall protect the water quality and the re-charge of  
 21 groundwater and surface watercourses, and shall comply with the following standards:

- 22 1. No surface water drainage from the subdivision shall empty into a sanitary sewer; or  
 23 ~~directly, without treatment and energy dissipation, into a creek or stream channel, without~~  
 24 ~~treatment.~~
- 25 2. The size, design, and construction of drainage structures shall conform to the *Design*  
 26 *Criteria Manual*.
- 27 3. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, a  
 28 storm water or drainage easement shall be provided that substantially conforms with the  
 29 lines of such watercourse, plus additional width that is adequate and necessary to convey  
 30 expected storm flows and/or storm water drainage facilities. Appropriate access Streets  
 31 paralleling such easement may be required in connection therewith for maintenance and  
 32 repairs to the drainage way. Lakes, ponds, creeks, and similar areas will be accepted for  
 33 maintenance by the municipality only if sufficient land is dedicated as a public recreation  
 34 area or park or if such area constitutes a necessary part of the storm water drainage  
 35 control system. This provision is not intended to preclude relocation of a watercourse  
 36 subject to the approval of the public works department.
- 37 4. The municipality shall accept no responsibility to maintain any storm drainage structures,  
 38 except for those lying within a municipal right-of-way, traversing municipally owned

**Comment [EBM231]:** Disagree—  
 Energy dissipation is important to  
 prevent erosion and should be  
 retained in the standard.

**Comment [EBM232]:** Disagree—  
 the municipality does not favor the  
 relocating of watercourses and  
 wouldn't want to say anything to  
 suggest that it is. The following  
 language would be acceptable:  
 "Any justifiable proposal or plan to  
 relocate a watercourse shall be  
 reviewed and approved by  
 appropriate and applicable municipal,  
 state, and federal authorities."

property, authorized by permit on state or federal land, or constructed in a publicly dedicated drainage easement of sufficient width to allow access.

5. The drainage system shall comply with the standards set forth in section 21.07.040, *Drainage, Erosion and Sediment Control, Storm Water Runoff, and Prohibited Discharges*.

6. Unless waived by the municipal engineer, footing drain stub-outs shall be provided for each lot where there is a storm drain system.

**M. Telecommunication and Electric Facilities**

1. All new telecommunication and electric lines shall be installed in accordance with the specifications of the municipality and the utility providing the service, provided however, they shall be located in the same easement and trench to the extent practicable.

Comment [EBM233]: Has this been vetted with the utilities?

2. All new telecommunication and electric utility distribution lines, as defined in chapter 21.14, shall be placed underground:

a. As required by section 21.07.050, *Utility Distribution Facilities*; and

b. As required by the platting authority in areas with patterns of development similar to those where section 21.07.050 requires that utility distribution lines be placed underground.

**N. Water Supply Facilities**

**1. Access to Public Water System**

a. If the platting authority requires that a subdivision be served by a public water system, the subdivider shall install the system in accordance with the requirements of the state department of environmental conservation and the most current edition of the *Design Criteria for Sanitary Sewer and Water Improvements* of the municipal water and wastewater utility.

b. Where connection to public water supply systems is required, such systems shall be dedicated to the municipality for operation and maintenance, thus allowing for the orderly expansion of the municipality, its water systems, and fire protection services that protect the health and property of the citizens of the municipality.

**2. No Access to Public Water System**

a. If the subdivision has no access to a public water system, the platting authority shall require either wells on individual lots or a water system for the common use of the lots in the subdivision, if site conditions require such a system.

b. If wells on individual lots are authorized, the subdivider need not install water supply facilities. A well serving an individual lot shall conform to the requirements of the municipal on-site water and wastewater program. A common water system serving a portion of the subdivision shall not preclude individual wells for the remaining lots.

c. If a common system is required, the subdivider shall install the system in accordance with the requirements of the state department of environmental conservation and the specifications of the municipal water and wastewater utility.

**O. Sanitary Sewer Facilities**

**1. Access to Public Sewer System**

- a. If the platting authority or provisions of law require that a subdivision be served by a public sewer system, the subdivider shall install the system in accordance with the requirements of the state department of environmental conservation and the most current edition of the Design Criteria for Sanitary Sewer and Water Improvements of the municipal water and wastewater utility.
- b. Where connection to public sanitary sewer systems is required, such systems shall be dedicated to the municipality for operation and maintenance, thus allowing for the orderly expansion of the municipality and its sanitary sewer system, which protects the health of the citizens of the municipality.

**2. No Access to Public Sewer System**

- a. If the subdivision has no access to a public sewer system, the platting authority shall require either a sewer system for the common use of the lots, or sewage disposal systems serving individual lots, whichever is more suitable.
- b. If site conditions require a sewer system for the common use of lots in the subdivision, the subdivider shall install such system in conformance with the requirements of the state department of environmental conservation and the municipal water and wastewater utility.
- c. If the platting authority authorizes sewage disposal systems serving individual lots, the subdivider need not install sewer facilities. In such case, the minimum lot size requirements of AMC ~~title Title~~ 15 shall apply. The systems shall conform to the requirements of the municipal on-site water and wastewater program.

**P. Natural Gas Facilities**

All new natural gas facilities installed pursuant to this section shall be installed in accordance with the standard specifications of the municipality and the utility providing the service.

**Q. Erosion and Sedimentation Control**

All grading, excavating, and removal or destruction of natural topsoil, trees, or other natural vegetation shall conform to an erosion and sedimentation control plan prepared by the subdivider and approved by the department of **public works** [PROJECT MANAGEMENT AND ENGINEERING] before the work may commence. The plan shall conform to the requirements of section 21.07.040, *Drainage, Erosion and Sediment Control, Storm Water Runoff, and Prohibited Discharges*, as well as municipal guidelines and policies contained in the *Soil Erosion and Sediment Control Manual*, and any other applicable guidelines and policies approved by the department of **public works** [PROJECT MANAGEMENT AND ENGINEERING].

**R. Landscaping**

The subdivider shall be responsible for the provision of landscaping required under section 21.07.080, *Landscaping, Screening, and Fences*, ~~except the tree provisions of subsection 21.07.080F.8., and it shall be installed by the subdivider or guaranteed under the provisions of subsection 21.08.060E.~~

Comment [EBM234]: Disagree with the deletion of the tree provisions and this section.

**21.08.060 SUBDIVISION AGREEMENTS**

- 1 **A. Agreement Required; Application; Contents**
- 2 **1. Agreement Required**
- 3 Before a final plat for a subdivision where improvements are required under section
- 4 21.08.050 is approved or filed, the subdivider shall enter into a subdivision agreement
- 5 with the municipality in accordance with this section.
- 6 **2. Application**
- 7 Application for a subdivision agreement shall be made to the department of **public works**
- 8 **[PROJECT MANAGEMENT AND ENGINEERING]**. The application shall include a copy
- 9 of the platting summary of action, a copy of the preliminary plat, a tentative schedule of
- 10 all proposed construction of public improvements and utilities, and an engineer's estimate
- 11 of the cost of each required public improvement. The engineer's estimate shall be based
- 12 on the schedule of prices for standard items for private development projects, published
- 13 by the municipal engineer. The municipality may require a showing of the subdivider's
- 14 financial responsibility.
- 15 **3. Contents**
- 16 Except as provided in subsection A.4. below, the subdivision agreement shall include but
- 17 need not be limited to the following provisions:
- 18 **a.** A designation of the public improvements required to be constructed.
- 19 **b.** The construction and inspection requirements of the municipality or utility for
- 20 which the improvements are constructed.
- 21 **c.** The time schedule for completing the improvements.
- 22 **d.** The guarantee required by subsection 21.08.060E.
- 23 **e.** A schedule for any payments required under this section.
- 24 **f.** The allocation of costs between the municipality and the subdivider for required
- 25 public improvements.
- 26 **g.** The warranty required by subsection 21.08.060G.
- 27 **h.** The consent of the subdivider for the ownership of specified public improvements
- 28 to vest with the municipality upon final acceptance by the municipality.
- 29 **i.** A warranty that the subdivider has ~~title-Title~~ to the subdivision property and the
- 30 authority to execute the subdivision agreement.
- 31 **j.** Where the subdivision is within the flood hazard district, a requirement that the
- 32 subdivider will submit certification of floodproofing, information on the elevation of
- 33 the lowest habitable floor, and information on the elevation to which the structure
- 34 is floodproofed, for each building or structure to be constructed as part of the
- 35 subdivision agreement.
- 36 **k.** A provision requiring the subdivider to submit plans, specifications, descriptions
- 37 of work, the limits of the work area, the methods to be employed, a traffic control
- 38 plan, and any other pertinent data and information necessary for the municipal
- 39 engineer to evaluate the proposed installation.
- 40 **l.** A provision that all designs conform to the *Design Criteria Manual*, and that all
- 41 work shall be performed pursuant to the *Municipality of Anchorage Standard*
- 42 *Specifications*.

1           m.     A provision that work shall not commence until plans have been approved by the  
2                     municipal engineer and notice to proceed is given.

3           **4.     Exceptions**

4                     If the subdivider elects to complete and obtain acceptance of all required public  
5                     improvements before the approval or filing of a final plat for the subdivision, the  
6                     subdivision agreement need not include the guarantee provisions specified in items 3.c.  
7                     and d. above.

8           **B.     Approval by Assembly**

9                     Approval by the assembly shall be required to enter into those subdivision agreements where  
10                    municipal participation in the cost of the required public improvements is estimated to be  
11                    \$30,000.00 or more.

12          **C.     Time Limit for Completion of Improvements**

13           1.     The municipal engineer shall determine the time duration of the subdivision agreement,  
14                    which shall not be less than two years nor more than three, based on the size,  
15                    complexity, and possible phasing of the subdivision. The improvements required under  
16                    the terms of the subdivision agreement shall be fully completed and accepted for  
17                    warranty within that time period. However, before the expiration of the subdivision  
18                    agreement, the subdivider may request a time extension from the municipal engineer.  
19                    The municipal engineer may grant one subdivision agreement time extension, up to two  
20                    years in length, upon a showing of good cause by the developer and provided such  
21                    extension does not unreasonably impact adjacent properties or the general public. The  
22                    municipal engineer does not have the authority to modify conditions placed by the platting  
23                    board. The municipal engineer may refer any extension application to the platting board  
24                    if the project is in default or he or she deems further or more extensive analysis and  
25                    public comment concerning the continuation of the subdivision agreement may be  
26                    needed. In considering whether an extension should be granted, the following shall be  
27                    considered: the manner in which safety hazards, drainage problems, sanding, snow  
28                    removal, grading, and other matters will be handled during the extension period.  
29                    Performance conditions may be imposed on the extension to ensure that such matters  
30                    are adequately handled.

31           2.     Requests for subsequent two-year time extensions require platting board approval. All  
32                    time extensions shall be conditioned to require provision of an adequate performance  
33                    guarantee when the existing guarantee is inadequate.

**D. Payment of Costs of Required Improvements Outside the Anchorage Roads and Drainage Service Area**

1. Outside of the Anchorage Roads and Drainage Service Area, the subdivider/developer shall pay 100 percent of all costs associated with construction, including but not limited to design, engineering, project administration and inspection, testing, surveillance, related bank fees and interest payments, fair market value of right-of-way, as well as all work, labor, and materials furnished for the construction of required improvements. The exception shall be those utilities whose tariffs provide cost participation.
2. The subdivider shall retain an independent registered engineer who has no financial interest in the development, to inspect and test the improvement construction. The engineer shall maintain in good standing professional liability insurance in the amount of \$1,000,000 during the term of the agreement. Policies written on a "claims-made" basis shall [MUST] have a two year tail of coverage from the completion of the subdivision agreement term. The required insurance policy shall provide for no less than 30 days advance notice to the municipality prior to cancellation.

**E. Payment of Costs of Required Improvements Inside the Anchorage Roads and Drainage Service Area**

The cost of any public improvement shall be defined to include the cost of design, engineering, contract administration, inspection, testing, and surveillance as well as all work, labor, and materials furnished for the construction of the improvement. The subdivision agreement shall provide for the apportionment of the cost of required public improvements between the municipality and the subdivider as follows:

1. **Administrative and Recording Costs Relating to Public Improvement Guaranties**  
The subdivider shall pay 100 percent of all costs incurred in supplying and administering any method of public improvement guarantee provided for in subsection 21.08.060.
2. **Inspection, Surveillance, and Testing**
  - a. The subdivider shall pay 100 percent of all costs relating to any inspection, surveillance, and testing by the municipality, necessary for warranty acceptance of any required public improvement or during the warranty period. Surveillance shall be performed by the municipality during the course of construction and up to the point of final acceptance of the completed project.
  - b. The subdivider shall retain an independent registered engineer who has no financial interest in the development, to inspect and test the improvement construction. The engineer shall maintain in good standing professional liability insurance in the amount of \$1,000,000 during the term of the agreement. Policies written on a "claims-made" basis shall [MUST] have a two year tail of coverage from the completion of the subdivision agreement term. The required insurance policy shall provide for no less than 30 days advance notice to the municipality prior to cancellation.
3. **Administration of Agreement**  
The subdivider shall pay 100 percent of all costs of plan review, agreement administration, and attendant costs.
4. **Arterial and Collector Streets**  
Reasonable costs incurred in the construction of a street designated on the *Official Streets and Highways Plan* (OSHP) as a collector, arterial, or greater shall be apportioned as specified in subsections E.4.a. through d. below. For purposes of this subsection, construction costs means only those costs associated with construction,

1 design engineering, project administration and inspection, related bank fees and interest  
2 payments, and fair market value of right-of-way dedicated to the street in excess of 70  
3 feet.

4 **a. Interior Collector Streets**

5 If a collector street lies within the subdivision, the municipality shall reimburse the  
6 subdivider a sum equal to the reasonable construction cost of building to the  
7 standard specified by the platting authority, less the estimated cost of  
8 construction in accordance with the residential standard approved by the platting  
9 authority under tables 21.08-3 and 21.08-5, provided that:

10 i. When the subdivision agreement is executed:

11 (A) The street is programmed for improvement to the designated  
12 standard in the six-year capital improvement program; and

13 (B) Sufficient funds (bonds, designated state grants, or mil-levy)  
14 have been appropriated for reimbursement in the capital  
15 improvement budget for the current fiscal year; or

16 ii. When the preliminary plat of the subdivision is approved:

17 (A) Construction to the designated standard is required by the  
18 platting authority;

19 (B) Improvement to the designated standard is programmed in the  
20 six-year capital improvement program; and

21 (C) Sufficient funds (bonds, designated state grants, or mil-levy)  
22 have been appropriated for reimbursement in the capital  
23 improvement budget for the current fiscal year.

24 If the conditions set forth in subsections 4.a.i. or ii. are not met at the time  
25 specified, then the total cost of construction required by the platting authority  
26 shall be borne by the subdivider.

27 **b. Interior Arterial Streets**

28 If an interior arterial or greater street is required to be constructed to arterial  
29 standards by the platting authority, the municipality shall reimburse the  
30 subdivider 100 percent of the reasonable construction cost subject to the  
31 availability of bond funds, state grants, or mil-levy funds appropriated for the  
32 construction of that street. If the platting authority has not required construction  
33 to arterial or greater standards, the subdivider shall construct the street to the  
34 standards required under subsection 21.08.050D. and shall bear 100 percent of  
35 the construction cost.

36 **c. Peripheral Streets**

37 If the subdivider is required to construct an abutting collector street, the  
38 municipality shall reimburse a sum equal to the reasonable construction cost of  
39 the standards specified by the platting authority less the estimated cost of  
40 construction in accordance with the residential standards under table 21.08-4,  
41 subject to the conditions specified in subsection 4.a. above. If a subdivider is  
42 required to construct an abutting arterial or greater street to arterial or greater  
43 standards, the municipality shall reimburse in a manner and subject to the  
44 conditions set forth in subsection b. above. If the subdivider is not required to  
45 construct an abutting street to arterial or greater standards, the subdivider shall

1 construct the street to the standards required under subsection 21.08.050F. and  
2 shall pay 100 percent of the cost of construction.

3 **d. Access Streets**

4 If the platting authority requires the construction of an access street under the  
5 authority of subsection 21.08.050D. that is designated as a collector, arterial, or  
6 greater, the municipality shall reimburse a sum equal to the reasonable  
7 construction cost of the standard specified by the platting authority less the  
8 estimated construction cost in accordance with the residential standards under  
9 table 21.08-4, subject to the availability of bond funds, state grants, or mil-levy  
10 funds appropriated for the construction of that street. If the platting authority has  
11 not required construction to collector or greater standards, the subdivider shall  
12 construct the street to the standards required under subsection 21.08.050D. and  
13 shall pay 100 percent of the construction costs.

14 **5. Other Streets**

15 Except as provided in subsection E.4., the subdivider shall pay 100 percent of the cost of  
16 streets within the boundaries of the subdivision. The subdivider shall additionally pay 100  
17 percent of the cost of all peripheral streets and access roads except as provided in  
18 subsection E.4. of this section whose construction may be required by the municipal  
19 engineer. The property within subdivisions that is later assessed by the municipality for  
20 final improvements to access and peripheral streets shall receive credit for the cost of  
21 salvageable improvements to those peripheral and access streets. Nonsalvageable  
22 improvements will not receive credit. Credit will be provided only when:

- 23 **a.** The municipality approved the award of the contract which included the work for  
24 which the credit is to be issued; and
- 25 **b.** The subdivider provided the municipality with a sworn notarized statement setting  
26 forth the distribution of the costs of salvageable improvements, which he utilized  
27 for purposes of establishing lot price, for each lot within his subdivision to which  
28 such costs were spread.

29 The credit will be applied as a reduction of assessment to each applicable lot, except that  
30 in no case will the amount of credit given to any lot exceed the amount of the assessment  
31 to that lot.

32 **6. Curbs, Sidewalks, and Walkways Adjacent to Streets**

33 The subdivider shall pay the cost of constructing curbs, and sidewalks and walkways  
34 adjacent to streets, in the same manner as the cost of constructing the streets to which  
35 they are adjacent as provided in subsections E.4. and 5.

36 **7. Sidewalks and Walkways not Adjacent to Streets**

37 The subdivider shall pay 100 percent of the cost of constructing all sidewalks and  
38 walkways not adjacent to streets.

39 **8. Storm Drains, Inlets, and Manholes**

40 The subdivider shall pay 100 percent of the cost of storm drains, inlets, and manholes  
41 necessary to serve the subdivision, provided that, within areas where the municipality  
42 provides drainage maintenance, the municipality shall reimburse the subdivider those  
43 costs attributable to oversizing required by the municipality. In those areas where the  
44 municipality does not maintain drainage facilities, the subdivider shall pay all costs,  
45 including those for any required oversizing.

1           **9. Water Improvements**

2           If the subdivision is to receive water service from a public utility, the subdivider shall  
3           provide water facilities, including service connections to all lots, with cost participation as  
4           provided in the current approved tariff of the utility. If the subdivision is to receive water  
5           service from a community water system, the subdivider shall provide water facilities,  
6           including service connections to all lots, and pay 100 percent of the cost of those  
7           facilities.

8           **10. Sanitary Sewer Improvements**

9           The subdivider shall provide sanitary sewer facilities, including service connections to all  
10          lots, with cost participation as provided in the current approved tariff of the municipal  
11          sanitary sewer utility.

12          **11. Electrical and Telecommunication Facilities**

13          The subdivider shall provide electrical and telecommunication facilities with cost  
14          participation as provided in the current approved tariffs of the applicable utility  
15          companies.

16          **12. Deferred Utilities**

17          When paved street or sidewalk improvements are installed prior to placement of traffic  
18          control devices and electrical and telecommunication cable placement, the subdivider  
19          shall, at appropriate crossings as directed by the municipality, provide any necessary  
20          underground conduit consistent with conduit size, type, and installations standards  
21          provided by the utility.

22          **13. Street Lighting**

23          The subdivider shall pay the cost of street lighting apparatus in the same manner as the  
24          cost of constructing the streets to which it is adjacent as provided in subsections E.4.and  
25          5.

26          **14. Traffic Control Devices**

27          The subdivider shall pay 100 percent of the cost of traffic control devices. Traffic control  
28          devices, except electric-operated traffic signals, shall be installed prior to any structure  
29          being occupied in the subdivision.

30          **15. Landscaping**

31          The subdivider is responsible for required landscaping as stated in subsection  
32          21.08.050S. Landscaping shall meet the standards of section 21.07.080, *Landscaping,*  
33          *Screening, and Fences.*

34   **F. Subsequent Development Reimbursement**

35   [RESERVED]

36   **G. Guarantee of Completion of Improvements Required; Amount; Methods**

37   **1. Guarantee Required**

38   To ensure the installation of required public improvements that are not accepted at the  
39   time the final plat is filed, the subdivision agreement shall require the subdivider to  
40   guarantee the completion of all such improvements by one or more of the methods  
41   specified in this section. The means of a guarantee may be changed during the  
42   guarantee period upon approval by the municipal engineer. The amount of the guarantee  
43   shall be determined on the basis of the subdivider's cost estimate. The guarantee shall  
44   remain in effect until warranty acceptance of the public improvements and the posting of  
45   an acceptable security for the warranty period.

1           **2. Cost Estimate; Overrun Allowance**

2           The engineer's cost estimate shall state the estimated cost of completion for each  
3           required public improvement. Cost estimates for each required public improvement shall  
4           [MUST] be approved by the department of public works [PROJECT MANAGEMENT AND  
5           ENGINEERING]. For purposes of establishing the amount necessary for the guarantee  
6           of completion of public improvements, a percentage for overrun allowance shall be added  
7           to the total estimated cost of public improvements as follows:

TABLE 21.08-9: PERCENT FOR OVERRUN ALLOWANCE	
Total Estimated Cost of Improvements	Percent for Overrun Allowance
\$0.00--\$500,000.00	20
\$500,000.00--\$1,000,000.00	15
\$1,000,000.00 and over	10

8  
9           **3. Methods**

10          The subdivision agreement shall include one or more of the following methods to  
11          guarantee the construction of required public improvements:

12          **a. Performance Bond**

13          The subdivider may elect to provide a surety bond from a company authorized to  
14          do such business in the state. The bond shall be in a form acceptable to the  
15          municipal attorney and in an amount equal to the estimated cost of all required  
16          public improvements, plus an overrun allowance as provided in subsection G.2.  
17          above. The bond shall be payable to the municipality if any required public  
18          improvements are not finally accepted in accordance with the provisions of this  
19          Title, and shall be posted by no person other than the subdivider or a  
20          contractor obligated by written contract to the subdivider for construction of all the  
21          required public improvements. In the event a contractor posts the bond, the  
22          subdivider and the municipality may be dual obligees under mutually agreed  
23          terms.

24          **b. Deposit in Escrow**

25          The subdivider may elect to deposit a cash sum equal to the estimated cost of all  
26          required public improvements plus overrun allowances as provided in subsection  
27          G.2. above, either with the municipality or in escrow with a responsible financial  
28          institution authorized to do such business in the state. In the case of an escrow  
29          account, the subdivider shall file with the municipality an escrow agreement that  
30          includes the following terms:

- 31                  i. Funds of the escrow account shall be held in trust until released by the  
32                  municipality and may not be used or pledged by the subdivider as  
33                  security in any matter during that period other than payment for the  
34                  improvements.
- 35                  ii. In the case of a failure on the part of the subdivider to complete any  
36                  improvement within the required time period, the institution shall  
37                  immediately make all funds in such account available to the municipality  
38                  for use in the completion of those improvements.

39          **c. Letter of Credit**

40          The subdivider may elect to provide from a bank or other responsible financial  
41          institution authorized to do such business in the state an irrevocable letter of  
42          credit. Such letter shall be filed with the municipality and shall certify the  
43          following:

- i. That the creditor irrevocably guarantees funds in an amount equal to the estimated cost of all required public improvements plus overrun allowances as provided in subsection G.2. above, for the completion of all such improvements; and
- ii. That in the case of failure on the part of the subdivider to complete any specified improvements within the required time period the creditor shall pay to the municipality immediately and without further action such funds as are necessary to finance the completion of those improvements up to the limit of credit stated in the letter.

**H. Release of Guarantee of Improvements**

- 1. Inspection will be made by the municipality prior to acceptance of the improvements for warranty. The municipality shall have 14 days to complete the inspection and provide a list of deficiencies, except that the municipal engineer may extend the 14 day period for unusual circumstances such as extreme weather. The 14 day period shall begin on the day the municipality receives written notice from the subdivider that ~~his or her~~the subdivider's own comprehensive inspection has confirmed that construction of all required improvements is complete, all applicable subdivision agreement requirements are fulfilled, and the project is ready for municipal inspection.
- 2. After the initial municipal inspected provided for in subsection H.1. has been completed, and When all listed deficiencies noted in the initial municipal inspection and provided in writing to the subdivider have been corrected, the subdivider shall notify the municipality in writing and the municipality shall perform a final inspection of the listed deficiencies within 7 days of receiving the notification, except that the municipal engineer may extend the 7 day period for unusual circumstances such as extreme weather.
- 3. If the final inspection reveals uncorrected listed deficiencies identified in the initial inspection that were provided to the subdivider in writing prior to the final inspection, this procedure shall be repeated until all deficiencies noted in the initial inspection have been corrected. The warranty period shall begin after all the deficiencies in the initial inspection have been corrected.
- 4. Any new deficiencies that were not discovered and identified in writing and delivered to the subdivider during the initial inspection, but were found in the final or any continuing inspection shall be noted and corrected during the warranty period. However, these deficiencies shall not delay the commencement of the warranty period. The warranty period shall begin after all of the deficiencies in the initial inspection have been corrected.
- 3.5. The municipality shall release the obligation for performance guarantees upon the acceptance of the improvements for warranty, together with the posting of adequate security for warranty.
- 4.6. The municipality may refuse to release the obligation for any particular public improvement if the subdivider or contractor is in present or imminent default in whole or in part on the completion of any public improvement or warranty covered by the subdivision agreement.

Comment [EBM235]: This needs to address a deficiency directly resulting from the work of correcting a previously identified inspection deficiency.

Comment [EBM236]: Redundant to H.3. above.

**I. Improvement Warranty**

- 1. The subdivider shall warrant and guarantee that required public improvements constructed under the agreement will remain in good condition and meet operating specifications for two years, commencing with warranty acceptance of each public

improvement when it is completed. Such warranty includes defects in design, workmanship, materials, and any damage to improvements caused by the subdivider, his or her agents, or others engaged in work to be performed under the subdivision agreement. If the municipal engineer deems appropriate, extensive repairs or modifications made during the warranty period may extend the duration of the warranty period for those repairs or modifications only. The subdivider shall not be responsible for cleaning, snow removal, ditching, grading, dust control, or similar activities during the warranty period. Nothing in this Title, however, is intended to waive the requirements of AMC chapter 24.80, pertaining to miscellaneous use provisions.

2. To secure the warranty:

- a. The guarantee of performance provided for in subsection G. shall remain in effect until the end of the warranty period. If the guarantee is a performance bond posted by a contractor, the bond cannot secure the warranty unless the subdivider and contractor, by written agreement, elected this option at the time the performance bond was posted; or
- b. The subdivider shall furnish the municipality with a corporate surety bond, cash deposit, or letter of credit in an amount equal to a percent of the total construction costs as set forth in this subsection. This security shall guarantee the payment of any reconstruction or repair costs that may be undertaken due to failures occurring during the warranty period. Responsibility for identifying the necessity of repairs or reconstruction of the improvements shall rest with the municipality.

TABLE 21.08-10: PERCENT TO SECURE WARRANTY

Total Construction Cost	Percent to Secure Warranty
\$0.00--\$500,000.00	10
\$500,000.00--\$1,000,000.00	7 1/2
\$1,000,000.00 and higher	5

J. Correction of Deficiencies Under Warranty

Within 30 days, or a reasonable extension at the sole discretion of the municipal engineer, of notification by the municipality of the need for repair or reconstruction, the subdivider shall correct the deficiencies, satisfactory to the municipality. Such notification shall be made by certified mail. If the subdivider fails to repair or reconstruct the deficiency within the time specified in this section, the municipality will make the repair at the subdivider's sole expense. The municipality may then bill the subdivider for the cost of the repair and associated administrative costs, or declare the bond or deposit forfeited.

K. End of Warranty Period

- 1. The municipality shall inspect the required improvements and provide a list of deficiencies to the subdivider no later than 30-60 days before the end of the warranty period, except that the municipal engineer may extend this time due to inappropriate weather or other conditions that impede complete inspection.
- 2. All deficiencies identified in the warranty period shall be corrected, inspected, and approved within 30 days, except that the municipal engineer may extend the 30 day period for unusual circumstances or inappropriate weather. The municipality is under no obligation to release any remaining security if the subdivider fails to correct any identified deficiencies, provided, however, if the deficiencies can be remedied for less than the amount of the security, the amount of the security can be reduced accordingly.

Comment [EBM237]: Disagree—warranty guarantees need to remain in effect through the end of the warranty period.

3. Upon final acceptance, the municipality will release the remaining security within ~~90~~60 days.

4. If the municipality does not timely inspect and provide a report as required in K.1. above, the warranty period ends and the security shall be released within 60 days.

**L. Default**

If the subdivider defaults on any obligation to construct required public improvements or the obligation to warrant and repair such improvements, the municipality may demand immediate payment on the performance or warranty guarantee. In the case of a performance bond, deposits in escrow, or letter of credit, the municipality may demand immediate payment of a portion of all sums obligated for the performance or warranty of any improvement. All funds received by the municipality shall be used for any construction, repair, or reconstruction necessary to ensure that:

1. All required public improvements are built to specifications necessary to receive warranty acceptance; and

2. The improvements remain in good condition for the completion of the warranty period. The municipality may use guarantee funds for the construction, repair, or maintenance of required public improvements from the date of initial default until three years after the funds have become available to the municipality for such use, except that no use shall be made of the funds later than two years after satisfactory completion and warranty acceptance of the work. Following either: (1) the warranty acceptance of all public improvements and posting of the warranty security, or (2) final acceptance, or (3) the three-year period provided for in this subsection, the municipality shall pay to the subdivider all guarantee funds which were not used or obligated for the completion of the improvements.

**M. Agency Coordination**

Upon receipt of notification of violation or concern by municipal departments or outside agencies, the municipal engineer may suspend approval on work authorized through the subdivision agreement until such time that the issue is resolved.

**N. Standards May Not Be Altered; Enforcement of Chapter**

All provisions of this chapter are mandatory and may not be altered by the subdivision agreement. The obligations contained in this chapter shall be enforceable by methods of enforcement of ordinance as well as contract.

**21.08.070 CONSERVATION SUBDIVISIONS**

**A. Purpose**

A conservation subdivision is an alternative type of residential development in which the lots are allowed to be smaller in area or narrower than otherwise required in the zoning district, but in which the overall number of lots does not exceed the maximum number of lots allowed in a conventional subdivision by the zoning district. Conservation subdivisions are intended to create a more compact residential development to preserve and maintain open areas, high value natural lands, and lands unsuitable for development, in excess of what would otherwise be required by this ~~title~~Title.

**B. Applicability**

The conservation subdivision option may be used on any parcel with a minimum of at least two acres in any residential district in which **[DETACHED]** single-family housing is permitted, provided that the proposal is consistent with the requirements in this section 21.08.070.

1 **C. Conservation Design Process**

2 Conservation subdivisions shall be approved through the procedure set forth in section  
3 21.03.200, *Subdivisions and Plats*.

4 **D. Reduction in Minimum Lot Area Allowed**

5 Conservation subdivisions may include one or more lots that do not conform to the minimum lot  
6 size or lot width requirements of chapter 21.06, or the dimensional requirements of subsections  
7 21.08.030J.1. and 2., provided that:

- 8 1. The amount of any reduction in minimum lot size shall be used for common open space,  
9 pursuant to F. below;
- 10 2. There shall be no more than one principal single-family structure per lot;
- 11 3. Front and rear setbacks interior to the subdivision are not less than half the depth  
12 required by the underlying zoning district, but side setbacks are not less than the width  
13 required by the underlying zoning district;
- 14 4. On any lot that is less than the minimum lot size of the underlying zoning district, the  
15 principal structure shall have a maximum floor area ratio of not more than 0.5;
- 16 5. In class A improvement areas, street sections shall have vertical curbs;
- 17 6. Driveways shall have a maximum width of 14 feet at the curb;
- 18 7. Where on-street parking is allowed, a minimum 20 foot separation distance between the  
19 curb returns of adjacent driveways shall be provided; and
- 20 8. Common open space with level 4 Screening landscaping shall be provided along any lot  
21 line abutting a residential neighborhood where any adjoining lot is greater than 150% of  
22 the average lot size along that lot line of the conservation subdivision. In class B areas  
23 this abutting landscaped open space area shall be one hundred feet wide.

24 **E. Lot Coverage Allowed**

25 The maximum lot coverage requirements for lots in a conservation subdivision, as set forth in  
26 chapter 21.06, may be increased by no more than 10 percent.

27 **F. Minimum Open Space**

28 The amount of lot size reduction of each lot shall, in total, be provided as common open space,  
29 except that under no circumstances shall the amount of common open space provided be less  
30 than 30 percent of the property shown on the subdivision plat. Open space shall be identified  
31 using the standards set forth in subsection 21.07.030B.4., *Private Open Space, Standards*,  
32 except that no portion of the land preserved as common open space may be located within the  
33 boundaries of an individual lot for residential development, or in a road right-of-way, and no  
34 portion of the land preserved as common open space may be less than 30 feet in its smallest  
35 dimension in class A districts or less than 100 feet in its smallest dimension in class B districts, or  
36 have less square footage than one-half of the square footage of the minimum lot size for that  
37 district. In order that all residents of a development have access, there should be, provided by  
38 the developer, a common pedestrian corridor leading into all common open space. Common  
39 open space areas in class B improvement areas shall remain undisturbed.

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**G. Dedication and Recording**

The required common open space shall be preserved from development in perpetuity through the use of a deed restriction or easement, and shall be conveyed to a property owners' association or other organization with responsibility for maintenance of the open space and the ability to collect assessments or dues for such purpose. The applicant shall submit proof that:

1. Such deed restriction or easement has been recorded at the district recorder's office; and
2. The property owners' association or other organization has been established before any building or land use permits for construction in a conservation subdivision shall be issued.