



Municipality of Anchorage
Community Development Department
Planning Division
MEMORANDUM



Date: November 23, 2011
To: Planning and Zoning Commission
From: *JW* Jerry T. Weaver, Jr., Director
Subject: Case 2011-104, Proposed Amendments to Provisionally Adopted Title 21,

The Planning and Zoning Commission is requested by the municipal Administration to review and make recommendations regarding the attached list of proposed amendments to the Provisionally Adopted Title 21. These amendments refer to the Provisionally Adopted Title 21 draft with technical edits, dated 12-12-11, which has been provided to the Commission.

The proposed amendments for Planning and Zoning Commission review include:

1. Administration amendments proposed at the direction of the Mayor, as summarized in the October 19, 2011 memorandum which documents the Mayor's decisions regarding his consultant's proposed changes to Title 21;
2. Proposed amendments from the companion document to the Provisionally Adopted Title 21 released for public review in May 2010, which were developed to correct errors and inconsistencies created by the gradual provisional adoption of the code chapters over a several year period (these are denoted with an asterisk*);
3. Amendments that respond to public comments received by the Department as a result of the 2010 public review process;
4. A limited number of minor and clean-up amendments recommended by the Department to make corrections, improve consistency, and finalize sections; and
5. Proposed amendments to the Chapter 21.14 terms and definitions, which respond to public comments and Assembly Title 21 Committee review meetings from 2010. (Because Chapter 21.14 is still in its draft form as recommended by the Commission and not provisionally adopted, these changes appear in a separate table, attached.)

All of the proposed amendments are provided in table format, and arranged in order of the Title 21 chapters and sections. The first column of the table numbers the amendments. The second column identifies exactly which section of Title 21 the amendment proposes to change.

The third column contains the language of the proposed amendment. The proposed amendment is shown with tracked changes so the proposed change is evident. Proposed new text is underlined and shaded yellow. Text proposed to be deleted from the provisionally adopted code is bracketed, capitalized, and shaded in gray.

The fourth column in the table briefly introduces the purpose, background, and/or source of the amendment, and any related information that may be useful.

Several of the Administration's proposed amendments are still being prepared. These forthcoming items include:

- Height transition standard amendment;
- Street connectivity standard amendment;
- Possible amendments to the landscaping section;
- Amendments to the multifamily and townhouse design standards; and
- Amendments to the residential driveway width requirements.

These amendments have a placeholder in the attached table, and will be available at a later date. A public hearing for these forthcoming items will be scheduled for early 2012.

The Department will provide a separate staff report containing further information regarding the proposed amendments in the attached table.

As background information, the staff report will include a list of amendments that the Planning and Zoning Commission already reviewed and recommended for approval in 2010. The Commission's previously approved amendments are not directly impacted by the new round of proposed amendments and will be going forward to the Assembly for final consideration and action. They have been available to the public in the May 24, 2010 companion document to the Provisionally Adopted Title 21.

The staff report and supplementary information will be forthcoming prior to the December 12, 2011 public hearing.

Attachments

Proposed Amendments to Title 21 for Planning and Zoning Commission Consideration

Section	Amendment	Purpose/Origin/Notes
1.	21.01.090 B. <u>Special Limitations</u> <u>If a provision of this title conflicts with a special limitation of a zoning district, the more restrictive provision or limitation shall apply.</u> <u>If any special limitation becomes unnecessary or void as the result of any provision of this title, other remaining special limitations of the zoning district shall still apply.</u>	To clarify how existing special limitations will be treated under the new code.
2.	21.02.030B.* <i>Add new subsections B.3. and B.4. as follows:</i> <u>Draft design study report for new construction and reconstruction of streets of collector class or greater in the <i>Official Streets and Highways Plan</i>;</u> <u>Applicable trail projects identified in subsection 21.03.190C., <i>Trail Review</i>;</u>	For consistency and completeness of the list of powers and duties.
3.	21.02.040A.* <i>Add new subsection A.3. as follows:</i> <u>Landscaping and streetscape and pedestrian facilities for streets of collector classification or greater in the <i>Official Streets and Highways Plan (21.03.190)</i>;</u>	For consistency and completeness of the list of powers and duties.
4.	21.03.020C.2. <i>Add new C.2.c. as follows:</i> <u>The applicant is encouraged to use the community council(s) meeting of the project area as the community meeting when the community council(s) meeting is available. If the community council(s) meeting for the project area is not scheduled in a timely manner, the applicant shall organize a community meeting. If the project area spans more than one community council and the applicant chooses to attend community council meetings, the applicant shall attend the community council meetings of all applicable community councils.</u>	At the Mayor's direction, to emphasize the role of community councils as the main option for public input.
5.	21.03.020E.3. Applications shall be accompanied by the fee amount established by the assembly and listed in the user's guide. Fees are not subject to waivers <u>except as specifically allowed by this title.</u>	Fee waivers are allowed for a short board situation, so this amendment is needed for consistency.
6.	21.03.020H.2. Table 21.03-1 <i>On the row for Street and Trail Review, add checks for "Published" and "Community Council" notice.</i>	To have appropriate public process, and to be consistent with current process (negotiated with the state).

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7.	21.03.070C.1.b. b. Public Notice i. Notice [OF ALL PUBLIC HEARINGS] shall be provided in accordance with section 21.03.020H. ii. Substantive amendments to be considered by the planning and zoning commission shall be available for public review at least 21 days in advance of the public hearing.	To implement existing policy and ensure enough public review time for substantive amendments to the comprehensive plan.
8.	21.03.080F.* <i>Add new content for business/industrial park as a planned unit development conditional use; re-letter remaining sections.</i> <u>F. Conditional Use for a Business-Industrial Park Planned Unit Development</u> 1. Intent and Approval A business-industrial park planned unit development (BIP-PUD) is intended to provide comprehensively planned commercial-industrial developments that are compatible with surrounding areas. BIP-PUD developments should have integrated, campus-style site plans designed to accommodate a variety of public/institutional, commercial, and industrial uses. High standards for architecture, landscaping, and site planning are encouraged. The planning and zoning commission shall evaluate the proposed planned unit development in accordance with the conditional use approval criteria at C. above. 2. Zoning District A BIP-PUD is allowed only in the B-3 and I-1 districts. Business-industrial parks existing on [effective date] in other zoning districts shall be considered conforming in those districts. 3. Allowed Uses a. For a BIP-PUD in the B-3 district, in addition to the uses allowed in the B-3 district, a developer may propose to include the following industrial uses in a BIP-PUD: General Industrial Service; Governmental Service; Manufacturing, Light; Warehouse; Wholesale Establishment. b. For initial uses proposed in the BIP-PUD that require a conditional use approval, the conditional use application(s) may be combined with the BIP-PUD conditional use and treated as one application and approval process. 4. Development Agreement The developer shall enter into a development agreement with the project management and engineering department, using the provisions established in subsection 21.03.100E., <i>Improvements Associated with Land Use Permits</i> .	This amendment addresses public comment by accommodating existing business/industrial parks and preventing nonconformities.

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	5. Minimum Standards All BIP-PUDs shall meet the following minimum standards, in addition to the applicable standards of this title. The planning and zoning commission may apply additional standards as it may deem necessary to meet the approval criteria. a. The minimum site area for a BIP-PUD is seven acres. b. In keeping with a campus-style site plan, the number of access points to the BIP-PUD shall be limited to only what is necessary, as determined by the traffic engineer. c. Pedestrian walkways shall be provided to streets abutting the BIP-PUD. All transit stops abutting a BIP-PUD shall be connected to the internal street/sidewalk system by a pedestrian walkway. Abutting streets without any transit stops shall have at least one pedestrian walkway connection with the BIP-PUD. d. L3 buffer landscaping shall be provided along the exterior lot lines of the BIP-PUD. e. A BIP-PUD shall have a defined internal street system, which shall have pedestrian facilities and landscaping in accordance with the provisions of this title. Streets shall allow vehicles to travel into and within the development. Driveways shall access parking areas. f. Except for stand-alone restaurants located along an outside edge of a BIP-PUD, all buildings shall have a common architectural character utilizing similar materials. The standards of 21.07.130 shall not apply. g. Maximum individual building footprint shall be 30,000 square feet. h. The uses in the entire BIP-PUD may aggregate their parking as long as the following standards are met: i. Required parking for each use shall be located no farther than 800 feet from the primary entrance of the use; ii. Relatively direct pedestrian pathways shall be available from required parking to each use; iii. At no time shall the aggregate of the required parking of all uses in the BIP-PUD	

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		<u>exceed the total number of parking spaces provided.</u> i. <u>Loading areas and refuse collection areas shall be internal to the site and not located between any building and any BIP-PUD exterior lot line.</u> j. <u>The maximum floor area devoted to retail sales uses shall not exceed 35 percent of the total gross building area of the entire development.</u> k. <u>Outdoor storage and display is prohibited.</u>	
9.	21.03.080F.2.c.3.iii.*	<u>Level 3 buffer</u> [LEVEL 4 SCREENING] landscaping shall be planted along each boundary of the PUD adjacent to a nonresidential district or a right-of-way designated for collector or greater capacity on the Official Streets And Highways Plan.	This amendment was first proposed for public review in 2010 because it was recognized that a narrower landscaping buffer should be adequate.
10.	21.03.100E. (various subsections)	E. Improvements Associated with Land Use Permits 1. Improvements Required The issuance of a land use permit under this section for the construction of a residential, commercial, or industrial structure on a lot, shall be subject to the permit applicant providing the easements, dedications, and improvements required for a subdivision in the same improvement area under chapter 21.08, <i>Subdivision Standards</i>. In applying the provisions of chapter 21.08, <i>Subdivision Standards</i>, under this section, the term “lot” shall be substituted for the term “subdivision,” the term “permit applicant” shall be substituted for the term “subdivider,” and the term “<u>building official</u> [MUNICIPAL ENGINEER]” shall be substituted for the term “platting authority.” 2. Exceptions The requirements in subsection E.1. above shall not apply to a land use permit to the extent that: a. All construction associated with a single dwelling unit is located on a single lot, tract, or parcel, regardless of zoning district; b. The traffic engineer determines that a street dedication or improvement is not required for traffic circulation; c. A dedication or improvement has been provided to the applicable standard <u>of</u> [IN] chapter 21.08, <i>Subdivision Standards</i>; d. A dedication or improvement will be provided under a subdivision agreement that has been entered into under section 21.08.060, <i>Subdivision Agreements</i>, or under an established	Corrects decision-making authority that changed with the 2010 reorganization of the Permit Center departments, and clarifies when this can be applied, at the Mayor’s direction.

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	assessment district; e. The municipality has already appropriated funds to construct an improvement; or f. The permit is for repairs, maintenance, emergencies, electrical, mechanical, or plumbing. 3. Standards for Requiring Dedications and Improvements Where chapter 21.08, <i>Subdivision Standards</i>, grants discretion to determine whether a dedication or improvement will be required, or to determine the design standards for a dedication or improvement, the building official [MUNICIPAL ENGINEER] shall determine the requirement or standard that applies to a land use permit under this section by applying the following standards: a. The dedication or improvement shall be reasonably related to and directly correlated to the [ANTICIPATED IMPACT ON PUBLIC FACILITIES AND ADJACENT AREAS THAT WILL RESULT FROM THE USE AND] occupancy of the structure that is the subject of the building or land use permit. Any required public use easement shall be removed when calculating density or lot coverage per the applicable zoning district. The building official [MUNICIPAL ENGINEER] may require the permit applicant to provide information or analyses to determine impacts as set out in the comprehensive plan's policies for transportation, transportation design and maintenance, and water resources on public facilities and adjacent areas, including without limitation the following: ... b. The estimated cost of constructing the improvement shall be reasonable when compared to the estimated cost of the proposed development under the land use permit. The determination of reasonableness shall be based on cost estimates for the improvement and the proposed development that the permit applicant or applicant's agent submits under penalty of perjury. If the building official [MUNICIPAL ENGINEER] determines that the estimated cost to the applicant to complete all the improvements required by this section is unreasonable in relation to the estimated cost of the proposed development, the building official [MUNICIPAL ENGINEER] may reduce or eliminate required improvements as necessary to make the relationship between such costs reasonable. c. The building official [MUNICIPAL ENGINEER] shall consider the potential development of all adjacent parcels, lots, or tracts under common ownership, in addition to the lot, parcel, or tract that is the subject of the permit application, and the impacts associated therewith, in applying the standards in this subsection. d. The building official [MUNICIPAL ENGINEER] may approve adjustments to the improvement	

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		requirements under this section to the extent that compliance with the standards would result in an adverse impact on natural features such as wetlands, steep slopes, or existing mature vegetation; existing development; or public safety. 4. Phasing of Installation Except as provided in this section, all required improvements shall be constructed and accepted by the municipality before any certificate of zoning compliance is issued for the permitted construction. If the <u>building official</u> [MUNICIPAL ENGINEER] determines that it is not reasonable to require compliance with the preceding sentence, no permit may be issued until the applicant enters into an agreement for construction of the required improvements, with performance guarantees, in the form required for subdivision improvements under section 21.08.050, <i>Improvements</i>. ... 9. Appeals of Improvement Standards A permit applicant may appeal a decision of the <u>building official</u> [MUNICIPAL ENGINEER] concerning required improvements under this section to the platting board by filing a written notice of appeal with the secretary of the platting board not later than 10 days after receipt of written notice of the decision. The appeal shall be placed on the agenda of the next regularly scheduled platting board meeting that occurs not less than 60 days after the filing of the appeal. The platting board shall hear the appeal.	
11.	21.03.110D.6.	a. Notice [OF ALL PUBLIC HEARINGS] shall be provided in accordance with section 21.03.020H. b. <u>Draft institutional master plans shall be available for public review at least 21 days in advance of the planning and zoning commission's public hearing.</u>	To implement existing policy and ensure enough public review time for institutional master plans.
12.	21.03.130E.3.	[WHEN THE] <u>The</u> department [IS NOT THE SPONSOR OF A PLAN, IT] shall review the plan during the 120 day review period, and prepare a staff report and recommendation for the commission.	To clarify that the planning department does not sponsor plans. This section on Neighborhood or District Plans is for situations where non-municipal entities wish to develop neighborhood or district plans.
13.	21.03.160B.3.	A rezoning into the B-1A, <u>NMU, CMU, or RMU</u> districts.	At the Mayor's direction, this amendment facilitates rezoning into mixed-use districts for lots that don't meet the minimum size threshold. The change will allow for implementation of the mixed-use districts by individual property owners within existing commercial centers.

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14.	21.03.160H.2.	2. Minimum Area Requirements a. No overlay district zoning map amendment shall be considered or approved that applies an overlay district to an area less than 1.75 acres, excluding rights-of-way, except for an amendment extending the boundaries of an existing overlay district. b. <u>Overlay districts shall not be created to apply to property owned by a single person, unless the property is at least 30 acres.</u>	To prevent spot overlay-zoning. The size threshold for property in single ownership is consistent with the size threshold for a Planned Community Development district, which is the district where the property owner can propose his/her own zoning regulations.
15.	21.03.200E.1.	Designation of commercial tracts shall be allowed only in the B-3, RO, NMU, CMU, RMU, [MT-1, MT-2,] I-1, I-2, PCD, MC [AND] MI, <u>GC-1 through GC-10, GI-1, GI-2, GRST-1, and GRST-2</u> zoning districts.	At the Mayor's direction, the MT-1 and MT-2 districts (midtown districts) are proposed for deletion.
16.	21.03.210B.5.a.	a. Notice shall be provided in accordance with section 21.03.020H. b. <u>Title 21 text amendments to be considered by the planning and zoning commission shall be available for public review at least 21 days in advance of the public hearing.</u>	To implement existing policy and ensure enough public review time for Title 21 amendments.
17.	21.03.210B.5.	<i>Add new B.5.c. as follows:</i> c. <u>If, during the first two years after [effective date], the director determines that an amendment to title 21 is needed to address conflicting provisions, inconsistencies, or unintended consequences associated with the Title 21 Rewrite Project (2002-2012), the director may forward a corrective amendment to the assembly, which may adopt the amendment without planning and zoning commission review. After the first two years, the director may apply this provision twice per year.</u>	At the Mayor's direction, this allows for rapid amendments to Title 21 in the first two years after adoption to fix conflicts and unintended consequences. This rapid process would continue to be allowed two times per year for errors that are discovered in later years.
18.	21.04.010A.2. Table 21.04-1	<i>Delete the MT-1 and MT-2 districts from the table.</i>	At the Mayor's direction, the MT-1 and MT-2 districts (midtown districts) are proposed for deletion.
19.	21.04.020F.2.b.	<i>Delete 21.04.020F.2.b. and F.2.b.i.</i>	At the Mayor's direction, the design standards for single-family structures are proposed for deletion.
20.	21.04.020F.2.c.	Buildings with three or four dwelling units shall [ALSO] comply with the multifamily design standards in subsection 21.07.110C., except that any primary entrance serving just one individual dwelling unit is exempt from subsection 21.07.110C.7., <i>Primary Entrance Treatment</i> .	This amendment deletes unnecessary language, due to the proposed deletion of the single-family design standards.
21.	21.04.020H.	<i>Add new H.2. as follows:</i> 2. District-Specific Standards <u>Single-family dwellings are permitted in the R-3 district only in parts of the Fairview community council east of Ingra Street, in parts of the Mountain View community council north of Mountain View Drive, and in other R-3 zoned areas that are designated as low intensity or low/medium intensity residential in the comprehensive</u>	At the Mayor's direction, single-family attached and detached dwellings are proposed to be allowed in certain areas zoned R-3 medium density multifamily (including Mountain View and eastern Fairview) that are designated for lower density residential in the city's future land use plan.

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		<u>plan. When a single-family dwelling is proposed where a designation boundary on the comprehensive plan map appears generalized or uncertain, the director shall interpret the boundary location and make a determination as to the land use designation of the subject property.</u>	
22.	21.04.030B.2.a.	a. Non-Residential Commercial Use [GROUND-FLOOR] At least 50 percent of the total length of all ground floor street facing building elevations on a site shall be a non-residential use that occupies habitable floor area at least 20 feet deep. [80 PERCENT OF THE STREET-FACING BUILDING ELEVATION AT THE GROUND LEVEL SHALL BE A NON-RESIDENTIAL USE OCCUPYING A SPACE AT LEAST 25 FEET DEEP FROM THE STREET FAÇADE OF THE BUILDING.]	This amendment increases the flexibility of the B-1A district to allow mixed-use sites with multiple buildings, while still ensuring that some of the limited space in B-1A sites is neighborhood-facing commercial (and not just residential) use. This amendment arose from public comments and the West Anchorage District Plan process.
23.	21.04.030B.3.a.	The minimum contiguous area for a B-1A district shall be <u>11,500</u> [20,000] square feet.	Allows a B-1A district to be as small as two adjoining 6,000 square foot lots, to reflect existing and intended future small-scale, neighborhood commercial sites. This amendment arose from public comments and the West Anchorage District Plan process.
24.	21.04.050D.1.	a. General Purpose The RMU district is intended primarily for regional-scale commercial activity centers that may have long-term potential to develop at greater intensities or as mixed-use urban environments. The area is typically defined by conglomerations of medium-to-large scale commercial uses, located near intersections of major arterial streets and/or freeways, serving a metropolitan region-scale trade area. The market area is larger and less oriented to one certain part of town than in the CMU district. Shopping malls and/or large retail establishments typically anchor the center. Supporting uses include low-medium rise offices, hotels, transit hubs, entertainment, and residential uses that provide potential for the area to grow into a more physically integrated and mixed-use center. The RMU district is appropriate for regional commercial centers such as the Dimond Center area, and permits land-intensive and/or auto-oriented uses such as automobile dealerships that may not be appropriate for more compact mixed-use zones. b. Midtown Area Purpose The RMU district also provides a mixed-use rezoning option for property owners in the midtown area, which has the highest employment densities and tallest building heights outside of the downtown. The RMU in midtown is intended to facilitate the development of a broad mix of complementary uses at higher intensities, including office employment, a variety of commercial uses, and civic and public facilities. The district is also intended to contain and be surrounded by medium to high density housing. Development should facilitate compatibility and connectivity between uses, and facilitate pedestrian travel and transit along with traditional vehicular access.	At the Mayor's direction, the RMU district intent statement is proposed to be amended to make the RMU also available as a zoning option in Midtown, for property owners who want to rezone to a mixed-use district.

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25.	21.04.050D.4.a.	The subject property shall be in an area designated for regional-scale commercial mixed-use center <u>or major city center</u> in the comprehensive plan.	At the Mayor's direction, the RMU district is proposed to be amended to make it available as a zoning option in Midtown, which is designated as a major city center on the draft land use plan map.
26.	21.04.050E. and F.	Delete 21.04.050E. and 21.04.050F.; re-letter remaining section.	At the Mayor's direction, the MT-1 and MT-2 districts (midtown districts) are proposed for deletion.
27.	21.04.050G.1.	All development in the NMU, CMU, <u>and</u> RMU[, MT-1, AND MT-2] districts shall comply with the appropriate development standards in chapter 21.07, and also the standards in this subsection 21.04.050G.	At the Mayor's direction, the MT-1 and MT-2 districts (midtown districts) are proposed for deletion.
28.	21.04.060B.1.*	The I-1 district is intended primarily for public and private light manufacturing, processing, service, storage, wholesale, and distribution operations along with <u>[LIMITED]</u> commercial uses that support and/or are compatible with industrial uses. <u>[OFFICE] Business-</u> industrial parks and single-commodity bulk retail sales and building supply stores and services are allowed. This district is applied in areas designated as industrial/commercial by the comprehensive plan.	Proposed changes for language consistency with other proposed amendments that allow more commercial use in the I-1 district at the Mayor's direction.
29.	21.04.070G.2.c.*	Add new subsection c. as follows: <u>c. Number of Structures Allowed</u> <u>Only one principal structure is allowed per lot, unless a conditional use approval is obtained for additional principal structures.</u>	To clarify the number of principal structures allowed on a single lot in the Turnagain Arm district.
30.	21.04.080H.*	<u>21.04.070H. TR: Transition district</u> <u>1. Purpose</u> <u>a.</u> <u>This district is intended to include suburban and rural areas that, because of location in relationship to other development, topography or soil conditions, are not developing and are not expected to develop in the immediate future along definitive land use lines. The permitted uses in these districts are intended to be as flexible as possible consistent with protection from noxious, injurious, hazardous or incompatible uses.</u> <u>b.</u> <u>It is intended that interim development shall proceed in accordance with the applicable comprehensive development plan for the property being developed.</u> <u>c.</u> <u>As development patterns start to emerge within these areas and the sophistication of their protection becomes more critical to the general public interest, it is anticipated that such lands within the TR districts will be proposed for more restrictive zoning classifications.</u> <u>2. District-Specific Standards</u>	This existing zoning district must remain in code until there are appropriate districts to replace all existing T zones. Until the Airport District issues are resolved, staff recommends retaining the Transition (T) district, as the TR district.

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	a. Permitted Uses <u>All uses in the residential, public/institutional, commercial, and industrial use categories are permitted, except those uses specifically prohibited in subsection 2.e. below, and those permitted only by conditional use in subsection 2.d. below.</u> b. Sale of Alcohol <u>Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see subsection 21.05.020A.</u> c. Accessory Uses <u>Accessory uses and structures customarily incidental to any permitted principal use are permitted, as well as all antennas without tower structures, and type 1, 3, and 4, local interest towers that meet the conditions of subsections 21.05.040K.2.a. through 2.c. and 2.e. through 2.o.</u> d. Conditional Uses <u>The following uses require conditional use approval in the TR district: mobile home park; junkyard or salvage yard; natural resource extraction; cemetery; roominghouse; unlicensed nightclub; types 1, 2, 3, and 4 community interest towers; types 1, 2, 3, and 4 local interest towers that fail to meet the conditions of subsections 21.05.040K.2.a. through 2.c. and/or 2.e. through 2.o.</u> e. Prohibited Uses <u>The following uses are prohibited in the TR district: hospital/ health care facility, nursing facilities, adult care facility, assisted living facility, production or storage of explosive materials, types 2 and 3 local interest towers as principal uses that meet the conditions of subsections 21.05.040K.2.a. through 2.c. and 2.e through 2.o., any use or structure which is likely to be incompatible with established permanent uses within the area to be affected by the proposed use or structure.</u> f. Dimensional Standards <u>Minimum lot size in the TR district is 7,000 square feet. Except as required in subsection 2.g. below, there are no setbacks, lot coverage maximums, or height limits in the TR district.</u> g. Abutting Residential i. <u>Land zoned TR lying contiguous to residentially-zoned land shall be permitted to be used only in accordance with provisions and standards less intense or equal to provisions and standards allowed under this title for the least intensive land use zone within a 1,000-foot radius of the boundary of existing TR-zoned property for which a building permit or land use permit has been requested. Permitted uses must conform to the standards of this title listed in order from lowest to highest intensity: W, R-10, R-9, R-8, R-6, R-5A, R-7, R-1A, R-1, R-2A,</u>	

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	<u>R-5, R-2F, R-2M, R-2D, R-3, R-4, R-4A, R-O, B-1A, NMU, CMU, RMU, B-3, PLI, I-1, I-2, T.</u> <u>ii. Property owners of residential-zoned land within 1,000 feet of a TR-zoned property shall be notified in writing of the issuance of a building or land use permit. The effective date of the permit shall be no earlier than 30 days after the date of mailing a TR zone land use determination notification.</u> <u>i. Conformance With Comprehensive Plan</u> <u>Notwithstanding any other provision of this title, no building or land use permit shall be issued in the TR zone authorizing uses and structures that do not conform to the land use plan maps in the applicable comprehensive development plan for the area in which the property is located.</u> <u>j. Appeals</u> <u>i. The assembly shall hear and decide TR zone use determination appeals. Any TR zone landowner or any landowner of residential-zoned land within a 1,000-foot radius of the TR-zoned property may appeal a TR zone land use determination. Any written communication received by the municipal clerk is an appeal of the TR zone use determination if it objects to the TR zone use determination, contains a legal description of the property on behalf of which the appeal is made, is signed by the person making the appeal, and is made within 30 days of mailing of a TR zone land use determination notification. The effective date of any TR zone building or land use permit is automatically suspended upon the filing of an appeal until assembly action as provided in this section has been concluded.</u> <u>ii. If an appeal is filed, any assembly approval of a TR zone use shall be as submitted or with special limitations or other modifications at least as restrictive, with reference to the standards listed in subsection 2.g. of this section, as those submitted in the proposed use. Assembly action approving a TR zone use shall be by an affirmative vote of eight assembly members if the TR zone land use determination is protested by the owners of at least one-third in the area, excluding rights-of-way, of:</u> <u>(A). The land to which the use determination applies; or</u> <u>(B). The land within 300 feet of the outer boundary of the land to which the use applies, excluding land owned by the municipality, except where the municipality joins the protest or the use was initiated by the state or the United States.</u> <u>The assembly may disapprove the TR-zone use, or remand the determination to the planning</u>	

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Section	Amendment	Purpose/Origin/Notes
	<u>and zoning commission with instructions for its consideration.</u> <i>Re-letter remaining section; add district to Table 21.04-1; add district to Table 21.08-1 into last box on left (along with AF, DR, PCD, PLI, and PR districts)</i>	
31.	21.05.010F. Table 21.05-1 <i>Make “Park, public or private” a “P” in all residential zoning districts.</i> <i>Make “Dwelling, single-family attached” a “P” in the R-3 district, with a note indicator.</i> <i>Make “Dwelling, single-family attached a “P” in the R-3 district, with a note indicator.</i> <i>Add a note at the end of the table that says “<u>See subsection 21.04.020H.2.</u>”</i>	As the approval process for parks is specifically listed in the parks section of chapter 5, parks should be allowed by right in all zones. At the Mayor’s direction, single-family attached and detached dwellings are proposed to be allowed in the R-3, with certain restrictions.
32.	21.05.010F. Table 21.05-2* <i>Add “Townhouse” as “S” in B-3 and RO districts</i> <i>Add “Parking lot or structure (less than 50 spaces)” as “P” in NMU district</i> <i>Make “Park, public or private” a “P” in all zoning districts in the table.</i> <i>Make “Railroad passenger terminal” an “M” in the NMU district, and an “S” in the B-3, I-1, I-2, and MI districts.</i> <i>Add the following uses as “P” in the I-1 district: “Financial institution”, “Funeral services”, “General personal services”, “Convenience store”, “Farmers market”, “General retail”, “Grocery or food store”, “Liquor store”, “Pawnshop”, “Extended –stay lodgings”, “Hostel”, Hotel/motel”, “Inn”, “Recreational and vacation camp”</i> <i>Add the following use as “C” in the I-1 district: “Movie theater”</i> <i>Add the following uses as “C” in the I-1 district: “Theater company or dinner theater”, “Camper park”</i> <i>Delete the MT-1 and MT-2 columns.</i>	Several additional uses are proposed to be allowed in certain districts to improve consistency within the table of allowed uses. At the Mayor’s direction, all of the commercial uses to be allowed in the B-3 district are proposed to also be allowed in the I-1 district, and the midtown (MT) districts are proposed for deletion. Note: PZC already recommended the addition of the following commercial uses into the I-1 zone: Instructional Services, Fitness and Recreational Sports Center, Marine wholesaling
33.	21.05.030A.2.b.ii. <i>Delete subsection 21.05.030A.2.b.ii.</i>	At the Mayor’s direction, the design standards for single-family structures are proposed for deletion.
34.	21.05.030A.4.b. <i>Delete subsection 21.05.030A.4.b.</i>	At the Mayor’s direction, the design standards for single-family structures are proposed for deletion.
35.	21.05.030A.6.b. <u>When applicable, t</u>T<u>wo-family dwellings shall comply with the <u>townhouse style</u> [APPLICABLE] residential design standards in section 21.07.110<u>100</u>, Residential Design Standards.</u>	Side-by-side two-family dwellings will fall under the townhouse style design standards, while over/under two-family dwellings will no longer have any design standards—they would have had to meet the single-family design standards, but those have been proposed for deletion, at the Mayor’s direction.

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Section		Amendment	Purpose/Origin/Notes
36.	21.05.040I.3.*	2. Airstrip, Private a. Definition Privately owned land or water maintained as a runway for fixed-wing aircraft. b. Use-Specific Standards i. Private airstrips are allowed conditionally in residential districts only if approach and noise buffer areas are provided. ii. <u>Applications for private airstrips shall be accompanied by a determination letter from the Federal Aviation Administration.</u>	Based on public comment, this amendment ensures that the FAA is cognizant of proposed airstrips and their locations.
37.	21.05.050F.2.b.	i. Financial institutions are permitted in the B-1A, NMU, <u>I-1</u>, and B-3 districts <u>only</u> if they are providing primarily retail services to walk-in customers, rather than primarily office and support services with few walk-in customers. ii. Financial institutions in the B-3 <u>and I-1</u> districts shall have a maximum gross floor area of 5,000 square feet.	At the Mayor's direction, the same commercial uses to be allowed in the B-3 district are proposed to also be allowed in the I-1 district. Because financial institutions are limited to smaller branch offices in the provisionally adopted B-3, this amendment applies the same limits in the I-1. This follows the provisionally adopted focus of high intensity commercial uses in mixed-use city center districts.
38.	21.05.050F.3.*	<u>ii. Business or professional office uses in the I-1 and I-2 districts shall be subject to the following limitations:</u> <u>(A) The building or portion of the building containing the use shall not exceed 45 feet in height.</u> <u>(B) The proposed office use shall directly serve the function of an industrial or public/institutional use permitted in the district.</u> <u>(C) The office use shall comprise no more than 25 percent of the gross floor area on the site when the gross floor area is over 5,000 square feet, unless a greater percentage is approved by the director.</u> <i>Amend table 21.05-2 to allow office as a permitted use ("P") in the I-2 district.</i>	This amendment limits the size and non-industrial use of office buildings in the industrial districts, in order to: - Encourage high intensity office employment growth to concentrate in the city's commercial districts and mixed-use centers, rather than in outlying industrial zones. - Prevent using up the city's remaining industrial land base for commercial offices that may be unrelated to and incompatible with industrial uses and functions. - Repair an inconsistency in the draft code that would allow taller office buildings in the I-1 than in the B-3 or mixed-use districts outside of midtown. The proposed amendment also allows for office uses in the I-2 district, subject to the limitations.

* = The amendment or a portion of the amendment has been available for public review since May 2010.

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Section	Amendment	Purpose/Origin/Notes
39.	21.05.050H.6.* <i>Add this new use as H.6. and re-number remaining</i> 6. Furniture and Home Appliance Store a. Definition <u>An establishment engaged primarily in the sale of large household items, such as furniture, mattresses, carpets and flooring, and home appliances, in which a majority of the merchandise occupies large amounts of store floor area and is generally too large or heavy for an individual consumer to carry alone.</u> <i>In table 21.05-2, add this use and allow it by “P” in the B-3, CMU, RMU, and I-1 districts. Renumber the remaining sections.</i>	This amendment clarifies the name and definition for a use type that is distinguished by a lower parking requirement in the provisionally adopted title 21, and clarifies where it will be allowed. Listing it as a separate use type supports administering its lower, more appropriate parking requirement.
40.	21.05.050H.6. a. Definition An establishment engaged primarily in the retail sale of goods or merchandise...discount stores, catalog showrooms; [PHARMACIES;] and specialty retail stores specializing in such goods as clothing, [HOME FURNISHINGS,] sporting goods, books, stationary, music, video rentals, or flowers. b. Use-Specific Standards i. Any general retail use, such as a pharmacy, with drive-through service shall comply with the “drive-through service” accessory use standards in subsection 21.05.070D.6[7]. ii. <u>General retail establishments in the I-1 district shall have a maximum gross floor area of 20,000 square feet.</u>	Corrects the use definition by removing from its list of examples several establishments which are actually other use types. Secondly, at the Mayor’s direction, general retail is proposed to be allowed in the I-1 district, with the limitation that general retail uses which are large commercial establishments (more than 20,000 sq. ft.) should not be permitted in the I-1.
41.	21.05.050H.7.b. b. Use-Specific Standards i. Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A. ii. <u>Grocery or food stores in the I-1 district shall have a maximum gross floor area of 20,000 square feet.</u>	At the Mayor’s direction, grocery stores are proposed to be allowed in the I-1 district, with the limitation that grocery stores which are large commercial establishments (more than 20,000 sq. ft.) should not be permitted in the I-1.
42.	21.05.060E.6.a.* The burial of hazardous or non-hazardous agricultural, residential, institutional, commercial, or industrial waste, including [AREAS FOR THE DISPOSAL OF BUILDING AND ORGANIC MATERIAL AND] solid waste processing. This use does not include land reclamation.	Landfill standards should not be applied to areas where building and organic material is disposed of.
43.	21.05.070C.g. Table 21.05-4* <i>Add “ADU” as “P” in R-1, R-1A, and R-3.</i>	ADUs are a small piece of the puzzle to solve the city’s projected housing shortfall. This amendment allows ADUs in the R-1, R-1A, and R-3 districts.

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Section	Amendment	Purpose/Origin/Notes																											
44.	21.05.070C.g. Table 21.05-5* <i>Add “Outdoor keeping of animals” as “P” in PR and PLI</i> <i>Delete the MT-1 and MT-2 columns.</i>	This amendment accommodates the possibility of schools keeping rabbits or chickens. At the direction of the Mayor, the midtown districts are proposed to be deleted.																											
45.	21.05.070D.1.b.iii.(B).* (B) Requirements for Developing an ADU [ADUS SHALL BE ALLOWED IN ALL RESIDENTIAL ZONING DISTRICTS EXCEPT R-1, R-1A, R-3, R-4, AND R-4A.] <u>(1) One Principal Structure</u> One ADU may be added to or created within a detached single family dwelling on a lot, tract, or parcel, but only if the detached single-family dwelling is the sole principal structure on that lot, tract, or parcel.	ADUs are a small piece of the puzzle to solve the city's projected housing shortfall. This amendment allows ADUs in the R-1, R-1A, and R-3 districts.																											
46.	21.05.070D.1.iii.(C).(1).* The ADU shall be at least 60 feet from <u>all [THE PRIMARY] front lot lines, and [OR]</u> at least 10 feet behind the [PRIMARY] façade of the principal dwelling unit <u>that contains the primary entrance.</u>	Resolves confusion over the interpretation of this section.																											
47.	21.05.070D.6.b.* <i>Add new subsection iii.</i> <u>iii. Change of Use</u> <u>The addition or removal of a drive-through is a change of use.</u>	Needed to maintain separate parking requirements and development standards for drive-through and sit-down restaurants, which must be administered through land use permit reviews.																											
48.	21.05.070D.12.b.vi.* Loading or unloading a connex unit, or the use of a connex during construction is exempt from this section, <u>as long as the connex unit is removed promptly at the finish of the loading/unloading or construction activity.</u>	This amendment clarifies the intent of the provision, which is that a connex used for loading/unloading or construction is a <u>temporary</u> feature.																											
49.	21.06.020 Table 21.06-1 <i>Add the following new rows under the R-3 section:</i> <table><tr><th>Use</th><th>Area (sq ft)</th><th>Width (ft)</th><th>Max lot coverage (%)</th><th>Front setback</th><th>Side setback</th><th>Rear setback</th><th>Max Number of Principal structures</th><th>Maximum height of structures (ft)</th></tr><tr><td><u>Dwelling, single-family detached</u></td><td><u>6,000 min. 7,250 max.</u></td><td><u>50</u></td><td><u>40</u></td><td><u>20</u></td><td><u>5</u></td><td><u>10</u></td><td><u>1</u></td><td><u>30</u></td></tr><tr><td><u>Dwelling, single-family attached</u></td><td><u>3,000 min.</u></td><td><u>35 (40 on corner lots)</u></td><td><u>40</u></td><td><u>20</u></td><td><u>N/A on common lot line; otherwise 5</u></td><td><u>10</u></td><td><u>1</u></td><td><u>30</u></td></tr></table>	Use	Area (sq ft)	Width (ft)	Max lot coverage (%)	Front setback	Side setback	Rear setback	Max Number of Principal structures	Maximum height of structures (ft)	<u>Dwelling, single-family detached</u>	<u>6,000 min. 7,250 max.</u>	<u>50</u>	<u>40</u>	<u>20</u>	<u>5</u>	<u>10</u>	<u>1</u>	<u>30</u>	<u>Dwelling, single-family attached</u>	<u>3,000 min.</u>	<u>35 (40 on corner lots)</u>	<u>40</u>	<u>20</u>	<u>N/A on common lot line; otherwise 5</u>	<u>10</u>	<u>1</u>	<u>30</u>	At the Mayor's direction, single-family attached and detached dwellings are proposed to be allowed in the R-3 medium density multifamily district, under the condition that the density will be no less than six dwelling units per acre (or a maximum of 7,260 square feet per dwelling) to encourage efficient use of R-3 lands. Most of the proposed dimensions reflect prevailing lot requirements for single-family use, except that setbacks are generally consistent with other uses in the R-3 district.
Use	Area (sq ft)	Width (ft)	Max lot coverage (%)	Front setback	Side setback	Rear setback	Max Number of Principal structures	Maximum height of structures (ft)																					
<u>Dwelling, single-family detached</u>	<u>6,000 min. 7,250 max.</u>	<u>50</u>	<u>40</u>	<u>20</u>	<u>5</u>	<u>10</u>	<u>1</u>	<u>30</u>																					
<u>Dwelling, single-family attached</u>	<u>3,000 min.</u>	<u>35 (40 on corner lots)</u>	<u>40</u>	<u>20</u>	<u>N/A on common lot line; otherwise 5</u>	<u>10</u>	<u>1</u>	<u>30</u>																					

Proposed Amendments to Title 21 for Planning and Zoning Commission Consideration

	Section	Amendment	Purpose/Origin/Notes
50.	21.06.020 Table 21.06-2	<i>In the B-3 row, amend the cell under “Maximum height (ft)” as follows:</i> 45, <u>except in the Midtown area bounded by the Seward Highway, Tudor Road, Arctic Boulevard, and Fireweed Lane, where there is no maximum height</u>	At the Mayor’s direction, height limits are proposed to be removed from the midtown area bounded by these four streets.
51.	21.06.020 Table 21.06-3	<i>Delete the MT-1 and MT-2 rows.</i> <i>In the RMU, “All other uses” row, amend the cell under “Max height (ft)” as follows:</i> 60, <u>except in the Midtown area bounded by the Seward Highway, Tudor Road, Arctic Boulevard, and Fireweed Lane, where there is no maximum height</u>	At the Mayor’s direction, the midtown districts are proposed to be deleted, and height limits are proposed to be removed from the midtown area.
52.	21.06.020 Table 21.06-4*	<i>The following amends the height column in the PLI row:</i> <u>75 feet, unless greater height is approved by conditional use or through an institutional master plan</u> [NO MAXIMUM, EXCEPT THAT THE HEIGHT TRANSITION PROVISIONS OF SUBSECTION 21.06.030D.7. SHALL APPLY]	A height limit is proposed for the PLI, both to be consistent with other districts, and to protect neighboring development.
53.	21.06.030C.1.f.*	<i>Add new text in subsection f. as follows:</i> f. <u>Where a setback is allowed to be zero feet, the setback shall be any inelastic response displacement distance required by title 23 to accommodate seismic deflection. A parapet cap, trim, or other similar cover shall cover any gap between buildings, in accordance with title 23.</u>	To resolve an inconsistency with the building code where a 0’ setback may be required by T21, but a seismic deflection setback may be required by T23..
54.	21.06.030D.	<i>Amendments to Height Transitions for Neighborhood Compatibility are forthcoming.</i>	At the Mayor’s direction, modifications to the height transitions section will be proposed to describe different methods for achieving an appropriate height transition, and to allow the applicant more discretion for how to achieve the objective.
55.	21.06.030E.3.a.	For the NMU, CMU, <u>and</u> RMU[, MT-1 AND MT-2] zoning districts, table 21.06-3 establishes the maximum FAR for each district.	At the Mayor’s direction, the MT-1 and MT-2 districts (midtown districts) are proposed for deletion.
56.	21.07.020B.3.c.	The decision-making body shall not grant final approval to any development or activity, including subdivisions <u>but excluding rezonings</u> , in a wetland that falls within the federal government’s jurisdiction until all necessary federal approvals and permits have been obtained.	For rezoning, the COE wetland permit should come after the rezoning, as stated in 21.03.160.
57.	21.07.020B.4.a.i.	In all zoning districts <u>except for the R-10 district</u> , buildings, accessory structures, and parking lots shall be set back at least <u>25</u> [50] 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. <u>In the R-10 district, the setback shall be 50 feet.</u> Except as provided in B.6. below, no disturbance is permitted in the [50-FOOT] setback area.	At the Mayor’s direction, the stream setback distances are proposed to be returned to their current code widths, with the exception being the R-10, which is proposed to be half of its current code width.

* = The amendment or a portion of the amendment has been available for public review since May 2010.

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Section	Amendment	Purpose/Origin/Notes
58.	21.07.020B.4.b.i. and b.iv. i. A stream channel alteration or restoration project may create [DEVELOP] a “stream corridor” containing appropriate meander widths [DISTRIBUTED] based on topographic conditions and hydraulic design. Where established, the “stream corridor” shall be the stream setback for the purposes of municipal code. ... iv. The design of the new stream channel [ALTERATION] may meander within this corridor...	Amendments for clarity.
59.	21.07.020B.6.b.ii. and iii. ii. The following structures and uses of land or structures are permitted parallel to the stream within the outer 10 [15] feet of the setback: (A). Public recreation facilities such as [OTHER THAN] trails; (B). Utility facilities pursuant to 6.d. below; (C). On-site snow storage piles in accordance with subsection 21.07.040F., <i>Snow Storage and Disposal</i>; (D). Drainage facilities, in accordance with subsection 21.07.040 and approved by the <u>public works</u> [PROJECT MANAGEMENT AND ENGINEERING] department; [AND (E). LAWNS, LANDSCAPING, PLAY EQUIPMENT, FENCES, PERVIOUS DECKS, UNPAVED PATIOS, AND OTHER SIMILAR FEATURES THAT ARE BASED ON A PERVIOUS SURFACE.] <u>provided that applicable facilities are buried, and provided that all disturbed areas shall be revegetated with trees, shrubs, and ground cover similar to natural vegetation in the area. Revegetation is to occur during the same growing season, except as otherwise permitted by the director.</u> [III. TRAILS ARE PERMITTED PARALLEL TO THE STREAM WITHIN THE OUTER 35 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.]	At the Mayor’s direction, the stream setback distances are proposed to be returned to their current code widths, and the accompanying regulations to match current code.
60.	21.07.020C.2. a. <u>Except as noted in 2.b. below, a</u>[A]ny lot with an average slope of 20 percent or greater, or where adverse conditions associated with slope stability, erosion, or sedimentation are present as determined by the municipal engineer, shall comply with the standards of this subsection 21.07.020C. Lots being subdivided shall comply with chapter 21.08, including subsection 21.08.030H., <i>Subdivisions on Slopes</i>, if applicable. b. <u>This section applies to naturally occurring steep slopes and not to those that result from human activities such as gravel extraction.</u>	To address concerns raised by the public that steep slopes caused by human activity should not be regulated in the same way as naturally occurring slopes.

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Section		Amendment	Purpose/Origin/Notes
61.	21.07.030B.1. through B.5.*	1. R-2M and R-2F districts: 480 square feet of private open space per dwelling unit, or an area equal to five percent of the gross floor area of group living uses or nonresidential development. <u>The private open space may be for the exclusive use of each dwelling unit, shared in common among the units, or a combination of the two.</u> 2. R-3 district: 400 square feet of private open space per dwelling unit. At least half of the private open space shall be shared in common among the units. Group living uses and nonresidential development shall provide an area equal to five percent of the gross floor area for open space. 3. R-4 and R-4A districts: For a multifamily use with townhouse-style construction, 225 square feet of private open space per dwelling unit, to be provided for the exclusive use of each dwelling unit per C.2. below; for non-townhouse-style multifamily uses, <u>120 [125]</u> square feet of private open space per dwelling unit, and at least half of the private open space shall be shared in common among the units. Group living uses and nonresidential development shall provide an area equal to five percent of the gross floor area for open space. 4. B-1A, B-3, RO, NMU, CMU, and RMU, and nonresidential development in residential districts: a. Private open space equal to five percent of the gross floor area of the nonresidential portion of the development shall be provided <u>(up to a maximum requirement of 2,000 square feet).</u> b. Where dwelling units are part of the development, an additional 120 square feet of private open space per dwelling unit shall be provided, which shall not be combined with private open space for the nonresidential portion of the development. <u>For townhouse-style construction, the private open space shall be provided for the exclusive use of each dwelling unit. For other building types, at least half of the private open space shall be shared in common among the units.</u> 5. DT <u>[AND MT]</u> districts: [to be determined through Downtown Plan <u>[AND MIDTOWN PLAN]</u> and regulations processes]	In response to public comment, the requirements are clarified for when open space is exclusive to each unit, and when it is to be common to all units. At the Mayor's direction, the amount of private open space required for nonresidential development is capped at 2,000 square feet. At the Mayor's direction, the MT-1 and MT-2 districts (midtown districts) are proposed for deletion. Note: PZC already recommended consolidating and expanding the list of exempted uses, as well as several amendments increasing the flexibility of the non-residential private open space standards.
62.	21.07.060D.3.	<i>Amendments to Street Connectivity are forthcoming.</i>	At the Mayor's direction, the street connectivity index will be replaced with different vehicular and pedestrian connectivity standards. New proposed standards will be provided shortly.
63.	21.07.060E.2.b.	In all class A zoning districts, sidewalks shall be installed on both sides of all new streets (local, collector, arterial, public or private, including loop streets and <u>the stem of</u> cul-de-sacs— <u>sidewalks are not required around cul-de-sac bulbs</u>).	At the Mayor's direction, sidewalks are proposed not to be required around the bulb of a cul-de-sac.

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	Section	Amendment	Purpose/Origin/Notes
64.	21.07.060F.6.e.*	<i>Add new subsection e.</i> Plazas shall not be paved with asphalt.	This amendment, first proposed for public review in 2010, is directed only at plazas that would receive credit toward a floor area bonus, menu choice, or other zoning incentive under title 21, and helps ensure such plazas meet basic standards for quality to provide a public benefit in return for the credit they receive. This does not apply to any other plazas.
65.	21.07.080	<i>Amendments to the landscaping section may or may not be forthcoming based on pending discussions with the Alaska chapter of the American Society of Landscape Architects.</i>	
66.	21.07.080E.5. Table 21.07-2	<i>For the row labeled “NMU, CMU, B-1A”, delete the requirement for L2 landscaping when adjacent to “B-3, RO”</i>	At the Mayor’s direction, the site perimeter landscaping requirement for lots zoned to mixed-use next to B-3 or RO lots is proposed to be deleted, in order to save space and costs for individual lots that rezone to mixed-use from within an existing commercial district.
67.	21.07.080E.5.e.	i. 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. ii. Household living uses in a residential only structure in the B-1A district may adhere to the site perimeter landscaping requirements of the R-3 district.	In order to increase the flexibility of the B-1A district to allow for mixed-use sites that include residential buildings, this proposed amendment would apply a lower perimeter landscaping requirement to the residential structures consistent with residential district standards. This amendment arose from public comments and the West Anchorage District Plan process.
68.	21.07.080E.5.f.*	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 enhanced [MIXED-USE DISTRICT] sidewalk [STREETSCAPE LANDSCAPING] standards in subsection 21.04.050G.5.	Rewording for clarity and consistency.
69.	21.07.080F.5.	Except as specifically allowed elsewhere in this title, no structure, motor vehicle area, snow storage, or paved area may be located in areas required for landscaping, except that snow storage is allowed in site enhancement landscaping.	The intent is to protect site/parking lot perimeter and parking lot interior landscaping. Snow storage should be allowed in site enhancement landscaping.
70.	21.07.080G.2.h.	Sites with refuse collection receptacles that are subject to the location and screening requirements of subsections 21.07.080G.2.d. and G.2.e. shall meet the requirements of this section within seven [FIVE] years from the effective date of this title.	At the Mayor’s direction, the amortization period for complying with the new dumpster screening provisions is proposed to be increased to seven years.

* = The amendment or a portion of the amendment has been available for public review since May 2010.

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Section	Amendment	Purpose/Origin/Notes
71.	21.07.080H.3.a.* 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, <u>except where abutting or across an alley from a nonresidential district, in which case the fence may be up to eight feet in height.</u>	This amendment allows residential lots a taller fence to obscure nonresidential uses across an alley.
72.	21.07.090E. Table 21.07-5* <i>Amend the table of off-street parking requirements as follows:</i> <i>For Dwelling, mixed-use, multi[PLE-]family, single-family attached, two-family, and townhouse, add the following:</i> <u>Add 0.10 guest parking spaces for each multifamily du in a multifamily structure, with a minimum of 1 guest space; Add 0.10 guest parking spaces for each mixed-use du, with a minimum of 1 guest space</u> Community center or religious assembly: 1 per <u>5</u> [4] persons in principal assembly area based on maximum occupancy provisions of AMC title 23 Retail and pet services: 1 per <u>350</u> [300] sf Amusement establishment: <i>add</i> <u>“Indoor shooting range” at “1 per target area, or 1 per 5 seats, whichever is greater”</u> <i>Delete</i> “Pharmacy/Drugstore and Video Rental Store” <i>and</i> “Dry-cleaning drop-off site/Mail Package Service/Locksmith Shop” <i>Change</i> “All other uses” (<i>in the Personal Service, Repair, and Rental category</i>) to <u>“General Personal Services”</u>: 1 per <u>400</u> [300] sf gfa <i>Change</i> “Farmers market”: <u>See subsection 21.07.090E.3. [1 PER 250 SF, WITH A MINIMUM OF 6]</u> <i>Change</i> “Retail sales of large or bulky merchandise such as furniture, home appliance, or flooring store” to <u>“Furniture and Home Appliance Store”</u> <i>Move</i> “Bicycle <u>store</u> [SHOP]” <i>to be a subset of</i> “General retail” Research laboratory: 1 per <u>350</u> [300] sf	Proposed corrections, final adjustments, and clean-up amendments in the parking requirements: A guest parking space requirement is proposed for apartment dwellings in multifamily and mixed-use structures, to be consistent with the provisionally adopted treatment of guest parking for other attached housing types. Based on Traffic Engineer review, parking studies, and public comments. Amendments proposed in 2010 for public review, for community centers, religious assemblies, and amusement establishments, based on parking studies or other input. Miscellaneous other amendments to correct, clarify, or improve the consistency of parking requirements across similar uses, or realign the use listings in the parking table with the provisionally adopted use type categories in Chapter 21.05.
73.	21.07.090F.3.c.* For buildings constructed after [effective date], parking facilities including driveways shall comprise no more than <u>50 percent</u> [ONE-THIRD] of the area between the street property line and the street facing building elevation, and garage doors shall comprise no more than <u>50 percent</u> [ONE-THIRD] of the length of the street facing building elevation. These requirements apply to no more than two street frontages.	In response to a public comment in 2010, a prerequisite for gaining approval for a lower parking requirement is proposed to be made more flexible for small infill sites with narrow frontages.

Proposed Amendments to Title 21 for Planning and Zoning Commission Consideration

	Section	Amendment	Purpose/Origin/Notes
74.	21.07.090F.3.d.	For <u>residential</u> developments that are required to provide private open space, an additional 40 square feet of private open space that meets the requirements of subsection 21.07.030 shall be provided for each reduction of one parking space. This shall be common private open space in the case of multifamily and mixed-use dwellings.	At the Mayor's direction, additional open space is not required to obtain a parking reduction for non-residential development. Additional open space in return for less parking is thereby limited to residential, where the benefit of ameliorating increased density with a little more open space is likely to be more needed.
75.	21.07.090F.3.e.	The director and the traffic engineer may determine there is potential for driveway or walkway cross-access to abutting properties and may require a cross-access facility and/or easement within the subject property to the site boundary. <u>Vehicular cross-access may only be required in commercial and mixed-use districts.</u>	To address concerns raised by the public regarding the application of this requirement, the potential for vehicular cross-access is limited to commercial and mixed-use districts, where the benefit of keeping short trips off of arterials is likely to be more needed.
76.	21.07.090F.6.	6. <u>Districts That Promote a Mix of Uses</u> [MIXED-USE DISTRICTS] <u>a. Uses located in the NMU, CMU, RMU, [MT-1, MT-2,] and R-4A districts are eligible for a reduction of up to 10 percent of the minimum number of required parking spaces.</u> <u>b. Uses located in the B-1A district are eligible for a reduction of up to 10 percent of the minimum number of required parking spaces, if the B-1A district abuts residential districts on the majority of its perimeter, and has a contiguous area of no more than one acre, excluding rights-of-way.</u>	At the Mayor's direction, the MT-1 and MT-2 districts (midtown districts) are proposed for deletion. Small neighborhood commercial sites are proposed to be eligible for a parking reduction, to reflect that they can serve and be accessed from the immediate surrounding residential area. Based on public comments and the West Anchorage District Plan process.
77.	21.07.090F.19.	If approved by the traffic engineer, on-street curb parking spaces in the street or right-of-way abutting the frontage of the site may be counted toward the minimum required number of off-street parking spaces, <u>including guest parking spaces.</u>	Clarifies that on-street parking may count toward residential guest parking requirements.
78.	21.07.090H.7.b.*	<i>Delete from 21.07.090H.7.b. and add as new 21.07.110C.5., renumbering remaining sections. Retitle as "<u>Relationship to Parking</u>"</i>	Non-substantive amendment that relocates a multifamily-specific provision to the multifamily standards, to improve organization and clarity.
79.	21.07.090H.9.b.*	... Circulation patterns within parking facilities shall be well defined with pavement marking and signage, [VERTICAL] curbs, landscaping, landscaped islands, and/or other similar features....	Rolled curbing to be allowed within parking facilities.
80.	21.07.090H.9.e.i.*	To ensure safe and efficient vehicular access to parking spaces, each [REQUIRED] off-street parking space shall open directly on a parking aisle or driveway of such width and design as provided in table 21.07-9 and the illustrations that follow the table. Adequate ingress and egress to each parking space shall be provided without backing more than 25 feet.	A correction from the traffic engineer, to reflect that all of the parking spaces in a facility to be used by the public, not just the minimum spaces required by code, are reviewed and approved by the traffic engineer for safe and efficient access.

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Section		Amendment	Purpose/Origin/Notes
81.	21.07.090H.10.j.*	Add new subsection j. as follows: i. <u>Stacked, Automated, or Tandem Spaces</u> <u>The traffic engineer may approve reduced parking space dimensions for stacked parking spaces, and/or tandem spaces in an attendant parking facility.</u>	Gives discretion to the traffic engineer to approve smaller parking space dimensions where appropriate.
82.	21.07.090H.13.	a. <i>Material</i> Except as provided below, all parking spaces, loading berths, driveways, and other motor vehicle driving surfaces shall be paved and maintained with dustless, all-weather, hard materials appropriate for the municipality's sub-arctic environment, and equal in strength to two inches municipal type E asphaltic concrete and a base material suitable for the intended traffic, to standards prescribed or as otherwise approved by the <u>traffic [MUNICIPAL]</u> engineer. b. <u>Paving Exceptions and Alternatives</u> [EXCEPTIONS FOR SMALL PARKING LOTS IN CLASS B DISTRICTS] <u>The traffic engineer may approve the following exceptions and alternatives to the paving requirement, provided that the first 50 feet of a driveway, as measured from the edge of the street travelled way, shall be paved if connecting to a paved public street. Where a driveway throat is less than 50 feet, the traffic engineer may approve an alternative driveway surface that effectively reduces or eliminates the tracking of sediment onto paved public streets.</u> i. <u>Use-Specific Exceptions</u> <u>Certain uses may use gravel in lieu of paving, as specified in chapter 21.05.</u> ii. <u>Exceptions for Small Parking Lots in Class B Districts</u> Parking lots of 10 spaces or fewer in class B districts may instead be surfaced with a layer of crushed rock of no more than one inch in diameter, to a minimum depth of three inches. iii.[C] <u>Exceptions for Some Vehicle Storage Areas</u> Outdoor vehicle storage areas associated with a self-storage facility use; storage, sales, or rental of heavy equipment; seasonal large vehicle storage; and tractor trailer storage areas not used for loading berths, loading berth maneuvering, access to bay doors, site access, or parking, need not be paved. Such areas are still subject to the drainage requirements of subsection 21.07.040. iv.[D] <u>Exceptions for Parks and Open Spaces</u> Subject to review and approval by the traffic engineer <u>[AND MUNICIPAL ENGINEER]</u>, some required	A proposed amendment from the traffic engineering, right-of-way enforcement, and building official to require driveways that connect to a paved public street to be paved for the first 50 feet, in order to minimize the tracking of sediment onto paved public streets. Also clarifies and simplifies review and approval authority to the traffic engineer.

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Proposed Amendments to Title 21 for Planning and Zoning Commission Consideration

Section		Amendment	Purpose/Origin/Notes
		parking spaces for parks facilities that are demonstrated to have a highly variable seasonal demand need not be paved. v. [E] Paving Alternatives Pervious alternatives to the specified surface may be used, subject to approval by the traffic engineer[MUNICIPAL ENGINEER]. All surfacing shall control dust, treat storm water to municipal standards, and be such that rock and other debris is not tracked off-site. If, after construction, the traffic engineer[MUNICIPAL ENGINEER] determines that the alternative is not adhering to these requirements, the surface shall be replaced. vi. [F] Landscaping in Lieu of Paving The vehicle overhang allowance portion of the parking space depth as measured in table 21.07-9 and illustrated in the figures following the table, may be landscaped with a low-growth, hardy plant material in lieu of paving, allowing a bumper overhang while maintaining the required parking dimensions. Landscaped overhang allowance areas may be contiguous with required landscaping but shall not be counted toward the minimum required planting bed width. vii. [G] Exception for Temporary Parking Lots Temporary parking lots associated with another temporary use pursuant to section 21.05.080, need not be paved, unless required by the traffic engineer[MUNICIPAL ENGINEER]. <i>Re-number subsections 13.c. through 13.g. to be 13.b.iii. through 13.b.vii.</i>	
83.	21.07.090J.7.*	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...	A technical correction to align this dimensional provision with federal ADA standards.
84.	21.07.110C. and D.	<i>Amendments to Multifamily Design Standards and Townhouse Design Standards are forthcoming.</i>	In response to public comment and at the Mayor's direction, amendments to these design standards will be proposed.
85.	21.07.110D.9.d.	Landscaping area required by this section shall be planted with 0.2 landscape units per square foot of planting area, except that planting areas with a minimum inside dimension of 12 feet or more may be planted with 0.1 landscape units per square foot. Planting beds shall be separated from parking spaces and driveways by landscape edging. [LANDSCAPING AREAS SHALL BE PROTECTED FROM COMMON PARKING LOTS [AREAS] AND CIRCULATION AISLES BY VERTICAL CURBING OR A PERMANENT HARDSCAPE FEATURE SUCH AS CURB STOPS, BOLLARDS, OR BOULDERS.]	At the Mayor's direction, this amendment responds to public comment that the requirement for a barrier between landscaping and vehicular areas is too expensive.

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Proposed Amendments to Title 21 for Planning and Zoning Commission Consideration

	Section	Amendment	Purpose/Origin/Notes
86.	21.07.110E. and F.	Delete sections 21.07.110E. and 21.07.110F.	At the Mayor's direction, the design standards for single-family and two-family structures are proposed to be deleted.
87.	21.07.110G.*	Move Quonset hut definition to chapter 21.14.	For consistency.
88.	21.07.110H.3.	Amendments to Driveway Width are forthcoming.	In response to public comment and at the Mayor's direction, amendments to the residential driveway width standards will be proposed.
89.	21.07.110H.4.b.*	In situations where a group of lots front [ING] an entire block on one side of a street between two intersections, abut a mid-block alley, and are being developed together, then parking access to the structures shall be from the alley, and the building(s) may encroach into the front setback by up to five feet. [MAY BE REDUCED TO 10 FEET.]	Rather than reducing the setback for this specific situation, which could have ramifications for other things such as outbuildings, the provision is reworded to allow the building(s) to encroach into the setback. The effect is the same for the principal structure(s).
90.	21.07.130A.5.j.ii., iii., and iv.*	ii. Peaked, arched, or other entrance roof form; iii. Transom or clerestory windows, along with double entry doors or sidelight windows; iv. Façade detail [ORNAMENTAL ARCHITECTURAL] features such as tilework, moldings, or lighting, integrated into the building design; or	Amendments for clarity and consistency.
91.	21.07.130A.6.f.*	f. <u>Street-Facing</u> [UPPER LEVEL] Windows Provide visual access windows and/or primary entrances on each street-facing building elevation (up to a maximum of two elevations) comprising at least 15 percent of the ground-floor wall area. An elevation that is more than 150 feet away from the facing street right-of-way shall be exempt, unless it is the only applicable elevation. Qualifying windows shall be no more than four feet above finished grade. [ELEVATIONS FACING STREETS AND RESIDENTIALLY ZONED LOTS SHALL PROVIDE WINDOWS ALONG 35 PERCENT OF EACH UPPER FLOOR FAÇADE. FOR THE PURPOSES OF THIS SECTION ONLY, FLOORS SHALL BE CONSIDERED 15 FOOT INCREMENTS IN HEIGHT, AND ROOFTOP MECHANICAL PENTHOUSES ARE EXEMPT.]	To make the requirement simpler, clearer, more practical, and more consistent with the provisionally adopted standards for other kinds of commercial development.
92.	21.08.030F.7.a.*	The subdivider shall provide names for all new streets in the subdivision, which names shall neither duplicate, nor be subject to confusion with, the spelling or the pronunciation of any existing street name in the municipality. The subdivider's selection of street names shall be subject to review by the director, who may reject any proposed street name that does not conform to this section or to any regulation promulgated pursuant to this section. The municipality shall name all streets that are peripheral to the subdivision and all extensions of existing streets into the subdivision. [WHERE A NEW STREET EXTENDS OR CONTINUES AN EXISTING STREET, THE NAME OF THE EXISTING STREET SHALL BE USED FOR THE NEW STREET.]	Clarification based on existing policy.

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Proposed Amendments to Title 21 for Planning and Zoning Commission Consideration

	Section	Amendment	Purpose/Origin/Notes												
93.	21.08.030H.2.d.*	A summary of field exploration methods and tests on which the report is based, such as probings, core drilling, [BOREHOLE PHOTOGRAPHY,] or test pits.	Plan reviewers in Development Services Division were unfamiliar with borehole photography.												
94.	21.08.030I.4.*	The platting authority may reject a proposed subdivision in its entirety if the geotechnical investigation does not demonstrate that the area can be developed in accordance with this title and AMC title 23.													
95.	21.08.030M.2.	[IF A LANDSCAPING EASEMENT IS REQUIRED, NO MORE THAN 50 PERCENT OF SUCH EASEMENT SHALL COINCIDE WITH ANY UTILITY EASEMENT, PER THE REQUIREMENTS OF 21.07.080G.2.C., UNLESS THE UTILITIES ARE INSTALLED IN A CONDUIT OR UTILIDOR OF SUFFICIENT SIZE TO REDUCE THE RISK OF LAND DISTURBANCE IF REPAIRING, REPLACING, OR UPGRADING UTILITY LINES, IN WHICH CASE THE LANDSCAPING EASEMENT AND THE UTILITY EASEMENT MAY COINCIDE COMPLETELY.]	Economic Impact Analysis (EIA) testing showed this provision to be unfeasible.												
96.	21.08.050E. Table 21.08-7	<table><tr><th colspan="2">TABLE 21.08-7: ADDITIONAL SPILLOVER PARKING SPACES REQUIRED FOR EACH LOT FRONTING ON A STREET WITHOUT ON-STREET PARKING</th></tr><tr><th>Residential Use TypeHOUSING TYPE</th><th>Number of Spaces Per Unit</th></tr><tr><td>Dwelling, single-family detached</td><td>1.0[1.5]</td></tr><tr><td>Dwelling, single-family attached or two-family[(1 TO 4 UNITS)]</td><td>0.5[1.0]</td></tr><tr><td>Dwelling, townhouse</td><td>0.25</td></tr><tr><td>Dwelling, multiple-family (including multiple-family dwellings with single-family, two-family, or townhouse-style construction)[(EXCEEDING 4 UNITS)]</td><td>None[0.5] (Instead subject to guest space requirements of Table 21.07-5)</td></tr></table>	TABLE 21.08-7: ADDITIONAL SPILLOVER PARKING SPACES REQUIRED FOR EACH LOT FRONTING ON A STREET WITHOUT ON-STREET PARKING		Residential Use TypeHOUSING TYPE	Number of Spaces Per Unit	Dwelling, single-family detached	1.0[1.5]	Dwelling, single-family attached or two-family[(1 TO 4 UNITS)]	0.5[1.0]	Dwelling, townhouse	0.25	Dwelling, multiple-family (including multiple-family dwellings with single-family, two-family, or townhouse-style construction)[(EXCEEDING 4 UNITS)]	None[0.5] (Instead subject to guest space requirements of Table 21.07-5)	Amendment to coordinate this section with the residential guest parking space requirements in the Chapter 21.07 off-street parking section, and to update the terms used in this table to be consistent with the rest of the Title 21 rewrite. These changes would help to avoid a development being required to provide both spillover parking spaces and guest parking spaces. The spillover space requirement is also reduced to a closer nexus with the amount of on-street parking that would have been possible on each lot frontage.
TABLE 21.08-7: ADDITIONAL SPILLOVER PARKING SPACES REQUIRED FOR EACH LOT FRONTING ON A STREET WITHOUT ON-STREET PARKING															
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Dwelling, townhouse	0.25														
Dwelling, multiple-family (including multiple-family dwellings with single-family, two-family, or townhouse-style construction)[(EXCEEDING 4 UNITS)]	None[0.5] (Instead subject to guest space requirements of Table 21.07-5)														
97.	21.09.040B.2.a.*	Add new a.iii. as follows: <u>iii. District-Specific Standard</u> <u>More than one principal structure may be allowed on any lot or tract by administrative site plan review. No portion of any structure may be closer than 10 feet to any portion of any other structure.</u>	These amendments clarify whether or not multiple principal structures are allowed in the various Girdwood zoning districts. This issue has come up since the Girdwood chapter was adopted in 2005.												

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Proposed Amendments to Title 21 for Planning and Zoning Commission Consideration

	Section	Amendment	Purpose/Origin/Notes
98.	21.09.040B.2.b.*	<i>Amend b.iii. as follows:</i> <i>iii. District-Specific Standards</i> <u>(A).</u> Nonresidential uses may be allowed as provided in table 21.09.050-1, but shall be allowed only on central sewer, not septic systems. <u>(B). Only one principal structure is allowed on any lot or tract.</u>	These amendments clarify whether or not multiple principal structures are allowed in the various Girdwood zoning districts. This issue has come up since the Girdwood chapter was adopted in 2005.
99.	21.09.040B.2.c.*	<i>Amend b.iv. as follows:</i> <i>iv. District-Specific Standards</i> <u>(A).</u> In spite of section 3.a. below, commercial vehicles, shipping containers, construction equipment, and the like may be stored outdoors in this district. <u>(B). Only one principal structure is allowed on any lot or tract.</u>	These amendments clarify whether or not multiple principal structures are allowed in the various Girdwood zoning districts. This issue has come up since the Girdwood chapter was adopted in 2005.
100.	21.09.040B.2.d.*	<i>Add new d.iv. as follows:</i> <u><i>iv. District-Specific Standard</i></u> <u>Unless determined otherwise through an area master plan, only one principal structure is allowed on any lot or tract.</u>	These amendments clarify whether or not multiple principal structures are allowed in the various Girdwood zoning districts. This issue has come up since the Girdwood chapter was adopted in 2005.
101.	21.09.040B.2.e.*	<i>Add new e.iii. as follows:</i> <u>iii. Only one principal structure is allowed on any lot or tract.</u>	These amendments clarify whether or not multiple principal structures are allowed in the various Girdwood zoning districts. This issue has come up since the Girdwood chapter was adopted in 2005.
102.	21.09.040B.2.f.*	<i>Add new iii.(C). as follows:</i> <u>(C) Multiple Residential Structures</u> <u>More than one principal structure may be allowed on any lot or tract by administrative site plan review.</u> <u>No portion of any structure may be closer than 10 feet to any portion of any other structure.</u>	These amendments clarify whether or not multiple principal structures are allowed in the various Girdwood zoning districts. This issue has come up since the Girdwood chapter was adopted in 2005.
103.	21.09.080F.1.	Development of any structure containing a use categorized in table 21.09.050-1 as a public/institutional or commercial use shall, except as specifically provided herein, comply with the standards of this subsection. Where a structure contains both residential and commercial uses, the standards of this section shall apply. <u>The following public/institutional uses shall meet the industrial building design standards in subsection 21.09.080G. below rather than the commercial, resort, and public/institutional building design standards of this section: aircraft repair, aircraft storage hangar, aviation services, utility facility, and utility substation.</u>	This amendment address the design requirements for industrial-type uses that are categorized as public/institutional. This issue came up during the approval process of the new wastewater plant in Girdwood.

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Section		Amendment	Purpose/Origin/Notes
104.	21.11.040C.*	For the purposes of this chapter and for determining allowable freestanding sign area, public street frontage is the length of <u>a lot line, measured between two corners of the lot, which abuts the public street along which the sign is to be located.</u> The length of public street frontage along one lot line shall only be used to calculate the allowable freestanding sign size for a sign to be located on that lot line. Lots with more than one public street frontage shall not add these street frontages together to calculate an allowable freestanding sign area. [THE PUBLIC STREET WHICH IS CONTIGUOUS TO THE ADJACENT PRIVATE PARCEL FOR WHICH THE SIGN IS BEING CONSIDERED.] For the purposes of these regulations a public alley is not considered a public street. For the purposes of this section, standards, which are based on a minimum length of the public street frontage, shall also apply to “any portion thereof” unless the specific section states otherwise. <u>For signs placed at the intersection of two streets, equidistant from two lot lines, the length of either lot line, but not both, may be used to determine the allowable sign size.</u>	This amendment clarifies a requirement in the sign code that has created confusion for applicants and reviewers.
105.	21.13.060D.2.a.*	Serve notice of the complaint upon the violator(s) named, <u>and the property owner if different from the violator(s),</u> in person or by certified mail; or	If a code violator is not the owner of a property, the property owners should be notified of the violation.
106.	21.14	<i>Amendments to the Definitions chapter are forthcoming.</i>	

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