

92177 #701
6600900 #102

AS
AMENDED

HO 99-22

37 WHEREAS, the purpose and intent of this ordinance is to provide a uniform and comprehensive set of standards for the development of telecommunication and broadcast facilities. The regulations contained herein are designed to protect and promote public health, safety, community welfare and the aesthetic quality of Anchorage, while at the same time not unduly restricting the development of needed telecommunications and broadcast facilities and encouraging managed development of telecommunications infrastructure to insure Anchorage's role in the evolution of technology. It is also the stated intent of this ordinance to provide a public forum to insure a balance between public concerns and private interest in establishing telecommunication, broadcast, and related facilities.

45 It is furthermore intended that, to all extent permitted by law, the Municipality of Anchorage shall apply these regulations to specifically accomplish the following:

47 A. Protect the visual character of the Municipality from the potential adverse effects of

36 AND 21.55.060 REPAIRS AND MAINTENANCE.

35 SATELLITE DISHES IN RESIDENTIAL DISTRICTS, 21.55.040 NONCONFORMING STRUCTURES.

34 COMMUNITY INTEREST TOWER AND LOCAL INTEREST TOWERS AND ROOF MOUNTED

33 TOWER AND LOCAL INTEREST TOWERS; 21.50.280 CONDITIONAL USE STANDARDS FOR

32 SUPPLEMENTARY DISTRICT REGULATION CONCERNING ANTENNAS, COMMUNITY INTEREST

31 AMATEUR RADIO STATIONS AND RECEIVE ONLY ANTENNAS; AMENDING 21.45.265

30 TOWERS; ROOF MOUNTED SATELLITE DISHES AND ENACTING A NEW SECTION 21.45.263

29 INTEREST TOWERS, AND CONDITIONAL USE COMMUNITY INTEREST AND LOCAL INTEREST

28 INTEREST TOWERS, ACCESSORY USE ANTENNAS, COMMUNITY INTEREST TOWER AND LOCAL

27 DISTRICT REGARDING PERMITTED USE ANTENNAS, COMMUNITY INTEREST AND LOCAL

26 DISTRICT, 21.40.270 MC MARINE COMMERCIAL DISTRICT, AND 21.40.280 MI MARINE INDUSTRIAL

25 WATERSHED DISTRICT, 21.40.240 T TRANSITION DISTRICT 21.40.260 AF ANTENNA FARM

24 2 HEAVY INDUSTRIAL DISTRICT, 21.40.220 I-3 RURAL INDUSTRIAL DISTRICT, 21.40.230 W

23 21.40.190 B-4 RURAL BUSINESS DISTRICT, 21.40.200 I-1 LIGHT INDUSTRIAL DISTRICT, 21.40.210 I-

22 CENTRAL BUSINESS DISTRICT, PERIPHERY, 21.40.180 B-3 GENERAL BUSINESS DISTRICT,

21 DISTRICT CORE, 21.40.160 B-2B CENTRAL BUSINESS DISTRICT, INTERMEDIATE, 21.40.170 B-2C

20 DISTRICT, 21.40.145 B-1B COMMUNITY BUSINESS DISTRICT, 21.40.150 B-2A CENTRAL BUSINESS

19 R-O RESIDENTIAL-OFFICE DISTRICT, 21.40.140 B-1A LOCAL AND NEIGHBORHOOD BUSINESS

18 10 RESIDENTIAL ALPINE/SLOPE DISTRICT, 21.40.117 R-11 TURNAGAIN ARM DISTRICT, 21.40.130

17 RESIDENTIAL DISTRICT (LARGE LOT), 21.40.110 R-9 RURAL RESIDENTIAL DISTRICT, 21.40.115 R-

16 LOT), 21.40.090 R-7 INTERMEDIATE RURAL RESIDENTIAL DISTRICT, 21.40.100 R-8 RURAL

15 RESIDENTIAL DISTRICT (LARGE LOT), 21.40.080 R-6 SUBURBAN RESIDENTIAL DISTRICT (LARGE

14 FAMILY RESIDENTIAL DISTRICT, 21.40.070 R-5 RURAL RESIDENTIAL DISTRICT, R-5A, RURAL

13 DISTRICT, 21.40.050 R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT, 21.40.060 R-4 MULTIPLE-

12 2D TWO-FAMILY RESIDENTIAL DISTRICT, 21.40.045 R-2M MULTIPLE-FAMILY RESIDENTIAL

11 RESIDENTIAL DISTRICTS, 21.40.040 R-2A TWO-FAMILY RESIDENTIAL DISTRICT (LARGE LOT), R-

10 PLI PUBLIC LANDS AND INSTITUTIONS DISTRICT, 21.40.030 R-1 AND R-1A SINGLE-FAMILY

9 "TOWER SITE," DELETING THE DEFINITION OF TRANSMISSION TOWER," AMENDING 21.40.020

8 "TOWER, COMMUNITY INTEREST," "TOWER, LOCAL INTEREST," "TOWER STRUCTURES" AND

7 PREEXISTING AND PREEXISTING TOWERS," "COLLOCATION," "TOWER AMATEUR RADIO,"

6 ADMINISTRATIVE PERMIT, NEW DEFINITIONS, "ANTENNA AND ANTENNA ARRAY," "ANTENNA

5 ANCHORAGE MUNICIPAL CODE OF ORDINANCES BY ENACTING A NEW SECTION 21.15.065

Submitted by: Chairman of the Assembly at the

Prepared by: Zoning Commission

Request of the Planning and Community Planning and Development

For Reading: April 16, 1999

ANCHORAGE, ALASKA

AO 99- 62

CLERK'S OFFICE

AMENDED AND APPROVED

Date: 4-27-99

5-11-99 Reconsidered

Amended p. 26 and Approved

telecommunication and broadcast facility development;

- B.** Insure against the creation of visual blight within or along the Anchorage's scenic corridors and ridgelines;
- C.** Retain local responsibility for and control over telecommunication and broadcast facilities to protect nearby properties.
- D.** Insure that a competitive and broad range of telecommunications and broadcast services and high quality telecommunications infrastructure are provided to serve the general public and the business community;
- E.** Create and preserve telecommunication and broadcast facilities that will serve as an important and effective part of Anchorage's emergency response network;
- F.** Simplify the process for obtaining necessary permits for telecommunication and broadcast facilities while at the same time protecting the legitimate interests of Anchorage citizens.
- G.** Encourage low-impact development of wireless communication facilities by prioritizing site selection options promoting collocation and location of new support structures in non-residential areas or with non-residential facilities wherever feasible.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That the Anchorage Municipal Code is hereby amended by adding a section, to be numbered 21.15.065, which section reads as follows:

21.15.065 Administrative permit.

- A.** It shall be a violation of law for any person to engage in a land use for which an administrative permit is required by this title without first obtaining such a permit.
- B.** The administrative official may promulgate regulations to implement this section, as provided in chapter 3.40.

That Subsection 21.35.020 (Definitions) of the Municipal Code is hereby amended to read as follows:

21.35.020 Definitions and rules of construction

- A.** No change.
- B.** The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

[* TRANSMISSION TOWER MEANS ANY STRUCTURE, EXCEPTING ACCESSORY AMATEUR AND CB RADIO USE, DESIGNED TO SUPPORT BROADCASTING, REPEATING, REFLECTING OR RECEIVING ANTENNAS OF ANY TYPE. TRANSMISSION TOWER HEIGHT, FOR TOWERS NOT ATTACHED TO BUILDINGS, SHALL BE DETERMINED BY MEASUREMENT FROM GRADE TO THE HIGHEST POINT ON THE TOWER, INCLUDING

2 ANY INSTALLED ANTENNAS AND LIGHTING. TRANSMISSION TOWER HEIGHT, FOR
3 TOWERS ATTACHED TO BUILDINGS, SHALL BE MEASURED FROM THE TOP OF THE
4 RIDGE LINE OR PARAPET TO THE HIGHEST POINT ON THE TOWER, INCLUDING ANY
INSTALLED ANTENNAS AND LIGHTING.]

5 Antenna or antenna array means any exterior transmitting or receiving device mounted on a
6 tower, building or structure and used in communications that radiate or capture electromagnetic
7 waves, digital signals, analog signals, radio frequencies (excluding radar signals), amplitude
8 modulation arrays, wireless telecommunications signals or other communication signals.

9 Antennas, preexisting and preexisting towers means any tower or antenna for which a building
10 permit or conditional use permit has been properly issued prior to [the effective date of this
11 ordinance], including permitted towers or antennas that have not yet been constructed so long as
12 such approval is current and not expired.

13 Collocation means the location of antennas on existing structures, including but not limited to
14 towers occupied by another provider, buildings, water towers, utility substations, utility poles and
15 church steeples.

16 Tower, amateur radio means an antenna and structure of any type used exclusively by a licensed
17 amateur operator which are part of federally licensed amateur radio station for radio-
18 communication for the purpose of self-training, intercommunication and technical investigations
19 carried out by amateurs solely with a personal aim and without pecuniary interest.

20 Tower, community interest, means any structure principally designed to support an antenna(s)
21 where the height of the structure exceeds 100 feet from grade to the top of any antennas for a
22 structure attached to the ground or 100 feet from the roof line to the top of any antennas for a
23 tower attached to a building.

24 Tower, local interest, means any structure principally designed to support antennas not defined as
25 a community interest tower.

26 Tower structures are classified as follows:

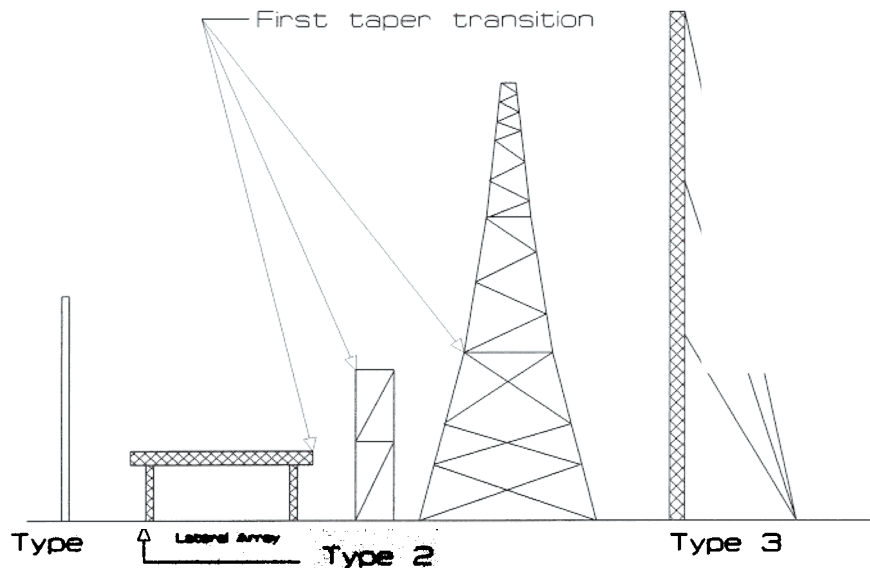
27 Type 1 means a free standing vertical support structure of cylindrical, conical, or
28 rectangular cross section constructed of composite, wood, concrete, or metal employed
29 primarily for the purpose of supporting an antenna array and commonly called a
30 monopole.

31 Type 2 means a free standing vertical support structure of open frame skeletal design
32 employed primarily for the purpose of supporting an antenna array and commonly called
33 a lattice tower. This type tower includes lateral arrays.

34 Type 3 means a guyed vertical support structure of open frame, skeletal design or solid
35 pole design employed primarily for the purpose of supporting an antenna array and
36 commonly called a guyed tower.

37 Type 4 means a support structure, such as an existing building, steeple, spire or utility
38 pole that is not a type 1, 2 or 3 and is used for supporting a disguised, camouflaged, or
39 hidden antenna array so that its principal or secondary function as an antenna and
40 antenna support structure is imperceptible to an uneducated eye. The antennas are
41 mounted on the support structure so that they are located and designed to minimize
42 visual and aesthetic impacts to surrounding land uses and structures and shall, to the

greatest extent practical, blend into the existing environment. This definition shall include any antenna or antenna array complying with the objective of definition whether it is mounted on tower structure or not.



Tower site means a, lot, tract or an aggregate of abutting lots and tracts that has been planned and coordinated for development with separate community interest towers and/or local interest towers in any combination including subordinate and related equipment and buildings in accordance with the applicable zoning district as a principal or conditional use.

Section 3. That Subsection 21.40.020(PLI) of the Municipal Code is hereby amended to read as follows:

21.40.020 PLI public lands and institutions district.

The following statement of intent and use regulations shall apply in the PLI district:

A. No change.

B. *Permitted principal uses and structures.* Permitted principal uses and structures are as follows:

16. antennas without tower structures, type 1, 2, 3, community interest and local interest towers and type 4 tower structures as specified in the supplementary district regulations.

C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

- 2 4. antennas without tower structures, type 1, 2, 3, community interest and local
3 interest towers and type 4 tower structures as specified in the supplementary
 district regulations.

4 D. *Conditional uses.* Subject to the requirements of the conditional use standards and
5 procedures of this title, the following uses may be permitted:

- 6 1 Natural resource extraction, except for placer mining operations, on tracts of not
7 less than five acres.
- 8 2. community interest and local interest towers that do not meet the supplementary
9 district regulations for a permitted or accessory use [RADIO, MICROWAVE OR
10 SATELLITE DISHES OR TELEVISION TRANSMISSION TOWERS NOT PART
11 OF A PRINCIPAL PERMITTED STRUCTURE.]

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13 Section 4. That Subsection 21.40.030 (R-1, R-1A) of the Municipal Code is hereby amended to read
14 as follows:

15 21.40.030 R-1 and R-1A single-family residential districts.

16

17 The following statement of intent and use regulations shall apply in the R-1 and R-1A districts:

18

19 A. No change.

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21 B. *Permitted principal uses and structures.* Permitted principal uses and structures are as
22 follows:

- 23
- 24 8. With a permitted non-residential use as a secondary and subordinate use and as
25 specified in the supplementary district regulations, antennas without tower
26 structures, type 1, 3, local interest towers and type 4 tower structures and
27 antennas. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.]

28 C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are
29 as follows:

30 No change.

31 D. *Conditional uses.* Subject to the requirements of the conditional use standards and
32 procedures of this title, the following uses may be permitted:

- 33
- 34 12. roof mounted satellite dishes greater than 1 meter in diameter on residential
35 structures or structures accessory to a residential use (except satellite dishes
36 up to two meters in diameter may be used until December 31, 2002.). [ONE
37 TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

38 13. snow disposal site.

33	B.	Permitted principal uses and structures. Permitted principal uses and structures are as
32	A.	No change.
31	The following statement of intent and use regulations shall apply in the R-2M district:	
30	21.40.045 R-2M multiple-family residential district.	
29	Section 6. That Subsection 21.40.045 (R-2M) of the Municipal Code is hereby amended to read as follows:	
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27		
26	14.	Community interest and local interest towers that do not meet the supplementary district regulations.
25	13.	snow disposal site.
24	TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]	
23	up to two meters in diameter may be used until December 31, 2002). [ONE	
22	structures or structures accessory to a residential use (except satellite dishes	
21	12.	roof mounted satellite dishes greater than 1 meter in diameter on residential
20		
19	Conditional uses. Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:	
18	D.	
7	No change	
16	as follows:	
16	C.	Permitted accessory uses and structures. Permitted accessory uses and structures are
14	antennas. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.]	
13	structures, type 1, 3, local interest towers and type 4 tower structures and	
12	specified in the supplementary district regulations, antennas without tower	
11	9.	With a permitted non-residential use as a secondary and subordinate use and as
10		
9	follows:	
8	B.	Permitted principal uses and structures. Permitted principal uses and structures are as
7	A.	No change.
6	The following statement of intent and use regulations shall apply in all R-2A and R-2D districts:	
	21.40.040 R-2A two-family residential district (large lot); R-2D two-family residential district.	
	Section 5. That Subsection 21.40.040 (R-2A, R-2D) of the Municipal Code is hereby amended to read as follows:	
	14.	Community interest and local interest towers that do not meet the supplementary district regulations.

follows:

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11 With a permitted non-residential use as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.]

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C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

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No change

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D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

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14. roof mounted satellite dishes greater than 1 meter in diameter on residential structures or structures accessory to a residential use (except satellite dishes up to two meters in diameter may be used until December 31, 2002). [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

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15. snow disposal site

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16. Community interest and local interest towers that do not meet the supplementary district regulations.

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Section 7.
follows:

That Subsection 21.40.050 (R-3) of the Municipal Code is hereby amended to read as

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21.40.050 R-3 multiple-family residential district.

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The following statement of intent and use regulations shall apply in the R-3 district:

24

A. No change.

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B. *Permitted principal uses and structures.* Permitted principal uses and structures are as follows:

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11 With a permitted non-residential use or residential use of 6 dwelling units or more as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.]

33

C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

No change

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

15. roof mounted satellite dishes greater than 1 meter in diameter on residential structures or structures accessory to a residential use (except satellite dishes up to two meters in diameter may be used until December 31, 2002). [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

17. snow disposal site

18. Community interest and local interest towers that do not meet the supplementary district regulations.

Section 8. That Subsection 21.40.060 (R-4) of the Municipal Code is hereby amended to read as follows:

21.40.060 R-4 multiple-family residential district.

The following statement of intent and use regulations shall apply in the R-4 district:

A. No change.

B. *Permitted principal uses and structures.* Permitted principal uses and structures are as follows:

13. With a permitted non-residential use or residential use of 6 dwelling units or more as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.]

C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

No change

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

14. roof mounted satellite dishes greater than 1 meter in diameter on residential structures or structures accessory to a residential use (except satellite dishes up to two meters in diameter may be used until December 31, 2002). [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

15. snow disposal site.

16. Community interest and local interest towers that do not meet the supplementary

2	Section 9.	That Subsection 21.40.070 (R-5, R-5A) of the Municipal Code is hereby amended to read as follows:	
3			
4	21.40.070 R-5 rural residential district; R-5A, rural residential district (large lot).		
5	The following statement of intent and use regulations shall apply in the R-5 and R-5A district:		
6	A.	No change.	
7	B.	Permitted principal uses and structures. Permitted principal uses and structures are as follows:	
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10	10.	With a permitted non-residential use or residential use of 6 dwelling units or more as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.]	
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14	C.	Permitted accessory uses and structures. Permitted accessory uses and structures are as follows:	
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17		No change	
18	D.	Conditional uses. Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:	
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20			
21	12.	root mounted satellite dishes greater than 1 meter in diameter on residential structures or structures accessory to a residential use (except satellite dishes up to two meters in diameter may be used until December 31, 2002). [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]	
22			
23			
24			
25	13.	snow disposal site	
26	14.	Community interest and local interest towers that do not meet the supplementary district regulations.	
27			
28	Section 10.	That Subsection 21.40.080 (R-6) of the Municipal Code is hereby amended to read as follows:	
29			
30	21.40.080 R-6 suburban residential district (large lot).		
31	The following statement of intent and use regulations shall apply in the R-6 district:		
32	A.	No change.	
33	B.	Permitted principal uses and structures. Permitted principal uses and structures are as follows:	

follows:

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7. With a permitted non-residential use as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.]

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C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

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No change

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D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

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10. roof mounted satellite dishes greater than 1 meter in diameter on residential structures or structures accessory to a residential use (except satellite dishes up to two meters in diameter may be used until December 31, 2002). [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

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11 snow disposal site.

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12. Community interest and local interest towers that do not meet the supplementary district regulations.

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Section 11. That Subsection 21.40.090 (R-7) of the Municipal Code is hereby amended to read as follows:

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21.40.090 R-7 intermediate rural residential district.

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The following statement of intent and use regulations shall apply in the R-7 district:

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A. No change.

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B. *Permitted principal uses and structures.* Permitted principal uses and structures are as follows:

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7. With a permitted non-residential use as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.]

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C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

34

No change

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

11. roof mounted satellite dishes greater than 1 meter in diameter on residential structures or structures accessory to a residential use (except satellite dishes up to two meters in diameter may be used until December 31, 2002). [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

13. snow disposal site.

14. Community interest and local interest towers that do not meet the supplementary district regulations.

Section 12. That Subsection 21.40.100 (R-8) of the Municipal Code is hereby amended to read as follows:

21.40.100 R-8 rural residential district (large lot).

The following statement of intent and use regulations shall apply in the R-8 district:

A. No change.

B. *Permitted principal uses and structures.* Permitted principal uses and structures are as follows:

4. With a permitted non-residential use as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.]

C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

No change

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

9. roof mounted satellite dishes greater than 1 meter in diameter on residential structures or structures accessory to a residential use (except satellite dishes up to two meters in diameter may be used until December 31, 2002). [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

10. Community interest and local interest towers that do not meet the supplementary district regulations.

Section 13. That Subsection 21.40.110 (R-9) of the Municipal Code is hereby amended to read as

follows:

2 21.40.110 R-9 rural residential district.

3 The following statement of intent and use regulations shall apply in the R-9 district:

4 A. No change.

5 B. *Permitted principal uses and structures.* Permitted principal uses and structures are as
6 follows:

7
8 4. With a permitted non-residential use as a secondary and subordinate use and as
9 specified in the supplementary district regulations, antennas without tower
10 structures, type 1, 3, local interest towers and type 4 tower structures and
antennas. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.]

12 C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are
13 as follows:

14 No change

15 D. *Conditional uses.* Subject to the requirements of the conditional use standards and
16 procedures of this title, the following uses may be permitted:

7
18 9. roof mounted satellite dishes greater than 1 meter in diameter on residential
19 structures or structures accessory to a residential use (except satellite dishes
20 up to two meters in diameter may be used until December 31, 2002). [ONE
21 TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

22 10. Community interest and local interest towers that do not meet the supplementary
23 district regulations.

24 Section 14. That Subsection 21.40.115 (R-10) of the Municipal Code is hereby amended to read as
25 follows:

26 21.40.115 R-10 residential alpine/slope district

27 The following statement of intent and use regulations shall apply in the R-10 district:

28 A. No change.

29 B. *Permitted principal uses and structures.* Permitted principal uses and structures are as
30 follows:

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32 5. With a permitted non-residential use as a secondary and subordinate use and as
33 specified in the supplementary district regulations, antennas without tower

structures, type 1, 3, local interest towers and type 4 tower structures and antennas. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.

- C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

No change

- D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

5. roof mounted satellite dishes greater than 1 meter in diameter on residential structures or structures accessory to a residential use (except satellite dishes up to two meters in diameter may be used until December 31, 2002). [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

6. Community interest and local interest towers that do not meet the supplementary district regulations.

Section 15. That Subsection 21.40.117 (R-11) of the Municipal Code is hereby amended to read as follows:

21.40.117 R-11 Turnagain Arm district

The following statement of intent and use regulations shall apply in the R-11 district:

- A. No change.

- B. *Permitted principal uses and structures.* Permitted principal uses and structures are as follows:

4. One type 4 local interest tower and/or antenna(s) as specified in the supplementary district regulations.

5. With a permitted non-residential use or residential use of 6 dwelling units or more as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas.

- C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

No change

- D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

11 type1, 2 and 3 community interest and local interest towers that do not meet the supplementary district regulations for a permitted or accessory use; roof mounted satellite dishes greater than 1 meter in diameter on residential structures or structures accessory to a residential use (except satellite dishes up to two meters in diameter may be used until December 31, 2002). [RADIO, MICROWAVE AND TELEVISION TRANSMISSION TOWERS NOT PART OF A PRINCIPAL PERMITTED STRUCTURE.]

Section 16. That Subsection 21.40.130 (R-O) of the Municipal Code is hereby amended to read as follows:

21.40.130 R-O residential-office district

The following statement of intent and use regulations shall apply in the R-O district:

A. No change.

B. *Permitted principal uses and structures.* Permitted principal uses and structures are as follows:

24. With a permitted non-residential use or residential use of 6 dwelling units or more as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.]

C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

6. antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas as accessory uses to other than residential structures of 6 dwelling units or less as specified in the supplementary district regulations.

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

8. type1, 2 and 3 local interest towers that do not meet the supplementary district regulations for a permitted or accessory use; roof mounted satellite dishes greater than 1 meter in diameter on residential structures or structures accessory to a residential use (except satellite dishes up to two meters in diameter may be used until December 31, 2002). [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

2	Section 17.	That Subsection 21.40.140 (B-1A) of the Municipal Code is hereby amended to read as follows:	
3			
4	21.40.140 B-1A local and neighborhood business district		
6			
	A.	No change.	
	B.	<i>Permitted principal uses and structures.</i> Permitted principal uses and structures are as follows:	
	6.	Other uses	
12		antennas without tower structures, type 1, 3, local interest towers and	
13		type 4 tower structures and antennas as accessory uses to other than	
14		residential structures as specified in the supplementary district	
15		regulations. [ONE TRANSMISSION TOWER LESS THAN 75 FEET IN HEIGHT.]	
17	C.	<i>Permitted accessory uses and structures.</i> Permitted accessory uses and structures are as follows:	
8			
19	5.	antennas without tower structures, type 1, 3, local interest towers and type 4	
20		tower structures and antennas as accessory uses to other than residential	
21		structures as specified in the supplementary district regulations.	
23	D.	<i>Conditional uses.</i> Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:	
24			
25	10.	type 1, 2 and 3 local interest towers that do not meet the supplementary district	
26		regulations for a permitted or accessory use. [ONE TRANSMISSION TOWER 75	
27		FEET IN HEIGHT OR GREATER.]	
28	Section 18.	That Subsection 21.40.145 (B-1B) of the Municipal Code is hereby amended to read as follows:	
30	21.40.145 B-1B community business district		
31		The following statement of intent and use regulations shall apply in the B-1B district:	
32	A.	No change.	
33	B.	<i>Permitted principal uses and structures.</i> Permitted principal uses and structures are as	

antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest towers when collocated on a building as specified in the supplementary district regulations. [ONE TRANSMISSION LESS THAN 75 FEET IN HEIGHT.]

2	C.	Permitted accessory uses and structures are as follows:	
3			
4			
5	3.	antennas without tower structures, type 1, 2, 3, and 4 community interest and	
6		<u>local interest towers as specified in the supplementary district regulations.</u>	
7	D.	Conditional uses. Subject to the requirements of the conditional use standards and	
8		procedures of this title, the following uses may be permitted:	
9			
10	15.	type 1, 2, 3, or 4 community interest and local interest towers that do not meet the	
11		<u>supplementary district regulations for a permitted or accessory use [ONE</u>	
12		<u>TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]</u>	
13			
14	Section 20.	That Subsection 21.40.160 (B-2B) of the Municipal Code is hereby amended to read as	
15		<u>follows:</u>	
16	21.40.160 B-2B	central business district, intermediate	
17		The following statement of intent and use regulations shall apply in the B-2B district:	
18	A.	No change.	
19	B.	Permitted principal uses and structures. Permitted principal uses and structures are as	
20		follows:	
21			
22	3.	Other uses	
23	m.	antennas without tower structures, type 1, 2, 3, and 4 community interest	
24		<u>and local interest towers when collocated on a building as specified in the</u>	
25		<u>supplementary district regulations. [ONE TRANSMISSION LESS THAN</u>	
26		<u>75 FEET IN HEIGHT.]</u>	
27	C.	Permitted accessory uses and structures. Permitted accessory uses and structures are	
28		as follows:	
29			
30	3.	antennas without tower structures, type 1, 2, 3, and 4 community interest and	
31		<u>local interest towers as specified in the supplementary district regulations.</u>	
32	D.	Conditional uses. Subject to the requirements of the conditional use standards and	
33		procedures of this title, the following uses may be permitted:	

14. type 1, 2, 3, or 4 community interest and local interest towers that do not meet the supplementary district regulations for a permitted or accessory use [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

Section 21 That Subsection 21.40.170 (B-2C) of the Municipal Code is hereby amended to read as follows:

21.40.170 B-2C central business district, periphery

The following statement of intent and use regulations shall apply in the B-2C district:

A. No change.

B. *Permitted principal uses and structures.* Permitted principal uses and structures are as follows:

3. Other uses

- p. antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest towers when collocated on a building as specified in the supplementary district regulations. [ONE TRANSMISSION LESS THAN 75 FEET IN HEIGHT.]

C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

- 4.** antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest towers as specified in the supplementary district regulations.

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

- 16.** type 1, 2, 3, or 4 community interest and local interest towers that do not meet the supplementary district regulations for a permitted or accessory use [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

Section 22. That Subsection 21.40.180 (B-3), of the Municipal Code is hereby amended to read as follows:

21.40.180 B-3 general business district

The following statement of intent and use regulations shall apply in the B-3 district:

A. No change.

B. *Permitted principal uses and structures.* Permitted principal uses and structures are as follows:

3. Other uses

antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest towers as specified in the supplementary district regulations. [ONE TRANSMISSION LESS THAN 75 FEET IN HEIGHT.]

C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

1. Uses and structures customarily accessory and clearly incidental to permitted principal uses and structures are permitted.

2. antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest towers as specified in the supplementary district regulations.

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

9. type 1, 2, 3, or 4 community interest and local interest towers that do not meet the supplementary district regulations for a permitted or accessory use [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

Section 23. That Subsection 21.40.190 (B-4) of the Municipal Code is hereby amended to read as follows:

21.40.190 B-4 rural business district

The following statement of intent and use regulations shall apply in the B-4 district:

A. No change.

B. *Permitted principal uses and structures.* Permitted principal uses and structures are as follows:

2. Commercial-retail uses:

~~ccc.~~ antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest towers as specified in the supplementary district

regulations. [ONE TRANSMISSION LESS THAN 75 FEET IN HEIGHT.

C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

4. antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest towers as specified in the supplementary district regulations.

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

8. type 1, 2, 3, or 4 community interest and local interest towers that do not meet the supplementary district regulations for a permitted or accessory use [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

Section 24. That Subsection 21.40.200 (I-1) of the Municipal Code is hereby amended to read as follows:

21.40.200 I-1 light industrial district

The following statement of intent and use regulations shall apply in the I-1 district:

A. No change.

B. *Permitted principal uses and structures.* Permitted principal uses and structures are as follows:

1. Commercial uses:

aaa. antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest [TRANSMISSION] towers as specified in the supplementary district regulations.

C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

3. antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest towers as specified in the supplementary district regulations.

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

10. type 1, 2, 3, or 4 community interest and local interest towers that do not meet the supplementary district regulations for a permitted or accessory use [ONE TRANSMISSION TOWER 75 FEET IN HEIGHT OR GREATER.]

Section 25. That Subsection 21.40.210 (I-2) of the Municipal Code is hereby amended to read as follows:

21.40.210 I-2 heavy industrial district

The following statement of intent and use regulations shall apply in the I-2 district:

A. No change.

B. *Permitted principal uses and structures.* Any legal business, commercial, manufacturing or industrial land use is permitted; provided, however, that residential uses, including dwellings, roominghouses, boardinghouses or lodginghouses, apartment buildings, hotels or motels are prohibited. No use shall be constructed or operated so as to cause excessive noise, vibrations, smoke, dust or humidity, heat or glare at or beyond any boundary of the I-2 district in which it is located. The term "excessive" is defined for the purpose of this subsection as to a degree exceeding that caused in their customary manner of operation by uses permitted in the district, or to a degree injurious to the public health, welfare or convenience. Uses involving the retail sale, dispensing or service of alcoholic beverages may be permitted by conditional use only. All antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest towers as specified in supplementary district regulations.

C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

3. antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest towers as specified in the supplementary district regulations.

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

7. type 1, 2, 3, or 4 community interest and local interest towers that do not meet the supplementary district regulations for a permitted or accessory use.

Section 26. That Subsection 21.40.220 (I-3) of the Municipal Code is hereby amended to read as follows:

21.40.220 I-3 rural industrial district

The following statement of intent and use regulations shall apply in the I-2 district:

A. No change.

B. *Permitted principal uses and structures.* Any legal business, commercial, manufacturing or industrial land use is permitted; provided, however, that residential uses, including

1 dwellings, roominghouses, boardinghouses or lodginghouses, apartment buildings, hotels
2 or motels, are prohibited, and provided further that no use shall be constructed or
3 operated so as to cause excessive noise, vibrations, smoke, dust or humidity, heat or
4 glare at or beyond any boundary of the I-3 district in which it is located. The term
5 "excessive" is defined for the purpose of this subsection as to a degree exceeding that
6 caused in their customary manner of operation by uses permitted in the I-3 district, or to a
7 degree injurious to the public health, safety, welfare or convenience. All antennas without
8 tower structures, type 1, 2, 3, and 4 community interest and local interest towers as
9 specified in supplementary district regulations.

10 C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are
as follows:

12
13 3. antennas without tower structures, type 1, 2, 3, and 4 community interest and
14 local interest towers as specified in the supplementary district regulations.

16 D. *Conditional uses.* Subject to the requirements of the conditional use standards and
procedures of this title, the following uses may be permitted:

17
18 7. type 1, 2, 3, or 4 community interest and local interest towers that do not meet the
19 supplementary district regulations for a permitted or accessory use.

20 Section 27. That Subsection 21.40.230 (W) of the Municipal Code is hereby amended to read as
21 follows:

22 21.40.230 W watershed district

23 The following statement of intent and use regulations shall apply in the W district:

24 A. No change.

25 B. *Permitted principal uses and structures.* Permitted principal uses and structures are as
26 follows:

27
28 8. type 1, 2, 3 and 4 community interest and local interest towers as specified in the
29 supplementary district regulations.
30

31 Section 28. That Subsection 21.40.240 (T) of the Municipal Code is hereby amended to read as
32 follows:

21.40.240 T Transition District

The following statement of intent and use regulations shall apply in the T district:

35 A. *No Change.*

B. No Change

C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

3. antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest towers as specified in the supplementary district regulations.

Section 31. That Subsection 21.40.280 (MI) of the Municipal Code is hereby amended to read as follows:

21.40.280 MI marine industrial district

The following statement of intent and use regulations shall apply in the MI district:

A. No change.

B. No change.

C. *Permitted accessory uses and structures.* Permitted accessory uses and structures are as follows:

3. antennas without tower structures, type 1, 2, 3, and 4 community interest and local interest towers as specified in the supplementary district regulations.

Section 32. That the Anchorage Municipal Code is hereby amended by adding a section, to be numbered 21.45.263, which section reads as follows:

21.45.263 Amateur radio stations and receive only antennas

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

a. the antenna and tower structure are part of a federally-licensed amateur radio station, and

b. in residential zoning districts there is no use of the tower structure by a third party commercial antenna operator.

2. Non-commercial receive only antennas are exempt from this title except for roof mounted satellite dishes in residential districts as specified in this section. Roof mounted satellite dishes greater than one meter in diameter in residential districts shall be only permitted by conditional use.

3. Notwithstanding the above, any antenna or tower structure that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower structure shall remove the same within 180 days of receipt of notice from the administrative official notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower structure within said 180 days shall be grounds for the municipality to remove the tower structure or antenna at the owner's expense.

4. Any antenna or tower structure erected under this section shall not exceed the height limits set forth in chapter 21.65 of this title nor interfere with Federal Aviation Administration Regulations on airport approaches.

Section 33. That Subsection 21.45.265 of the Municipal Code is hereby amended to read as follows:

21.45.265 Community and local interest [TRANSMISSION] towers.

A. General provisions [TRANSMISSION TOWERS AS A PERMITTED PRINCIPAL USE SHALL BE SUBJECT TO THE FOLLOWING]:

1. The minimum distance from any lot line to the vertical axis of the [TRANSMISSION] tower structure shall be as follows:

- a. type 1 equal to or greater than the district yard minimums;
- b. type 2 equal to or greater than the distance measured from grade to the first taper transition;
- c. type 3 equal to or greater than the distance measured from the tower structure axis to the outermost guy wire anchor. The guy wire levels and anchor radius must match manufacturer's criteria for the proposed application
- d. Type 4 - none [EQUAL THE HEIGHT OF THE TRANSMISSION TOWER.

2. That portion of guy wire anchor structure that is above grade shall be set back from any property line in accordance with the following:

- a. guy wire with a nominal diameter of 0.25 inches or less -- 25 feet, provided the setback may be reduced to 0 feet if the anchor structure is enclosed within a sight obscuring fence.
- b. guy wire with a nominal diameter greater than 0.25 inches but less than 0.625 inches -- 25 feet, provided the setback may be reduced to 5 feet if the anchor structure is enclosed within a sight obscuring fence.
- c. guy wire with a nominal diameter equal to or greater than 0.625 inches -- 25 feet. [AT LEAST 25 FEET FROM ANY PROPERTY LINE.]

3. Tower structure height

- a. Height for a tower structure directly fixed to the ground shall be determined by measurement from grade to the highest point on the tower structure, including any installed antennas and lighting and supporting structures.
- b. Height for a tower structure not directly affixed to the ground shall be determined by measurement from the grade of the building to the highest point on the tower structure, including any installed antennas and lighting and supporting structures. At no time shall the height of a tower installed on a building as measured from grade to the highest point on the tower structure as set forth above exceed the height of the building multiplied by two or the base height, which ever is greater. Tower structures shall not exceed the height limits set forth in chapter 21.65 of this title nor interfere with Federal Aviation Administration Regulations on airport approaches.

- c. Base height shall be as set forth below:

<u>1.</u>	<u>Residential districts</u>	<u>65 feet</u>
<u>2.</u>	<u>Commercial districts</u>	<u>130 feet</u>
<u>3.</u>	<u>Industrial districts</u>	<u>150 feet</u>
<u>4.</u>	<u>PLI districts</u>	<u>100 feet</u>
<u>5.</u>	<u>Watershed districts</u>	<u>100 feet</u>
<u>6.</u>	<u>Transition districts</u>	<u>100 feet</u>
<u>7.</u>	<u>AF districts</u>	<u>200 feet</u>

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Clerk's Note: This paragraph was amended on 4/27/99 by inserting the following paragraph and deleting the initial wording. At reconsideration on 5/11/99 the action was reversed.

An applicant for a tower shall, at the time of application for a permit, provide proof in a form found acceptable to the Municipality, that the tower to be constructed by the applicant shall, at a minimum, be designed to accommodate the communications equipment provided for in subsection 4.a above. Upon such acceptable design proof being provided to the Municipality, the applicant shall be entitled to construct a tower subject to the additional height limitations set forth in 21.45.265.A.3.d.

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40	1.	Off-street parking space is not required, however if it is provided, parking spaces may be shared with other principal uses on the site. The parking spaces shall be paved with concrete or asphalt compound or shall be covered with a layer of crushed rock of no more than one inch in diameter to a minimum depth of three inches. Parking space illumination shall be provided only to extent that the area is illuminated when the parking space is in use. The illumination shall be the lowest possible intensity level to provide parking space	
39		following:	
38	C	Community interest and local interest towers as a permitted principal use shall be subject to the	
37		redesigned as directed by the commission.	
36		to comply subsequent tower structure and antenna design and installation shall be amended or	
35		commission to confirm the installation complies with the design standards. If the installation fails	
34		the first tower structure and antenna under a newly qualified design, it shall be reviewed by the	
33		for the commission to find the design standard is satisfied. At completion of the construction of	
32		evidence in the form of construction drawings, photographs, renderings, or other data sufficient	
31		A proponent of a type 4 tower structure and antenna design shall provide the commission with	
30		design shall be qualified as meeting the design standard by the planning and zoning commission	
29	B	Qualification of type 4 tower structure and antenna. Each type 4 tower structure and antenna	
		Administrative permit required. An administrative permit shall be obtained from the	
	11.	administrative official designated pursuant to section 21.10.005. This permit shall certify	
		that, when granted, the antenna, or tower structure was in compliance with this section.	
		This permit shall remain valid so long as that antenna or tower structure remains in	
		continuous operation.	
21		d. the owner's name and address of each antenna on the tower structure.	
20		c. the date of erection of the tower structure; and	
19		b. the name and address of the tower structure manager, if different from the owner.	
18		a. the name and address of the tower structure owner.	
		following information:	
17	10.	Identification placard. An identification placard shall be attached to the tower structure or	
		the security fencing in a location clearly visible at eye level. The placard shall provide the	
16		interference.	
14		days of activation the antenna, the operator shall resolve all reported occurrences of	
13		whichsoever is greater of the date of activation of the new or modified antenna. Within 90	
12	9.	provide notice to all property owners within 500 feet of the antenna boundary.	
		Notice and interference. An operator proposing to install or modify an antenna shall	
10		effective until all users cease using the tower structure.	
9		are two or more users of a single tower structure, then this provision shall not become	
8		municipality to remove the tower structure or antenna at the owner's expense. If there	
7		abandoned antenna or tower structure within said 180 days shall be grounds for the	
6		administrative official notifying the owner of such abandonment. Failure to remove an	
		structure shall remove the same within 180 days of receipt of notice from the	
	8	months shall be considered abandoned, and the owner of such antenna or tower	
		Any antenna or tower structure that is not operated for a continuous period of twelve (12)	
3	18.	THE TRANSMISSION TOWER SITE SHALL BE SEPARATED FROM ANY OTHER	
2		TRANSMISSION TOWER SITE BY AT LEAST 5,280 FEET.]	
	17.	THE SITE SHALL BE SECURED TO PREVENT UNAUTHORIZED ACCESS.	

lighting for safe working conditions.

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

3. If any community interest or local interest tower on a site exceeds 200 feet in height, the tower site shall be separated from any other principal or conditional use community interest or local interest tower site with tower(s) exceeding 200 feet in height by at least 5,280 feet.

Section 34. That Subsection 21.50.280 of the Municipal Code is hereby amended to read as follows:

21.50.280 Conditional use standards -- Antennas, community interest and local interest [TRANSMISSION] towers.

A. General. The following provisions shall govern the issuance of conditional use permits for tower structures or antennas by the planning and zoning commission:

1. If the community interest or local interest tower or antenna fails to meet the supplementary district regulations, then a conditional use permit shall be required for the construction of a tower structure or the placement of an antenna.
2. Applications for conditional use permits under this Section shall be subject to the conditional use procedures and general standards, except as modified in this section.
3. In granting a conditional use permit, the planning and zoning commission may impose conditions to the extent the planning and zoning commission concludes such conditions are necessary to minimize any adverse effect of the proposed tower structure or antenna on adjoining properties.
4. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.
5. An applicant for a conditional use permit shall submit the information described in this Section and a non-refundable fee to reimburse the municipality for the costs of reviewing the application.

B. Information required. applicants for a conditional use permit for a tower structure shall submit the following information:

1. A scaled site plan clearly indicating the location, type and height of the proposed tower structure, on-site land uses and zoning, adjacent land uses and zoning, comprehensive plan land use classification of the site and all properties within the applicable separation distances, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower structure and any other structures, topography, parking, and other information deemed by the director of community planning and development to be necessary to assess compliance with the standards.
2. Renderings or photographs depicting the antenna or tower structure in place sufficient to assess the visual impact on the surrounding neighborhood.
3. The distance between the proposed tower structure and the nearest residential unit, platted residentially zoned properties, and unplatted residentially zoned properties.
4. The separation distance from other tower structures within one mile shall be shown on a site plan or map. The applicant shall also identify the type of construction of the existing tower structure(s) and the owner/operator of the existing tower structure(s), if known.
5. A landscape plan showing specific landscape materials.
6. Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.
7. An evaluation the tower structure or antennas compliance with supplementary district regulations.

alternative technology that exceed new tower structure or antenna development shall not be presumed to render the technology unsuitable.

A. CONDITIONAL USE STANDARDS FOR TRANSMISSION TOWERS AS THE PRINCIPAL USE OF THE PROPERTY ARE AS FOLLOWS:

NONIONIZING ELECTROMAGNETIC RADIATION (NIEER) FOR ALL ANTENNAS ON THE SITE SHALL NOT EXCEED THE CURRENT AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) STANDARD FOR SUCH RADIATION AT ANY PROPERTY LINE. THE BURDEN OF PROOF THAT THE ANSI STANDARD IS NOT EXCEEDED SHALL LIE WITH THE PROPERTY OWNER. PROPERTY OWNERS ARE NOT REQUIRED TO PROVE COMPLIANCE WITH ANSI STANDARD IF THE TRANSMISSION TOWER SUPPORTS ONLY RECEIVING ANTENNAS OR THE FEDERAL COMMUNICATIONS COMMISSION HAS RULED THE RADIO FREQUENCY (RF) RADIATION EMITTED BY THE ANTENNA HAS BEEN GRANTED CATEGORICAL EXCLUSION.

2. TO PREVENT DIRECT LIGHT REFLECTION ON OTHER PROPERTY, TRANSMISSION TOWER LIGHTING SHALL BE SHIELDED TO THE EXTENT PERMITTED BY THE FEDERAL AVIATION ADMINISTRATION.

3. THE SITE SHALL BE SECURED TO PREVENT UNAUTHORIZED ACCESS.

4. THE TRANSMISSION TOWER SHALL BE NEUTRAL IN COLOR AND, TO THE EXTENT POSSIBLE, SHALL BE COMPATIBLE WITH THE APPEARANCE AND CHARACTER OF THE NEIGHBORHOOD OR LOCATION UNLESS OBSTRUCTION MARKING IS REQUIRED BY THE FEDERAL AVIATION ADMINISTRATION.

5. THE MINIMUM DISTANCE FROM ANY LOT LINE TO THE VERTICAL AXIS OF TRANSMISSION TOWER SHALL EQUAL THE HEIGHT OF THE TRANSMISSION TOWER.

6. THAT PORTION OF A GUY WIRE ANCHOR STRUCTURE THAT IS ABOVE GRADE SHALL BE AT LEAST 25 FEET FROM ANY PROPERTY LINE.

7. STORAGE OF VEHICLES AND EQUIPMENT NOT DIRECTLY RELATED TO THE OPERATION AND MAINTENANCE OF THE TRANSMISSION TOWER AND ANTENNAS SHALL BE PROHIBITED.

8. A MINIMUM OF TWO PARKING SPACES SHALL BE PROVIDED ON THE SITE.

9. THE TRANSMISSION TOWER SITE SHALL BE SEPARATED FROM ANY OTHER TRANSMISSION TOWER SITE BY AT LEAST 5,280 FEET.]

B. Standards for modifications to community interest and local interest [TRANSMISSION] towers allowed as a conditional use are as follows:

1. Repairs and maintenance to the tower structure may be performed consistent with section 21.55.060.

2. The replacement, repair or addition of antennas, dishes and other transmitting or receiving devices to a tower shall not be considered a modification of final approval as set forth in section 21.15.030.G and shall be considered a use contemplated within the original approved or de facto conditional use where:

- 1 a. The replacement, repair or addition of antennas, dishes and other transmitting or
2 receiving devices:
- 3 1. Will serve the same user or successor entity under the original
4 conditional use;
 - 5 2. Will serve the same general purpose as was served under the original
6 conditional use;
 - 7 3. [COMPLIES WITH SUBSECTIONS A.1 THROUGH 8 OF THIS
8 SECTION OR] Is consistent with the original conditional use [; AND]
 - 9 [4. AN OWNER MAKING CHANGES UNDER SUBSECTION B.2 OF THIS
10 SECTION SHALL ADVISE THE DEPARTMENT OF COMMUNITY
11 PLANNING AND DEVELOPMENT IN WRITING OF THE CHANGE TWO
12 WEEKS BEFORE ANY WORK IS DONE AND PROVIDE THE
13 DEPARTMENT WITH SUCH ADDITIONAL INFORMATION AS IT MAY
14 REASONABLY REQUEST REGARDING THE TECHNICAL
15 SPECIFICATIONS OF THE DEVICES PLACED ON THE TOWER AND
16 THE ANTICIPATED CHANGE IN NIER READINGS.]

17 Section 35. That the Anchorage Municipal Code is hereby amended by adding a section, to be
18 numbered 21.50.285, which section reads as follows:

19 **21.50.285 Conditional use standards – Roof mount satellite dishes in residential districts.**

- 20 **A.** General. The following provisions shall govern the issuance of conditional use permits for roof
21 mounted satellite dishes by the planning and zoning commission:
- 22 1. Applications for conditional use permits under this Section shall be subject to the
23 conditional use procedures and general standards, except as modified in this section.
 - 24 2. In granting a conditional use permit, the planning and zoning commission may impose
25 conditions to the extent the planning and zoning commission concludes such conditions
26 are necessary to minimize any adverse effect of the proposed antenna on adjoining
27 properties.
 - 28 3. Any information of an engineering nature that the applicant submits, whether civil,
29 mechanical, or electrical, shall be certified by a licensed professional engineer.
 - 30 4. An applicant for a conditional use permit shall submit the information described in this
31 Section and a non-refundable fee to reimburse the municipality for the costs of reviewing
32 the application.
- 33 **B.** Information required. Applicants for a conditional use permit for a proposed roof mounted satellite
34 dish shall submit the following information:
- 35 1. A scaled site plan clearly indicating the location, type and height of the proposed roof
36 mounted satellite dish, on-site land uses, adjacent land uses and zoning, adjacent
37 roadways, setbacks from property lines, elevation drawings of the proposed tower and
38 any other structures, topography, and other information deemed by the director of
39 community planning and development to be necessary to assess compliance with the
40 standards.
 - 41 2. Renderings or photographs depicting the antenna or tower structure in place sufficient to
42 assess the visual impact on the surrounding neighborhood.
 - 43 3. The distance between the proposed satellite dish and the nearest residential unit.
 - 44 4. Evidence the applicant appeared before the community council representing the site.
- 45 **C.** Factors considered in granting a conditional use permit for a roof mounted satellite dish. In
46 addition to the general standards for a conditional use, the planning and zoning commission shall
47 consider the following factors in determining whether to issue a conditional use permit, although
48 the planning and zoning commission may waive or reduce the burden on the applicant of one or

2	more of these criteria if the planning and zoning commission concludes that the goals of this ordinance are better served thereby:	
3	1. Height of the proposed satellite dish and tower structure;	
4	2. Proximity of the tower structure to residential structures;	
5	3. Nature of uses on adjacent and nearby properties;	
6	4. Surrounding topography;	
7	5. Surrounding tree coverage and foliage; and	
8	6. Design of the satellite dish and tower structure, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.	
10	Section 36. That Subsection 21.55.040 of the Municipal Code is hereby amended to read as follows:	
	21.55.040 Nonconforming structures.	
12	Where a lawful structure existed at the original effective date of adoption or amendment of applicable regulations that could not be built under the terms of current regulations set forth in chapters 21.35 through 21.50 by reason of restrictions on area, lot coverage, height, yards, location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:	
17	A. No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.	
19	B. Should such nonconforming structure or nonconforming portion of structure be damaged by any means to an extent of more than 50 percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this title. [THIS PROVISION SHALL NOT APPLY TO TRANSMISSION TOWERS AUTHORIZED BY THE FEDERAL COMMUNICATIONS COMMISSION DESIGNATED "CARRIER OF LAST RESORT" AND TRANSMISSION TOWERS LEGALLY EXISTING ON MAY 23, 1989.]	
25	C. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.	
27	D. A residential structure in a residential zone may be enlarged, so long as the addition to the structure conforms to all the requirements set forth in this title.	
29	E. Notwithstanding subsections A through D of this section, mobile homes may be repaired or moved within the lot in compliance with setback and yard requirements if the mobile home occupied the lot at the time of adoption of applicable regulations.	
32	F. Notwithstanding subsections A through D of this section, community interest and local interest towers may be repaired and maintained in accordance with 21.55.060.B of this chapter.	
34	Section 37. That Subsection 21.55.060 of the Municipal Code is hereby amended to read as follows:	
	21.55.060 Repairs and maintenance.	
37	A. On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing, to an extent not exceeding ten percent of the current replacement cost of the nonconforming structure or nonconforming portion of the structure as the case may be. Nothing in this chapter shall be deemed to prevent the	

strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

B. Preexisting antennas and preexisting towers

1. Preexisting tower structures shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower structure of like construction and height) shall be permitted on such preexisting towers. New construction other than routine maintenance on a preexisting tower structure shall comply with the requirements of this ordinance.

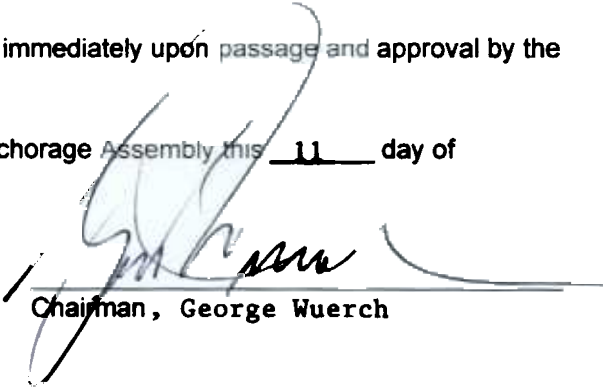
2. Notwithstanding abandon community interest and local interest towers and/or antennas, bona fide nonconforming tower structures or antennas that are damaged or destroyed may be rebuilt without having to meet the separation requirements. The type, height, and location of the tower structure on site shall be of the same type and intensity as the original facility. Building permits to rebuild the facility shall comply with the then applicable building codes and shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained or if said permit expires, the community interest or local interest tower or antenna shall be deemed abandoned.

Section 38. The Planning and Zoning Commission shall review the terms of this ordinance and advise the Municipal Assembly on any revisions required to maintain the effectiveness and intent of this ordinance as the result in changes in technology prior to January 1, 2005.

Section 39. This ordinance shall become effective immediately upon passage and approval by the Anchorage Municipal Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 11 day of

May, 1999.


Chairman, George Wuerch

ATTEST:


Municipal Clerk