

Submitted by: Chair of the Assembly at  
the request of the Mayor  
Prepared by: Planning Department  
For reading: February 28, 2006

CLERK'S OFFICE  
**AMENDED AND APPROVED** ANCHORAGE, ALASKA  
Date: 2-28-06

AO 2005-185(S)

AN ORDINANCE AMENDING CHAPTERS 21.35, 21.40, 21.45 AND 21.50 OF THE ANCHORAGE MUNICIPAL CODE REGARDING ZONING DISTRICTS, SUPPLEMENTARY DISTRICT STANDARDS, AND STANDARDS FOR CONDITIONAL USES AND SITE PLANS FOR CHILD CARE FACILITIES, AND AMENDING ANCHORAGE MUNICIPAL CODE SECTION 14.60.030 TO ADD CHILD CARE FACILITY VIOLATIONS TO THE FINE SCHEDULE.

[Planning & Zoning Commission Case 2003-143]

THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** Anchorage Municipal Code section 21.35.020 is amended to revise the following definition (*the remainder of the section is not affected and therefore is not set out.*):

**21.35.020 Definitions and rules of construction.**

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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:

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Child care center [facility] has the same meaning as set forth in chapter 16.55 for child care and educational center, and may care for nine or more children. Operation of a c[ ]hild care center is not a home occupation.

Child care home has the same meaning as set forth in chapter 16.55, and may care for up to eight children. Operation of a child care home is not a home occupation.

[SERVICES MEANS ALL TYPES OF SERVICES INCLUDED IN THE FOLLOWING SUBCATEGORIES:

A. *CHILD CARE FACILITY*, 24-HOUR MEANS A SERVICE PROVIDING FOR THE SUPERVISION, EDUCATION OR COUNSELING OF CHILDREN WITHOUT RESTRICTION ON THE TIME OF SERVICE. SUCH SERVICE MAY INCLUDE BABYSITTING OR RESIDENTIAL CARE, AND ACADEMIC, MEDICAL AND SOCIAL PROGRAMS.

B. *DAY CARE* MEANS A SERVICE PROVIDING FOR THE SUPERVISION, EDUCATION OR COUNSELING OF ANY NUMBER OF CHILDREN FOR A PERIOD NOT TO EXCEED 18 HOURS PER DAY. SUCH SERVICES MAY INCLUDE BABYSITTING AND ACADEMIC, MEDICAL AND SOCIAL PROGRAMS.

C *FAMILY CARE* MEANS CARE PROVIDED IN A SINGLE DWELLING UNIT, AS A HOME OCCUPATION, TO FIVE CHILDREN OR LESS FOR A PERIOD NOT TO EXCEED 18 HOURS PER DAY. THE SERVICE IS PRIMARILY BABYSITTING BUT MAY INCLUDE EDUCATIONAL PROGRAMS.

D. *FAMILY RESIDENTIAL CARE* MEANS CARE PROVIDED IN A SINGLE DWELLING UNIT, IN A FAMILY SETTING, FOR TEN CHILDREN OR LESS, WITHOUT RESTRICTION ON THE TIME THAT SERVICES ARE PROVIDED].

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(GAAB 21.05.020; AO No. 77-355; AO No. 78-16; AO No. 78-28; AO No. 78-171; AO No. 78-231; AO No. 79-214; AO No. 80-42; AO No. 81-67(S); AO No. 81-97; AO No. 81-180; AO No. 82-54; AO No. 82-167; AO No. 83-91(S); AO No. 84-14; AO No. 84-52; AO No. 85-58; AO No. 85-159; AO No. 85-91, 10-1-85; AO No. 85-216; AO No. 86-19; AO No. 86-78; AO No. 86-90; AO No. 86-171; AO No. 88-172; AO No. 88-171(S-1), 12-31-88; AO No. 89-35, 4-7-89; AO No. 88-147(S-2); AO No. 90-50(S); AO No. 91-35; AO No. 90-152(S); AO No. 91-90(S); AO No. 91-184; AO No. 92-7(S-2); AO No. 92-26; AO No. 92-93; AO No. 92-128(S); AO No. 92-129(S); AO No. 93-58; AO No. 93-148, §1, 11-16-93; AO No. 94-62, §2, 4-12-94; AO No. 95-68(S-1), §§2, 3, 8-8-95; AO No. 95-173, §1, 11-14-95; AO No. 96-41, §1, 3-5-96; AO No. 96-131(S), §1, 10-22-96; AO No. 98-106, §1, 7-21-98; AO No. 98-160, §3, 12-8-98; AO No. 99-62, §2, 5-11-99; AO No. 2000-119(S), §8, 2-20-01; AO No. 2001-79(S), §1, 5-8-01; AO No. 2001-80, §1, 5-8-01; AO No. 2002-101(S), §2, 4-9-02; AO No. 2002-109, §2, 9-10-02; AO No. 2002-117, §4, 1-28-03; AO No. 2003-62(S-1), §3, 10-1-03; AO No. 2003-97, §1, 9-30-03; AO No. 2003-132, §1, 10-7-03; AO No. 2003-124(S), §1, 1-20-04; AO. No. 2004-108(S), §2, 10-26-04)

*Editor's note:* The definition of fallout shelters contained in this section was formerly codified in the 1977 Code as the first sentence of subsection 21.45.060A.

*Cross references:* Definitions and rules of construction generally, section 1.05.020.

**Section 2.** Anchorage Municipal Code section 21.40.020 is hereby amended to read as follows (*the remainder of the section is not affected and therefore is not set out.*):

**21.40.020      PLI public lands and institutions district.**

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

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11. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than

the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

12. Child care centers and child care homes [facilities]. [DAY CARE AND 24-HOUR CHILD CARE FACILITIES.]

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(GAAB 21.05.050A.; AO No. 77-355; AO No. 79-25; AO No. 81-67(S); AO No. 81-178(S); AO No. 82-24; AO No. 83-78; AO No. 84-34; AO No. 85-18; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 86-19; AO No. 86-90; AO No. 88-7(S), 7-4-88; AO No. 90-152(S); AO No. 92-93; AO No. 93-148, §3, 11-16-93; AO No. 95-68(S-1), §4, 8-8-95; AO No. 96-131(S), §3, 10-22-96; AO No. 99-62, §3, 5-11-99; AO No. 99-131, §6, 10-26-99; AO No. 99-149, §1, 12-14-99; AO No. 2002-109, §3, 9-12-02; AO No. 2003-132, §2, 10-7-03)

*Cross references:* Zoning map; districts designated, section 21.40.010A.1.

**Section 3.** Anchorage Municipal Code section 21.40.030 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out.):

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

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

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- 6[7]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title [FAMILY RESIDENTIAL CARE].

- 7[8]. 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.

8. Child care homes [facilities with 1 through 8 children].

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

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- 5[6]. Private storage in yards of noncommercial equipment, including

noncommercial trucks, boats, aircraft, campers or travel trailers, in a safe and orderly manner and separated by at least five feet from any property line [FAMILY CARE].

6[7]. Keeping honey bees, *Apis mellifera*, in a manner consistent with the requirements of all titles of this Code. Colonies shall be managed in such a manner that their flight path to and from the hive will not bring them into contact with people on adjacent property. To accomplish this, colonies shall be:

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7[8]. Bed and breakfast with three or less guestrooms.

8[9]. Bed and breakfast with four guestrooms only by administrative site plan review.

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. Child care centers [facilities with 9 or more children] [DAY CARE].

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(GAAB 21.05.050B.; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 83-216; AO No. 85-21; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 98-53(S), §1, 6-9-98; AO No. 99-49, §1, 3-23-99; AO No. 99-62, §4, 5-11-99; AO No 2002-109, §3, 9-10-02)

**Section 4.** Anchorage Municipal Code section 21.40.040 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out.):

**21.40.040      R-2A two-family residential district (large lot); R-2D two-family residential district.**

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

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7. Child care homes [facilities with 1 through 8 children] [FAMILY RESIDENTIAL CARE].

8. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

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

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5[6]. Private storage in yards of noncommercial equipment, including noncommercial trucks, boats, aircraft, campers or trailers, in a safe and orderly manner and separated by at least five feet from any property line [FAMILY CARE].

6[7]. Keeping honey bees, *Apis mellifera*, in a manner consistent with the requirements of all titles of this Code. Colonies shall be managed in such a manner that their flight path to and from the hive will not bring them into contact with people on adjacent property. To accomplish this, colonies shall be:

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7[8]. Bed and breakfast with three or less guestrooms.

8[9]. Bed and breakfast with four guestrooms only by administrative site plan review.

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. Child care centers [facilities with 9 or more children] [DAY CARE].

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(GAAB 21.05.050C.; AO No. 77-355; AO No. 79-13; AO No. 80-27; AO No. 80-42; AO No. 81-67(S); AO No. 82-54; AO No. 83-217; AO No. 84-52; AO No. 85-18; AO No. 85-21; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 85-91, 10-1-85; AO No. 85-163; AO No. 86-19; AO No. 86-78; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 98-53(S), §2, 6-9-98; AO No. 99-49, §2, 3-23-99; AO No. 99-62, §5, 5-11-99)

**Section 5.** Anchorage Municipal Code section 21.40.045 is hereby amended to read as follows (*the remainder of the section is not affected and therefore is not set out*):

**21.40.045      R-2M multiple-family residential district.**

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

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8. Child care homes [facilities with 1 through 8 children] [FAMILY RESIDENTIAL CARE].

9. Child care centers, subject to administrative site plan review as specified in the supplementary district standards [DAY CARE, ON A LOT OF AT LEAST 14,000 SQUARE FEET].

10. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious

functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title [DAY CARE, ON A LOT OF AT LEAST 14,000 SQUARE FEET].

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

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5[6]. Private storage in yards of noncommercial equipment, including noncommercial trucks, boats, aircraft, campers or trailers, in a safe and orderly manner and separated by at least five feet from any property line [FAMILY CARE].

6[7]. Keeping honey bees, *Apis mellifera*, in a manner consistent with the requirements of all titles of this Code. Colonies shall be managed in such a manner that their flight path to and from the hive will not bring them into contact with people on adjacent property. To accomplish this, colonies shall be:

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7[8]. Bed and breakfast with three or less guestrooms.

8[9]. Bed and breakfast with four guestrooms only by administrative site plan review.

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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11[12]. Bed and breakfast with five guestrooms ~~[child care facilities with 9 or more children]~~. [TWENTY-FOUR-HOUR CHILD CARE FACILITIES].

12[13]. Roominghouses.

13[14]. Snow disposal sites.

15[16]. Community interest and local interest towers that do not meet the supplementary district regulations.

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(GAAB 21.05.050C.; AO No. 77-355; AO No. 79-13; AO No. 80-27; AO No. 80-42; AO No. 81-67(S); AO No. 82-54; AO No. 83-217; AO No. 84-52; AO No. 85-18; AO No. 85-21; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 85-163; AO No. 86-19; AO No. 86-78; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 98-53(S), §3, 6-9-98; AO No. 99-49, §3, 3-23-99; AO No. 99-62, §6, 5-11-99)

**Section 6.** Anchorage Municipal Code section 21.40.050 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.050 R-3 multiple-family residential district.**

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B. *Permitted principal uses and structures.* Permitted principal uses and structures are

as follows:

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8. Child care homes homes ~~[facilities with 1 through 8 children]~~ [DAY CARE AND FAMILY RESIDENTIAL CARE].

9. Child care centers, subject to administrative site plan review as specified in the supplementary district standards.

10[9]. Roominghouses.

11[10]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions, but excluding day care uses[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

12[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.

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

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5[6]. Keeping honey bees, *Apis mellifera*, in a manner consistent with the requirements of all titles of this Code. Colonies shall be managed in such a manner that their flight path to and from the hive will not bring them into contact with people on adjacent property. To accomplish this, colonies shall be:

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[FAMILY CARE.]

6[7]. Bed and breakfast with three (3) or less guestrooms.

7[8]. Bed and breakfast with four (4) guestrooms only by administrative site plan review.

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[15]. Snow disposal sites ~~[child care facilities with 9 or more children]~~ [TWENTY-FOUR-HOUR CHILD CARE FACILITY].

15[16]. Computer aided learning center maximum useable area of 1,000 square feet operated or sponsored by a governmental agency for economically disadvantaged individuals.

16[17]. Family self sufficiency service office maximum usable area of 1,500 square feet.

17[18]. Community interest and local interest towers that do not meet the

supplementary district regulations.

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(GAAB 21.05.050D.; AO No. 77-355; AO No. 80-27; AO No. 80-42; AO No. 81-67(S); AO No. 82-54; AO No. 83-218; AO No. 84-52; AO No. 85-18; AO No. 85-21; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 85-91, 10-1-85; AO No. 85-163; AO No. 86-19; AO No. 86-78; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 96-131(S), §2, 10-22-96; AO No. 99-62, §7, 5-11-99)

**Section 7.** Anchorage Municipal Code section 21.40.060 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.060 R-4 multiple-family residential district.**

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

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9. Child care homes [facilities with 1 through 8 children] [FAMILY RESIDENTIAL CARE AND DAY CARE].

10. Child care centers, subject to administrative site plan review as specified in the supplementary district standards.

11[10]. Roominghouses.

12[11]. Private clubs and lodges. Any use involving sale or dispensing or service of alcoholic beverages may be permitted by conditional use only.

13[12]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

14[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.

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

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6[7]. Keeping honey bees, *Apis mellifera*, in a manner consistent with the requirements of all titles of this Code. Colonies shall be managed in such a manner that their flight path to and from the hive will not bring them into contact with people on adjacent property. To accomplish this, colonies shall be:

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[FAMILY CARE.]



7[8]. Bed and breakfast with three or less guestrooms.

8[9]. Bed and breakfast with four guestrooms only by administrative site plan review.

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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13[14]. Snow disposal sites ~~[child care facilities with 9 or more children]~~  
[TWENTY-FOUR-HOUR CHILD CARE FACILITY].

14[15]. Computer aided learning center maximum useable area of 1,000 square feet operated or sponsored by a governmental agency for economically disadvantaged individuals.

15[16]. Family self sufficiency service office maximum usable area of 1,500 square feet.

16[17]. Community interest and local interest towers that do not meet the supplementary district regulations.

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(GAAB 21.05.050E.; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 85-18; AO No. 85-21; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 96-131(S), §2, 10-22-96; AO No. 99-62, §8, 5-11-99; AO No. 2003-124(S), §2, 1-20-04)

**Section 8.** Anchorage Municipal Code section 21.40.070 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.070 R-5 rural residential district; R-5A, rural residential district (large lot).**

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

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8. Child care homes ~~[facilities with 1 through 8 children]~~ [FAMILY RESIDENTIAL CARE].

9. Child care centers, subject to administrative site plan review as specified in the supplementary district standards.

10[9]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

11[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.

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

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6[7]. Keeping honey bees, *Apis mellifera*, in a manner consistent with the requirements of all titles of this Code. Colonies shall be managed in such a manner that their flight path to and from the hive will not bring them into contact with people on adjacent property. To accomplish this, colonies shall be:

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[FAMILY CARE.]

7[8]. Bed and breakfast with three or less guestrooms.

8[9]. Bed and breakfast with four guestrooms only by administrative site plan review.

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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9[10]. Bed and breakfast with five guestrooms ~~[child care facilities with 9 or more children]~~ [DAY CARE FOR 30 CHILDREN OR LESS].

10[11]. Roominghouses.

11[12]. Snow disposal sites.

12[13]. Community interest and local interest towers that do not meet the supplementary district regulations.

13[14]. Off-street parking spaces or structures so long as the property is contiguous and abuts a commercially or industrially zoned property and the properties are not separated by a right-of-way or constructed street.

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(GAAB 21.05.050F.; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 83-52; AO No. 85-21; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 99-62, §9, 5-11-99; AO No. 2002-63(S), §1, 5-21-02

**Section 9.** Anchorage Municipal Code section 21.40.080 is hereby amended to read as follows *(the remainder of the section is not affected and therefore is not set out):*

**21.40.080 R-6 suburban residential district (large lot).**

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

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5. Child care homes [facilities with 1 through 8 children] [FAMILY RESIDENTIAL CARE].

6. Child care centers, subject to administrative site plan review as specified in the supplementary district standards.

7[6]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms

and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church building other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

**8[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.

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

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6[7]. Keeping honey bees, *Apis mellifera*, in a manner consistent with the requirements of all titles of this Code. Colonies shall be managed in such a manner that their flight path to and from the hive will not bring them into contact with people on adjacent property. To accomplish this, colonies shall be:

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[FAMILY CARE.]

7[8]. Bed and breakfast with three or less guestrooms.

8[9]. Bed and breakfast with four guestrooms only by administrative site plan review.

\*\*\* \*\*\*

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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**7[8].** Bed and breakfast with five guestrooms ~~[child care facilities with 9 or more children]~~ [TWENTY-FOUR-HOUR CHILD CARE AND DAY CARE FACILITIES].

**8[9].** Roominghouses.

**9[10].** Snow disposal sites.

**10[11].** Commercial greenhouses.

**11[12].** Community interest and local interest towers that do not meet the supplementary district regulations.

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(GAAB 21.05.050G.; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 85-18; AO No. 85-21; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 99-27, §1, 2-23-99; AO No. 99-62, §10, 5-11-99)

**Section 10.** Anchorage Municipal Code section 21.40.090 is hereby amended to read as follows (the remainder of the section is not affected and therefore is not set out):

**21.40.090**

**R-7 intermediate rural residential district.**

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

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5. Child care homes ~~[facilities with 1 through 8 children]~~ [FAMILY RESIDENTIAL CARE].

6. Child care centers, subject to administrative site plan review as specified in the supplementary district standards.

7[6]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

8[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.

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

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5[6]. Private storage in yards of equipment including trucks, boats, aircraft, campers or travel trailers, in a safe and orderly manner and separated by at least 25 feet from any property line [FAMILY CARE].

6[7]. Keeping honey bees, *Apis mellifera*, in a manner consistent with the requirements of all titles of this Code. Colonies shall be managed in such a manner that their flight path to and from the hive will not bring them into contact with people on adjacent property. To accomplish this, colonies shall be:

\*\*\*      \*\*\*      \*\*\*

7[8]. Bed and breakfast with three or less guestrooms.

8[9]. Bed and breakfast with four guestrooms only by administrative site plan review.

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

\*\*\*      \*\*\*      \*\*\*

8[9]. Bed and breakfast with five guestrooms ~~[child care facilities with 9 or more children]~~ [DAY CARE FOR 30 CHILDREN OR LESS].

9[10]. Roominghouses.

10[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).

11[12]. Snow disposal sites.

**12[13].** Community interest and local interest towers that do not meet the supplementary district regulations.

**[14. COMMUNITY INTEREST AND LOCAL INTEREST TOWERS THAT DO NOT MEET THE SUPPLEMENTARY DISTRICT REGULATIONS.]**

\*\*\*      \*\*\*      \*\*\*

(GAAB 21.05.050H.; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 83-219; AO No. 85-21; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 99-62, §11, 5-11-99)

**Section 11.** Anchorage Municipal Code section 21.40.100 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

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

\*\*\*      \*\*\*      \*\*\*

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

\*\*\*      \*\*\*      \*\*\*

2. Child care homes [facilities with 1 through 8 children] [FAMILY RESIDENTIAL CARE].

3. Child care centers, subject to administrative site plan review as specified in the supplementary district standards.

**4[3].** Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

**5[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.

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

\*\*\*      \*\*\*      \*\*\*

6[7]. Keeping honey bees, *Apis mellifera*, in a manner consistent with the requirements of all titles of this Code. Colonies shall be managed in such a manner that their flight path to and from the hive will not bring them into contact with people on adjacent property. To accomplish this, colonies shall be:

\*\*\*      \*\*\*      \*\*\*

[FAMILY CARE.]

7[8]. Bed and breakfast with three or less guestrooms.

8[9]. Bed and breakfast with four guestrooms only by administrative site plan review.

\*\*\* \*\*\*

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

\*\*\* \*\*\*

6[7]. Bed and breakfast with five guestrooms ~~[child care facilities with 9 or more children]~~ [TWENTY-FOUR HOUR CHILD CARE AND DAY CARE FACILITIES].

7[8]. Roominghouses.

8[9]. Community interest and local interest towers that do not meet the supplementary district regulations.

\*\*\* \*\*\*

(GAAB 21.05.050U.; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 85-21; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 98-53(S), §4, 6-9-98; AO No. 99-62, §12, 5-11-99)

**Section 12.** Anchorage Municipal Code section 21.40.110 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.110 R-9 rural residential district.**

\*\*\* \*\*\*

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

\*\*\* \*\*\*

2. Child care homes ~~[facilities with 1 through 8 children]~~ [FAMILY RESIDENTIAL CARE].

3. Child care centers, subject to administrative site plan review as specified in the supplementary district standards.

4[3]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

5[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.

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

\*\*\*      \*\*\*      \*\*\*

6[7]. Keeping honey bees, *Apis mellifera*, in a manner consistent with the requirements of all titles of this Code. Colonies shall be managed in such a manner that their flight path to and from the hive will not bring them into contact with people on adjacent property. To accomplish this, colonies shall be:

\*\*\*      \*\*\*      \*\*\*

[FAMILY CARE.]

7[8]. Bed and breakfast with three or less guestrooms.

8[9]. Bed and breakfast with four guestrooms only by administrative site plan review.

\*\*\*      \*\*\*      \*\*\*

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

\*\*\*      \*\*\*      \*\*\*

6[7]. Bed and breakfast with five guestrooms ~~[child care facilities with 9 or more children]~~ [TWENTY-FOUR HOUR CHILD CARE AND DAY CARE FACILITIES].

7[8]. Roominghouses.

8[9]. Community interest and local interest towers that do not meet the supplementary district regulations.

\*\*\*      \*\*\*      \*\*\*

(GAAB 21.05.050V.; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 85-21; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 98-53(S), § 5, 6-9-98; AO No. 99-62, §13, 5-11-99)

**Section 13.** Anchorage Municipal Code section 21.40.115 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.115      R-10 residential alpine/slope district.**

\*\*\*      \*\*\*      \*\*\*

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

\*\*\*      \*\*\*      \*\*\*

4. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

\*\*\*      \*\*\*      \*\*\*

6. Child care homes [facilities with 1 through 8 children].

**7. Child care centers, subject to administrative site plan review as specified in the supplementary district standards.**

\*\*\* \*\*

(AO No. 81-97; AO No. 81-217; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 98-53(S), § 6, 6-9-98; AO No. 99-49, § 1, 3-23-99; AO No. 99-62, § 14, 5-11-99)

**Section 14.** Anchorage Municipal Code section 21.40.117 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.117 R-11 Turnagain Arm district.**

\*\*\* \*\*

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

\*\*\* \*\*

3. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or shelter is not permitted, except as allowed by this title.

\*\*\* \*\*

**6. Child care homes [facilities with 1 through 8 children].**

**7. Child care centers, subject to administrative site plan review as specified in the supplementary district standards.**

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

\*\*\* \*\*

- 4[5]. Bed and breakfast with three or less guestrooms [FAMILY CARE AND FAMILY RESIDENTIAL CARE].
- 5[6]. Bed and breakfast with four guestrooms only by administrative site plan review.

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

\*\*\* \*\*

- 15[16]. All uses and structures that do not conform to the land use plans of the Turnagain Arm Comprehensive Plan, as amended by the Girdwood Area Plan, or that are located on a site whose use or density classification on those land use plans is uncertain. This subsection does not apply to property located in Girdwood Valley, as depicted on the Girdwood Area Plan, land use map.

- a. Before approving a conditional use permit for a commercial or industrial use in an area indicated on the Turnagain Arm



Comprehensive Plan, as amended by the Girdwood Area Plan, land use maps as residential, in addition to the findings required by Section 21.50.020, the planning and zoning commission shall make findings as to why it is appropriate to permit the requested use in that location ~~[child care facilities with 9 or more children]~~ DAY CARE AND 24-HOUR CHILD CARE FACILITIES].

16[17]. Bed and breakfast with five guestrooms.

17[18]. Roominghouses.

\*\*\*      \*\*\*      \*\*\*

(AO No. 82-162; AO No. 84-34; AO No. 85-28; AO No. 85-78; AO No. 85-91, 10-1-85; AO No. 86-122; AO No. 86-182; AO No. 88-143; AO No. 88-144, 11-26-88; AO No. 88-171(S-1), 12-31-88; AO No. 94-120, § 1, 8-23-94; AO No. 94-238(S), § 3, 2-28-94; AO No. 94-239, § 1, 2-14-95; AO No. 96-118, § 1, 8-22-96; AO No. 96-118, § 1, 8-13-96; AO No. 99-62, § 15, 5-11-99; AO No. 2001-88, § 1, 6-5-01)

**Section 15.** Anchorage Municipal Code section 21.40.130 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.130      R-O residential-office district.**

\*\*\*      \*\*\*      \*\*\*

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

\*\*\*      \*\*\*      \*\*\*

7. Child care centers and child care homes [facilities] [FAMILY RESIDENTIAL CARE, AND 24-HOUR CHILD CARE AND DAY CARE FACILITIES].

\*\*\*      \*\*\*      \*\*\*

23. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

\*\*\*      \*\*\*      \*\*\*

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

\*\*\*      \*\*\*      \*\*\*

3[4]. Bed and breakfast with three or less guestrooms [FAMILY CARE].

4[5]. Bed and breakfast with four guestrooms only by administrative site plan review.

5[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.

(GAAB 21.05.050L; AO No. 77-219; AO No. 77-355; AO No. 78-199; AO No. 80-57; AO No. 81-67(S); AO No. 83-226; AO No. 85-18; AO No. 85-23; AO No. 85-69; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 86-171; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 91-97; AO No. 92-114; AO No. 96-131(S), § 3, 10-22-96; AO No. 99-62, § 16, 5-11-99; AO No. 2003-124(S), § 3, 1-20-04)

**Section 16.** Anchorage Municipal Code section 21.40.140 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.140**      **B-1A local and neighborhood business district.**

\*\*\*      \*\*\*      \*\*\*

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

\*\*\*      \*\*\*      \*\*\*

6. Other uses:

\*\*\*      \*\*\*      \*\*\*

c. Child care centers and child care homes [faecilities] [FAMILY RESIDENTIAL CARE, DAY CARE AND 24-HOUR CHILD CARE FACILITIES].

d. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

\*\*\*      \*\*\*      \*\*\*

(GAAB 21.05.050J.; AO No. 77-355; AO No. 78-28; AO No. 78-169; AO No. 81-67(S); AO No. 81-143; AO No. 83-210; AO No. 85-18; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 85-173, 3-17-86; AO No. 86-90; AO No. 87-62; AO No. 88-49(S); AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 96-131(S), § 2, 10-22-96; AO No. 99-62, § 17, 5-11-99)

**Section 17.** Anchorage Municipal Code section 21.40.145 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.145**      **B-1B community business district.**

\*\*\*      \*\*\*      \*\*\*

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

\*\*\*      \*\*\*      \*\*\*

## 5. Other uses:

\*\*\* \*\*

- c. Child care centers and child care homes [facilities] [FAMILY RESIDENTIAL CARE, DAY CARE AND 24-HOUR CHILD CARE FACILITIES].

\*\*\* \*\*

- e. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

\*\*\* \*\*

(GAAB 21.05.050J.; AO No. 77-355; AO No. 78-28; AO No. 78-169; AO No. 81-67(S); AO No. 81-143; AO No. 83-210; AO No. 85-18; AO No. 85-23; AO No. 85-173, 3-17-86; AO No. 86-90; AO No. 87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 95-68(S-1), § 5, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 98-173, § 1, 11-3-98; AO No. 99-62, § 18, 5-11-99; AO No. 2001-80, § 2, 5-8-01)

**Section 18.** Anchorage Municipal Code section 21.40.150 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.150 B-2A central business district core.**

\*\*\* \*\*

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

\*\*\* \*\*

## 4. Other uses:

\*\*\* \*\*

- g. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

\*\*\* \*\*

- k. Child care centers and child care homes [facilities].

\*\*\* \*\*

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, and to the use's conformity to the CBD comprehensive development plan, the following uses may be permitted:

\*\*\*      \*\*\*      \*\*\*

11[12]. Libraries and museums with a gross floor area greater than 30,000 square feet [FAMILY CARE, FAMILY RESIDENTIAL CARE, DAY CARE AND 24-HOUR CHILD CARE FACILITIES].

12[13]. Liquor stores, restaurants, tearooms, cafes, private clubs or lodges, and other places serving food or beverages involving the retail sale, dispensing or service of alcoholic beverages in accordance with section 21.50.160.

13[14]. Auditoriums.

14[15]. 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.

15[16]. Correctional community residential centers.

\*\*\*      \*\*\*      \*\*\*

(GAAB 21.05.050W.; AO No. 77-20; AO No. 77-355; AO No. 80-57; AO No. 81-67(S); AO No. 81-72; AO No. 82-49; AO No. 85-173, 3-17-86; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 87-62; AO No. 87-148; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 90-124; AO No. 91-1; AO No. 91-39; AO No. 91-144; AO No. 92-57; AO No. 95-68(S-1), § 6, 8-8-95; AO No. 98-160, § 4, 12-8-98; AO No. 98-188, §§ 1--3, 1-12-99; AO No. 99-62, § 19, 5-11-99; AO No. 99-131, § 7, 10-26-99; AO No. 2001-80, § 3, 5-8-01)

**Section 19.** Anchorage Municipal Code section 21.40.160 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.160      B-2B central business district, intermediate.**

\*\*\*      \*\*\*      \*\*\*

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

\*\*\*      \*\*\*      \*\*\*

3. Other uses:

\*\*\*      \*\*\*      \*\*\*

h. Child care centers and child care homes [facilities] [FAMILY CARE, FAMILY RESIDENTIAL CARE, DAY CARE AND 24-HOUR CHILD CARE FACILITIES].

\*\*\*      \*\*\*      \*\*\*

k. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the

purpose of housing or providing shelter to persons is not permitted  
except as otherwise allowed in this title.

\*\*\*      \*\*\*      \*\*\*

(GAAB 21.05.050Y.; AO No. 77-20; AO No. 77-355; AO No. 80-57; AO No. 81-67(S);  
AO No. 81-72; AO No. 82-49; AO No. 85-173, 3-17-86; AO No. 85-91, 10-1-85; AO No.  
86-90; AO No. 87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 90-  
124; AO No. 91-1; AO No. 91-39; AO No. 91-144; AO No. 92-57; AO No. 95-68(S-1), §  
7, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 98-160, § 5, 12-8-98; AO No. 98-188,  
§§ 4--6, 1-12-99; AO No. 99-62, § 20, 5-11-99; AO No. 99-131, § 8, 10-26-99; AO No. 99-  
149, § 2, 12-14-99; AO No. 2001-80, § 4, 5-8-01)

**Section 20.** Anchorage Municipal Code section 21.40.170 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.170      B-2C central business district, periphery.**

\*\*\*      \*\*\*      \*\*\*

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

\*\*\*      \*\*\*      \*\*\*

3. Other uses:

\*\*\*      \*\*\*      \*\*\*

e. Child care centers and child care homes [facilities] [FAMILY  
RESIDENTIAL CARE, DAY CARE AND 24-HOUR CHILD  
CARE FACILITIES].

\*\*\*      \*\*\*      \*\*\*

n. Churches, to include any place of religious worship, along with their  
accessory uses, including, without limitation, parsonages, meeting  
rooms and child care provided for persons while they are attending  
religious functions[, BUT EXCLUDING DAY CARE USES,  
WHICH SHALL BE PERMITTED ONLY IF THEY ARE  
OTHERWISE ALLOWED IN ACCORDANCE WITH THIS  
TITLE]. Use of church buildings other than the parsonage for the  
purpose of housing or providing shelter to persons is not permitted  
except as otherwise allowed in this title.

\*\*\*      \*\*\*      \*\*\*

(GAAB 21.05.050X.; AO No. 77-20; AO No. 77-355; AO No. 80-57; AO No. 81-67(S);  
AO No. 82-49; AO No. 85-173, 3-17-86; AO No. 85-91, 10-1-85; AO No. 86-90; AO No.  
87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 90-124; AO No. 91-  
1; AO No. 91-39; AO No. 91-144; AO No. 92-57; AO No. 95-68(S-1), § 8, 8-8-95; AO No.  
96-131(S), § 3, 10-22-96; AO No. 98-160, § 6, 12-8-98; AO No. 98-173, § 4, 11-3-98; AO  
No. 98-188, §§ 7--9, 1-12-99; AO No. 99-62, § 21, 5-11-99; AO No. 99-131, § 9, 10-26-99;  
AO No. 99-149, § 3, 12-14-99; AO No. 2001-80, § 5, 5-8-01)

**Section 21.** Anchorage Municipal Code section 21.40.180 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.180**      **B-3 general business district.**

\*\*\*      \*\*\*      \*\*\*

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

\*\*\*      \*\*\*      \*\*\*

## 3.      Other uses:

\*\*\*      \*\*\*      \*\*\*

f.      Child care centers and child care homes [facilities] [FAMILY RESIDENTIAL CARE, DAY CARE AND 24-HOUR CHILD CARE FACILITIES].

g.      Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

\*\*\*      \*\*\*      \*\*\*

(GAAB 21.05.050M.; AO No. 77-355; AO No. 78-28; AO No. 80-57; AO No. 80-132; AO No. 81-67(S); AO No. 83-209; AO No. 85-18; AO No. 85-91, 10-1-85; AO No. 85-173, 3-17-86; AO No. 86-90; AO No. 86-182; AO No. 87-32; AO No. 87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-26; AO No. 92-114; AO No. 95-68(S-1), § 9, 8-8-95; AO No. 96-107, § 1, 7-30-96; AO No. 96-131(S), § 3, 10-22-96; AO No. 98-160, § 7, 12-8-98; AO No. 99-62, § 22, 5-11-99; AO No. 2001-80, § 6, 5-8-01; AO. No. 2004-108(S), § 3, 10-26-04)

**Section 22.**      Anchorage Municipal Code section 21.40.190 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.190**      **B-4 rural business district.**

\*\*\*      \*\*\*      \*\*\*

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

\*\*\*      \*\*\*      \*\*\*

## 2.      Commercial-retail uses:

\*\*\*      \*\*\*      \*\*\*

zz.      Child care centers and child care homes [facilities]. [FAMILY RESIDENTIAL CARE, DAY CARE AND 24-HOUR CHILD CARE FACILITIES].

aaa.      Churches, to include any place of religious worship, along with their

accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title

\*\*\*      \*\*\*      \*\*\*

(GAAB 21.05.050N.; AO No. 77-355; AO No. 81-67(S); AO No. 84-41; AO No. 85-18; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 87-32; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 97-78, § 1, 6-3-97; AO No. 98-149(S), § 1, 11-17-98; AO No. 98-160, § 8, 12-8-98; AO No. 99-62, § 23, 5-11-99; AO No. 2001-80, § 7, 5-8-01; AO. No. 2004-108(S), § 4, 10-26-04)

**Section 23.** Anchorage Municipal Code section 21.40.200 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.200**      **I-1 light industrial district.**

\*\*\*      \*\*\*      \*\*\*

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

1. Commercial uses:

\*\*\*      \*\*\*      \*\*\*

vv[WW]. Private clubs and lodges. Uses involving the sale (retail), dispensing or service of alcoholic beverages may be permitted by conditional use only [DAY CARE AND 24-HOUR CHILD CARE FACILITIES (EXCEPT RESIDENTIAL)].

ww[XX]. Veterinarian clinics and boarding kennels, provided that such activity shall be conducted within a completely enclosed building, except that outdoor exercise yards accessory to such uses may be permitted.

xx[YY]. Motion picture theaters.

yy[ZZ]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions[, BUT EXCLUDING DAY CARE USES, WHICH SHALL BE PERMITTED ONLY IF THEY ARE OTHERWISE ALLOWED IN ACCORDANCE WITH THIS TITLE]. Use of church buildings other than the parsonage for the purpose

of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

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

aaa[BBB]. Snow disposal sites subject to the conditional use standards for snow disposal sites and an annual administrative permit.

bbb[CCC]. Radio and television studios.

ccc[DDD]. Unlicensed nightclub, provided such nightclub conforms to the requirements of Section 21.45.245.

ddd[EEE]. Large retail establishment, subject to public hearing site plan review.

\*\*\*      \*\*\*      \*\*\*

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

\*\*\*      \*\*\*      \*\*\*

**14. Child care centers and child care homes [facilities].**

\*\*\*      \*\*\*      \*\*\*

(GAAB 21.05.050O.; AO No. 77-355; AO No. 79-95; AO No. 81-67(S); AO No. 82-105; AO No. 84-57; AO No. 85-91, 10-1-85; AO No. 85-95; AO No. 86-50; AO No. 86-90; AO No. 87-32; AO No. 88-147(S-2); AO No. 90-50(S); AO No. 92-114; AO No. 95-68(S-1), § 11, 8-8-95; AO No. 95-76, § 1, 4-4-95; AO No. 95-194, § 1, 1-2-96; AO No. 98-160, § 9, 12-8-98; AO No. 98-173, § 5, 11-3-98; AO No. 99-62, § 24, 5-11-99; AO No. 2001-80, § 8, 5-8-01; AO No. 2004-5, § 1, 1-20-04; AO No. 2004-108(S), § 5, 10-26-04)

**Section 24.** Anchorage Municipal Code section 21.40.210 is hereby amended to read as follows (*the remainder of the section is not affected and therefore is not set out*):

**21.40.210 I-2 heavy industrial district.**

\*\*\*      \*\*\*      \*\*\*

E. *Prohibited uses and structures.* The following uses and structures are prohibited:

\*\*\*      \*\*\*      \*\*\*

**5. Child care centers and child care homes [facilities].**

\*\*\*      \*\*\*      \*\*\*

(GAAB 21.05.050P.; AO No. 77-355; AO No. 85-91, 10-1-85; AO No. 87-32; AO No. 91-184; AO No. 93-148, § 4, 11-16-93; AO No. 96-60, § 1, 8-6-96; AO No. 96-125, § 1, 11-12-96; AO No. 97-78, § 2, 6-3-97; AO No. 99-62, § 25, 5-11-99; AO No. 2001-80, § 9, 5-8-01)



**Section 25.** Anchorage Municipal Code section 21.40.220 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.220**      **I-3 rural industrial district.**

\*\*\*      \*\*\*      \*\*\*

E. *Prohibited uses and structures.* Prohibited principal uses and structures are as follows:

\*\*\*      \*\*\*      \*\*\*

**6.**      **Child care centers and child care homes [faeilities].**

\*\*\*      \*\*\*      \*\*\*

(GAAB 21.05.050Q; AO No. 77-355; AO No. 85-91, 10-1-85; AO No. 87-32; AO No. 93-148, § 2, 11-16-93; AO No. 99-62, § 26, 5-11-99; AO No. 2001-80, § 10, 5-8-01)

**Section 26.** Anchorage Municipal Code section 21.40.240 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.40.240**      **TRANSITION DISTRICT.**

\*\*\*      \*\*\*      \*\*\*

E. *Prohibited uses and structures.* Prohibited principal uses and structures are as follows:

\*\*\*      \*\*\*      \*\*\*

**3.**      **Child care faeilities.**

\*\*\*      \*\*\*      \*\*\*

(GAAB 21.05.050S.; AO No. 77-355; AO No. 79-25; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 88-59(S); AO No. 88-171(S-1), 12-31-88; AO No. 98-160, § 10, 12-8-98; AO No. 99-62, § 28, 5-11-99)]

**Section 27.** Anchorage Municipal Code section 21.45.035 is amended to read as follows (the remainder of the section is not affected and therefore is not set out.):

**21.45.035**      **Accessory dwelling units (ADU's).**

\*\*\*      \*\*\*      \*\*\*

C. Requirements. All ADUs shall meet the following requirements:

\*\*\*      \*\*\*      \*\*\*

**2.**      Requirements for developing an ADU.

\*\*\*      \*\*\*      \*\*\*

d.      Uses.

1.      An ADU shall not be permitted on any lot with a bed and breakfast or child care center [faeility] [, DAY CARE, OR FAMILY RESIDENTIAL CARE].

\*\*\*      \*\*\*      \*\*\*

(AO No. 2003-97, § 2, 9-30-03)

**Section 28.** Anchorage Municipal Code section 21.45.080 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.45.080 Off-street parking.**

\*\*\* \*\*

U. *Child care facilities.*

1. *Child care homes ~~[facilities with one through eight children]~~ [FAMILY CARE].* No additional parking is required above the dwelling requirement.
2. *Child care centers ~~[facilities]~~ with nine through fifteen children [FAMILY RESIDENTIAL CARE].* One space above the dwelling requirement is required for establishments with [MORE THAN] 9 through 15 children.
3. *[PRESCHOOL, DAY CARE OR] Child care centers ~~[facility]~~ with more than 15 children [24-HOUR].* One space is required per 400 square feet gross building area, and one additional space, reserved for pickup and delivery of children, per 800 square feet of gross building area.

\*\*\* \*\*

(GAAB 21.05.060G.; AO No. 77-355; AO No. 78-118; AO No. 81-106; AO No. 81-178(S); AO No. 82-69; AO No. 84-90; AO No. 84-117(S); AO No. 85-91, 10-1-85; AO No. 87-31, 7-18-87; AO No. 89-30; AO No. 90-152(S); AO No. 93-172, § 1, 11-16-93; AO No. 96-68, § 1, 5-28-96; AO No. 99-131, § 12, 10-26-99; AO. No. 2004-108(S), § 6, 10-26-04)

*Editor's note:* The last sentence of subsection A of this section was formerly codified in the 1977 Code as the last sentence of subsection 21.35.020B.69.

*Cross references:* Business licenses and regulations, title 10.

**Section 29.** Anchorage Municipal Code section 21.45.180, including the inset tables, is hereby repealed in its entirety:

**21.45.180 [CHILD CARE SERVICES.]**

[DAY CARE AND 24-HOUR CHILD CARE FACILITIES SHALL COMPLY WITH THE FOLLOWING STANDARDS:

A. YARD AREA. THERE SHALL BE A CONTIGUOUS USABLE YARD PROVIDED, WHICH SHALL BE AT LEAST 20 FEET WIDE AT ALL POINTS. AT LEAST 75 SQUARE FEET PER CHILD SHALL BE PROVIDED FOR FACILITIES SERVING 30 CHILDREN OR LESS; ALL OTHER DAY CARE SERVICES AND 24-HOUR CHILD CARE FACILITIES SHALL PROVIDE SIMILAR USABLE YARD AREA AS MAY BE REQUIRED FOR APPROVAL BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

B. CHILD CARE MATRIX. CHILD CARE FACILITIES SHALL CONFORM TO THE FOLLOWING REQUIREMENTS:

TABLE INSET:

	Family Care	Family Residential Care	Day Care	Day Care	Child Care Facility, 24-hour
Maximum number of children		10	30	No limit	No limit

Maximum number of hours of operation		24	18	18	24
Babysitting	No	Yes	Yes	Yes	
Educational	Yes	Yes	Yes	Yes	
Social program	Yes	Yes	Yes	Yes	
Zoning districts:					
R-1/R-1A single-family	P	P	CU	CU	NP
R-2A/R-2D duplex	P	P	CU	CU	NP
R-2M multiple-family	P	P	*	*	CU
R-3 multiple-family	P	P	P	P	CU
R-4 multiple-family	P	P	P	P	CU
R-5/R-5A rural residential	P	P	CU	NP	NP
R-6 suburban residential	P	P	CU	CU	CU
R-7 intermediate residential	P	P	CU	NP	NP
R-8 rural residential	P	P	CU	CU	CU
R-9 rural residential	P	P	CU	CU	CU
R-O residential office	P	P	P	P	P
B-1A neighborhood business	P	P	P	P	P
B-2A, B, C central business district	P	P	P	P	P
B-3 general business	P	P	P	P	P
B-4 rural business	P	P	P	P	P
I-1 light industrial	NP	NP	P	P	P
I-2 heavy industrial	NP	NP	P	P	P
T transition	P	P	P	P	P
MC marine commercial	NP	NP	NP	NP	NP
MI marine industrial	NP	NP	NP	NP	NP

## TABLE INSET:

P	=	Permitted principal use.
CU	=	Conditional use; requires public hearing.
NP	=	Not permitted. The use is prohibited in this zone.
*R-2M	=	If the lot is greater than 14,000 square feet it is a permitted use.

NOTWITHSTANDING SECTION 21.15.010, NO PART OF THE CHILD CARE MATRIX STATED IN THIS SECTION MAY BE THE SUBJECT OF A VARIANCE.]

(AO No. 81-67(S); AO No. 83-52; AO No. 85-8; AO No. 85-18; AO No. 85-23; AO No. 85-187; AO No. 91-90(S))

**Section 30.** Anchorage Municipal Code section 21.45.200 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.45. 200      Transition and buffering standards.**

A. *Purpose.* The purpose of this section is to mitigate the impacts of

nonresidential land uses upon residential uses, and of more intense residential land uses upon less intense residential uses, including but not limited to visual, noise, traffic and environmental impacts. This section shall not apply to child care homes ~~[facilities with eight (8) or fewer children]~~.

\*\*\* \*\*

(AO No. 85-20; AO No. 85-173, 3-17-86)

**Section 31.** Anchorage Municipal Code section 21.45.240 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.45. 240      Location of premises where children are not allowed.**

\*\*\* \*\*

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

\*\*\* \*\*

8. Child care centers ~~[facilities]~~ [TWENTY-FOUR-HOUR CHILD CARE FACILITIES OR DAY CARE]; or

\*\*\* \*\*

(AO No. 88-37(S); AO No. 89-131)

*Cross references:* Adult entertainment establishments, license required, restrictions, § 10.40.050; alcoholic beverages, Ch. 10.50.

**Section 32.** Anchorage Municipal Code section 21.45.265 is hereby amended to read as follows  
(the remainder of the section is not affected and therefore is not set out):

**21.45. 265      Community and local interest towers.**

A. General provisions:

\*\*\* \*\*

16. Minimum separation distance from protected land uses.

a. A protected land use is defined as follows:

\*\*\* \*\*

3. Child care centers ~~[facilities]~~ [STATE LICENSED DAYCARE FACILITIES]; and

\*\*\* \*\*

(AO No. 88-147(S-2); AO No. 99-62, § 33, 5-11-99; AO No. 2000-71(S-3), § 2, 6-27-00)

*Editor's note:* It should be noted §4 of AO No. 2000-71(S-3), provides "The planning and zoning commission shall review the terms of AO No. 2000-71(S-3) and advise the municipal assembly on any revisions required to maintain the effectiveness and intent of the

ordinance as the result of changes and technology prior to January 1, 2003. This provision amends Section 38 of AO 99-62."

**Section 33.** Anchorage Municipal Code chapter 21.45 is hereby amended by adding 2 new sections to read as follows (*the remainder of the chapter is not affected and therefore is not set out*):

**21.45.300** **Child care homes ~~[facilities with one through 8 children]~~.**

A. *Intent.* Child care homes ~~[facilities with occupancy of eight (8) children or less]~~ are intended to be minor commercial activities and are allowed pursuant to chapter 21.40. A child care home ~~[facility]~~ shall not detract from the principal allowed use in the district and shall not place an undue burden on any private or public infrastructure greater than anticipated from a permitted development.

**B[C]**. This section shall not apply to any use continuing as a lawful conditional use at the time of adoption of this section.

~~**[Location. A child care facility in the R-3 or R-4 district located in a mobile home park or multi-family structure shall have an occupancy of up to eight (8) children if licensed by DHHS, and no greater than four (4) children if not licensed by DHHS, but may have up to eight (8) children if located in a single family home or duplex in any R-1 through R-O, B-1A, or B-1B zoning district.]**~~

**C[D]**. Yard requirements for licensed child care homes ~~[facilities]~~ will be determined by AMC section 16.55.450 ~~[the Department of Health and Human Services]~~. Exempt child care facilities, as per chapter 16.55, are not required to meet the yard requirements.

**21.45.310** **Child care centers ~~[facilities with 9 or more children]~~.**

A. *Intent.* The standards in this section shall apply to child care centers ~~[facilities where the facility serves, or is designed or proposed to serve, nine (9) or more children]~~.

B. **Site plan review.**

**1.** All child care centers within a residential district as set forth in section 21.45.010 shall be subject to a site plan review as set forth in this section, except in the R-1, R-1A, R-2A and R-2D districts where a conditional use permit is required. Child care centers in non-residential zoning districts shall comply with the requirements of this section exclusive of the site plan review requirement.

**a.** Contents. A site plan shall be prepared and approved by the director of the planning department or the director's designee demonstrating the center does not have a permanent or negative impact on those items listed in this subsection substantially greater than anticipated from permitted residential

development:

- i. Pedestrian and vehicular traffic circulation and safety.
- ii. Demand for an availability of public services and facilities.
- iii. Noise pollution, air pollution, water pollution and other forms of environmental pollution.
- iv. Furtherance of the goals and policies of the comprehensive development plan and conformance to the plan in the manner required by chapter 21.05.
- v. Other factors deemed relevant to the applicant or the director in review of the application.

b. Procedure for approval. At least thirty (30) days before acting on a child care center site plan application under this section, the director of the planning department shall publish notice of the application in a newspaper of general circulation in the municipality. The notice shall state the names of the applicants and the legal description of the land subject to the application. Such notice, including a map of the vicinity, shall also be provided to any officially recognized community council whose boundary encompasses the center site and to owners of property within 500 feet of the proposed site. The director of community planning and development shall take action on the site plan within forty (40) days of the site plan application submission date.

c. Appeals. A decision of the director of the planning department or the director's designee under the authority set forth in this subsection B is final unless appealed within fifteen (15) days to the planning and zoning commission. An appeal may be filed by the applicant or by a petition of at least one-third of the owners (excluding rights-of-way) of the privately owned land within 500 feet of the outer boundary of the child care center. In the event of appeal, the planning and zoning commission shall, in accordance with section 21.15.005, hold a public hearing at its next available meeting and apply the standards of this section. An appeal from a decision of the planning and zoning commission may be brought in accordance with section 21.30.010B.

~~[A child care facility in the R-3 or R-4 district location in a mobile home park or a multifamily structure shall have an occupancy of up to eight (8) children if licensed by DHHS, and no greater than four (4) children if not licensed by DHHS, but may have up to eight (8) children if~~

**located in a single family home or duplex in any R-1 through R-O, B-1A, OR B-1B zoning district.]**

- C. *Traffic access.* The site shall provide for direct access from a street constructed to Municipal standards.
- D. *Maximum lot coverage.* The maximum lot coverage by all structures shall be in accordance with the zoning district in which the institution is established. However, regardless of the maximum underlying lot coverage, a minimum of fifteen percent (15%) of the lot shall remain as a planted open area, landscaped area, natural vegetation area or useable yard, to exclude buildings, driveways, parking areas, sidewalks, etc., unless the Planning Director determines that retention of less than fifteen percent (15%) of the lot as open area, etc., allows for sufficient buffering of adjacent uses.
- E. *Maximum height of structures.* The maximum height of structures shall be the same as permitted in the district in which the site is located.
- F. *Yard requirements.* The minimum yard requirements shall be those permitted in the district in which the site is located or as otherwise authorized by the planning and zoning commission so long as a use within a nonresidential district adjacent to a residential use or district shall provide a 15-foot yard between the two, planted with buffer landscaping as described in section 21.45.125, or as prescribed in section 21.45.200. If the method described in section 21.45.200 is applied, the play yard surfacing for a child care facility, as prescribed by Department of Health and Human Services, may be located within this area.
- G. *Illumination.* Illumination shall be provided in the manner prescribed in section 21.45.080X[W].4.e. Fixtures and lighting levels shall avoid trespass light, skyglow, or glare. Lighting fixtures with a mounting height greater than fifteen feet (15') shall incorporate full cut-off fixtures as defined by the Illumination Engineering Society of North America (IESNA), with flat lens fixtures. Exterior building lighting shall be designed and located to direct the light toward the ground.
- H. *Landscaping.* Landscaping shall be provided as follows:
1. All areas not occupied by buildings, structures, storage yards, drives, walks, off-street parking installations, play yards required for child care, or other authorized installations shall be planted with visual enhancement landscaping, as described in section 21.45.125;
  2. Buffer landscaping, as described in section 21.45.125C.2., shall be planted along the length of each lot line which abuts a lot within a residential district; and
  - 3[4]. The property owner shall maintain all landscaping in good condition.
- [Arterial landscaping, as described in section 21.45.125C.4. shall be**

~~planted along the length of each lot line which abuts a collector or arterial street, as designated in the official streets and highways plan; and]~~

I. *Screening or buffering.* The planning and zoning commission may require:

1. ~~Transition and buffering (15 foot width) or buffering landscaping as described in section 21.45.200E. and 21.45.125C.3. [screening or buffering landscaping as described in section 21.45.125C.2. or C.3.]~~ along the length of a lot line.
2. A bond for the installation of landscaping at the time of implementation of the department or Commission approval. This landscape bond, payable to the Municipality of Anchorage, shall be in the amount of a one hundred twenty percent (120%) itemized cost estimate prepared by a professional landscape architect of the planting material, topsoil, plus labor for installation. Further, the bond shall remain in effect for a two (2) year growing period to assure survivability of all trees and shrubs and replacement of dead or stunted landscape materials.

J. *Loading areas.* If loading area(s) are required, loading and unloading areas shall be provided on the site in accordance with section 21.45.090. Delivery areas shall be screened from adjacent residential areas by buffer landscaping, or a fence no less than six feet (6') high, except where landscaping or height is limited by section 21.45.020 or section 21.45.110.

K. *Drainage facilities.* A site drainage plan and storm drainage facilities shall be constructed in accordance with the requirements of section 21.45.230.

L[M]. *Parking.* Parking shall be provided on the lot in accordance with the requirements of section 21.45.080.

~~[Refuse collection. Refuse containers and facilities shall be provided within the primary structure or within a free-standing enclosure on the site. Refuse containers and facilities located outside the primary structure must be enclosed by a fence or three sides in the manner provided by section 21.45.080W.4. Enclosures shall be durable construction and use architectural design and screening materials to be consistent with the primary structure(s) on the property. The placement of refuse storage areas in the front yard setback is prohibited.]~~

M[N]. *On-site systems.* Every child care center [facility with nine (9) or more children], supported by on-site well and wastewater disposal systems, shall conform to the requirements of chapter 15.65, pertaining to wastewater disposal regulations, and shall provide a one-time-only health authority certificate.

N[O]. *Snow management.* Snow storage space adjacent to surface parking lots and pathways must be identified on the site plan. To facilitate snow removal, in



residential districts snow storage areas equal to at least fifteen percent (15%) of the total area of the site used for parking, access drives, walkways and other surfaces that need to be kept clear of snow, shall be designated on the site plan. Such areas designated for snow storage shall be landscaped only with grasses and flowers and shall have flat or concave ground surface with positive drainage away from structures and pavements. Storage of snow is not allowed in front setbacks for sites where child care is being provided in structures other than a single-family dwelling or duplex structures. Storage of snow may be allowed in fifty percent (50%) of the side and rear setbacks, if trees and other vegetation designated for preservation will not be damaged. If snow is to be hauled off-site, it shall be to an approved snow storage site, and temporary snow storage areas shall be shown on the site plan.

O[P]. This section shall not apply to any use continuing as a lawful conditional use at the time of adoption of this section.

P[Q]. The use shall meet the requirements of title 23 for construction and life safety issues, where applicable.

**Section 34.** Anchorage Municipal Code section 21.50.150 is hereby amended by adding a new section to read as follows (*the remainder of the section is not affected and therefore is not set out*):

**21.50.150      Conditional use standards - Child care centers [facilities] [SERVICES].**

The following requirements shall apply to [DAY CARE AND 24-HOUR] child care centers [FACILITIES], when such facilities are permitted by conditional use:

- A. Child care centers [facilities] shall meet the standards of the supplementary district regulations, in addition to any requirements imposed by the conditional use. Additional restrictions as to the size of the use, hours of operation or other use restrictions may be required to meet the conditional use standards to ensure compatibility with the neighborhood [THE MINIMUM LOT SIZE SHALL BE AT LEAST 10,000 SQUARE FEET].
- B. Maximum lot coverage. The maximum lot coverage by all structures shall be in accordance with the zoning district in which the institution is established, except a minimum of twenty-five percent (25%) of the lot shall remain as open area, to include landscaping, natural vegetation, or useable yard. The open area calculation shall not include buildings, driveways, parking areas, sidewalks, or similar structures, unless the planning and zoning commission determines retention of less than twenty-five percent (25%) of the lot as open area allows for sufficient buffering of adjacent uses [ANY USE SHALL MEET THE STANDARDS OF THE SUPPLEMENTARY DISTRICT REGULATIONS, IN ADDITION TO ANY REQUIREMENTS IMPOSED BY THE CONDITIONAL USE. ADDITIONAL RESTRICTIONS AS TO THE SIZE OF THE USE, HOURS OF OPERATION OR

OTHER USE RESTRICTIONS MAY BE REQUIRED TO MEET THE CONDITIONAL USE STANDARDS AND ENSURE COMPATIBILITY WITH THE NEIGHBORHOOD].

C. Yard requirements. The planning and zoning commission may alter the minimum yards required by the underlying zoning district, except a use within a nonresidential district adjacent to a residential use or district shall provide a fifteen (15) foot yard between the two, planted with buffer landscaping meeting the standards in section 21.45.125 [PARTICULAR CONSIDERATION SHALL BE GIVEN TO ENSURE THAT A CHILD CARE SERVICES USE DOES NOT CREATE AN UNDUE BURDEN TO LOCAL STREETS, OR WATER OR SEWER FACILITIES, WHERE SUCH FACILITIES ARE MAINTAINED PRIVATELY].

D. Authority to impose different conditions. Except as specifically limited in this section, different conditions may be imposed by the planning and zoning commission, if necessary, to properly develop the site and mitigate impacts.

E. Required submittals. The following shall be provided with an application:

1. A copy of the application submitted for Municipal or State licensing, as applicable.
2. Building elevations.
3. Landscaping.
4. Floor plans.
5. Site plan and/or as-built survey.
6. Description of the program, including the services offered and the professional certification or licenses required to operate.
7. Other factors deemed relevant to the applicant or the director in review of the application.
- 8[7]. Submittals described under section 21.15.030C. may also be required.

(AO No. 81-67(S); AO No. 85-187)

Cross references: Child care centers, Ch. 16.55.

**Section 35.** Anchorage Municipal Code section 14.60.030 is hereby amended by adding the following (*the remainder of the section is not affected and therefore is not set out*):

**14.60.030** **Fine schedule.**

The fine schedule under this chapter is as follows:

<u>Code Section</u>	<u>Offense</u>	<u>Penalty/Fine</u>
***      ***      ***		
<u>21.45.300 or 21.45.310</u>	<u>Child care centers and homes</u> <u>[facilities] violation (identify</u>	

specific violation)

\$350.00

\*\*\*      \*\*\*      \*\*\*

(AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-118, § 3, 9-1-95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-195(S-1), 1-1-96; AO No. 96-51(S-1), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97; AO No. 96-126(S), § 3, 10-1-96; AO No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3, 6-3-97; AO No. 97-107, § 3, 11-17-97; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-27(S-1), § 2, 11-11-97; AO No. 98-160, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO No. 99-91(S), § 4, 7-13-99; AO No. 2000-64, § 1, 4-18-00; AO No. 2000-116(S), § 4, 7-18-00; AO No. 2000-127(S), § 2, 10-14-00; AO No. 2000-129(S), § 26, 11-21-00; AO No. 2001-48, § 1, 3-13-01; AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 2-6-01; AO No. 2001-145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO No. 2003-97, § 4, 9-30-03; AO No. 2003-117, § 2, 1-28-03; AO No. 2003-130, § 8, 10-7-03; AO No. 2003-152S, § 10, 1-1-04; AO No. 2004-1, § 2, 1-1-03; AO No. 2004-99, § 2, 6-22-04; AO No. 2004-100(S-1), § 6, 1-1-05)

**Section 36.** This ordinance shall be effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 28<sup>th</sup> day of February, 2006.

Anna L. Fairclough  
Chair

ATTEST:

Linda S. Leim  
Municipal Clerk

G:\mat\open matters\Title 21 - Assisted Living AO\AO 2005-185S.DOC