

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Planning Department
For reading: June 24, 2008

See AO 2008-80(S)

ANCHORAGE, ALASKA
AO No. 2008-80

1
2 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION
3 21.35.020 TO ESTABLISH LAND USE DEFINITIONS FOR PUBLIC HEALTH
4 AND SAFETY LABORATORIES, PUBLIC SAFETY FACILITIES AND
5 OUTDOOR SHOOTING RANGES, AMENDING SECTION 21.40.020 TO PERMIT
6 THESE AS USES IN THE PLI DISTRICT, AND ADDING A NEW SECTION
7 21.50.410 TO PROVIDE CONDITIONAL USE STANDARDS FOR OUTDOOR
8 SHOOTING RANGES.

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10
11 THE ANCHORAGE ASSEMBLY ORDAINS:
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13 **Section 1.** Anchorage Municipal Code section 21.35.020 is hereby amended to read as
14 follows (*the remainder of the section is not affected and therefore not set out*):
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16 **21.35.020 Definitions and rules of construction.**
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18 *** *** ***

19 B. The following words, terms and phrases, when used in this title, shall have
20 the meanings ascribed to them in this section, except where the context
21 clearly indicates a different meaning:
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23 *** *** ***
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25 *Property line* means a demarcation limit of a lot dividing it from other lots
26 or parcels of land.
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28 *Public Health & Safety Laboratory* means research and analysis facilities
29 operated by public agencies and designed to assure public health and safety
30 through crime investigation, food safety analysis and other laboratory
31 services.
32

33 *Public Safety Facility* means a facility operated by a government agency,
34 for the purpose of providing public safety and emergency services, training
35 for public safety and emergency personnel, and related administrative and

support services.

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Shooting Range, Outdoor means an establishment engaged in the use of land for discharging of firearms for target practice, skeet, and trap shooting. Structures may include academic and other buildings related to the site operations and training needs.

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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; AO No. 2005-9, § 1, 3-1-05; AO No. 2005-150(S-1), § 1, 2-28-06; AO No. 2005-185(S), § 1, 2-28-06; AO No. 2005-124(S-1A), § 4, 4-18-06; AO No. 2006-121, § 1, 9-26-06; AO No. 2006-64(S-1), § 1, 12-12-06; AO No. 2007-62, § 1, 5-15-07)

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 not set out*):

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

*** **

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

*** **

22. **Public Health & Safety Laboratory.**

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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:

*** *** ***

22. Shooting range, outdoor.

23. Public safety facility.

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(GAAB 21.05.050.A; 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; AO No. 2005-9, § 2, 3-1-05; AO No. 2005-42(S), § 1, 5-31-05; AO No. 2005-150(S-1), § 2, 2-28-06; AO No. 2005-185(S), § 2, 2-28-06; AO No. 2005-124(S-1A), § 5, 4-18-06; AO No. 2006-64(S-1), §§ 2, 3, 12-12-06)

Section 3. Anchorage Municipal Code chapter 21.50 is hereby amended to add a new section to read as follows:

21.50.410 Conditional use standards—Shooting range, outdoor.

The following standards shall apply to outdoor shooting ranges:

- A. *Site size.* The minimum site size shall be 20 acres.
- B. *Setbacks.* All shooting areas shall be set back a minimum distance of 100 feet from any public right-of-way. Buildings located behind the firing line are allowed to be located to the normal zone setback.
- C. *Shooting area.* The backstop must be an earth mound or dugout of sufficient dimension to stop projectiles. Casual access into the line of fire shall be prevented through fencing or some equally effective equivalent.
- D. *On-site uses.* An accessory retail store, snack shop, and/or short-term rental of firearms and equipment for use only on the premises are permitted. Ammunition storage for the use is permitted. Sale of alcoholic beverages is prohibited.
- E. A noise impact analysis with a noise map based on the types of firing and

layout of the range shall be presented as part of the conditional use hearing.

Section 4. This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this ____ day of
____ 2008.

Chair

ATTEST:

Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2008- 80

Title: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.35.020 TO ESTABLISH LAND USE DEFINITIONS FOR PUBLIC HEALTH AND SAFETY LABORATORIES, PUBLIC SAFETY FACILITIES, AND OUTDOOR SHOOTING RANGES, AMENDING SECTION 21.40.020 TO PERMIT THESE AS USES IN THE PLI DISTRICT, AND ADDING A NEW SECTION 21.50.410 TO PROVIDE CONDITIONAL USE STANDARDS FOR OUTDOOR SHOOTING RANGES.

Sponsor:

Preparing Agency: Planning Department

Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)				
	FY08	FY09	FY10	FY11	FY12	
Operating Expenditures						
1000 Personal Services						
2000 Non-Labor						
3900 Contributions						
4000 Debt Service						
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -	
Add: 6000 Charges from Others						
Less: 7000 Charges to Others						
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -	
REVENUES:						
CAPITAL:						
POSITIONS: FT/PT and Temp						

PUBLIC SECTOR ECONOMIC EFFECTS:

Approval of this rezone should have no significant impact on the public sector.

PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of the rezoning should have no significant economic impact on the private sector.

Prepared by: Jerry T. Weaver Jr.

Telephone: 343-7939



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 414-2008

Meeting Date: June 24, 2008

From: Mayor

Subject: Planning and Zoning Commission recommendation for an ordinance amending Anchorage Municipal Code Section 21.35.020 to establish land use definitions for public health and safety laboratories, public safety facilities, and outdoor shooting ranges, amending Section 21.40.020 to permit these as uses in the PLI District, and adding a new Section 21.50.410, to provide conditional use standards for outdoor shooting ranges.

- 1 This ordinance amends Anchorage Municipal Code Section 21.35.020 to establish
- 2 land use definitions for public health and safety laboratories, public safety facilities,
- 3 and outdoor shooting ranges, amends Section 21.40.020 to permit these as uses in the
- 4 PLI District, and adds a new Section 21.50.410, to provide conditional use standards
- 5 for outdoor shooting ranges.
- 6
- 7 The PLI District is intended to include areas of significant public open space, major
- 8 public and quasi-public institutional uses and activities, and land reserves for which a
- 9 specific use or activity is not yet identified. The Municipality has been undergoing
- 10 discussions with multiple public safety agencies over the last year in regards to
- 11 potential locations of new public safety related facilities. It has been determined
- 12 through these discussions that although the intent of the PLI district is to allow for a
- 13 range of public facilities and their related needs, the current use listings do not
- 14 clearly allow for public health and safety laboratories and public safety facilities,
- 15 which may include shooting ranges.
- 16
- 17
- 18 The ordinance will correct this oversight with respect to public health labs, and
- 19 provides for a conditional use process for public safety training facilities and outdoor
- 20 shooting ranges. The conditional use process will allow the Planning and Zoning
- 21 Commission to make decisions as to what uses may be appropriate in the PLI, as
- 22 they will be required to review the impacts and appropriateness of a particular use in
- 23 a particular location.
- 24
- 25 There was no public opposition to the ordinance at the public hearing. The Planning
- 26 and Zoning Commission supports the ordinance.

1
2 THE ADMINISTRATION RECOMMENDS ADOPTION OF THE ORDINANCE.
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4

5 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department

6 Concur: Tom Nelson, Director, Planning Department

7 Concur: Mary Jane Michaels, Director, Office of Economic
8 and Community Development

9 Concur: James N. Reeves, Municipal Attorney

10 Concur: Michael K. Abbott, Municipal Manager

11 Respectfully submitted, Mark Begich, Mayor

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2008-027

A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDMENT TO THE ANCHORAGE MUNICIPAL CODE SECTIONS 21.35.020 AND 21.40.020, TO ALLOW PUBLIC HEALTH AND SAFETY LABORATORY, PUBLIC SAFETY FACILITIES AND OUTDOOR SHOOTING RANGES IN THE PLI DISTRICT, AND ADDING A NEW SECTION 21.50.410 PROVIDING CONDITIONAL USE STANDARDS FOR OUTDOOR SHOOTING RANGES.

(Case 2008-046)

WHEREAS, the Planning Department (Department) has submitted a draft ordinance which proposes amendments to Anchorage Municipal Code sections 21.35.020, 21.40.020 and 21.50 to allow public health and safety laboratories, public safety facilities, and outdoor shooting ranges and shooting range conditional use standards in the PLI district; and

WHEREAS, a public hearing was held on March 3, 2008, and the request was postponed and decided at the March 10, 2008 hearing, to allow staff to gather additional public safety information for the Commission.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Planning and Zoning Commission that:

A. The Commission makes the following findings of fact:


1. The PLI District is intended to include areas of significant public open space, major public and quasi-public institutional uses and activities, and land reserves for which a specific use or activity is not yet identified. The Municipality has been undergoing discussions with multiple public safety agencies over the last year in regards to potential siting of new public safety related facilities. It has been determined through these discussions that although the intent of the PLI district is to allow for a range of public facilities and their related needs, the current use listings do not clearly allow for crime laboratories and public safety outdoor training ranges, which often include shooting ranges.
2. The Department finds that it is an oversight that a crime lab facility is not permitted as a principle use in the PLI district, as it is very similar in operations to that of the existing Medical Examiner/State Troopers/food safety lab area off East Tudor Road.
3. The Commission noted that it had much discussion on this ordinance at its March 3, 2008 hearing. The idea of adding an outdoor shooting range as an appropriate use on PLI land serves the need for public safety training in Anchorage. This is a permanent change to the code that would allow additional facilities to be located on public land, so it is appropriate to have a conditional use standard. The greatest concern expressed by the public was noise, so it is appropriate to have a noise study. The public health and safety laboratory was separated from the public safety facility because one is a

contained, internal, administrative facility while the other can involve uses that can have a higher impact on the surrounding property.

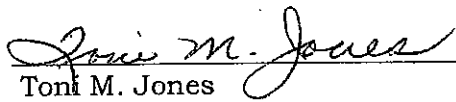
4. The Commission finds that the conditional use process for a shooting range will allow future commissions to make good decisions as to what is appropriate in the PLI.
 5. The Commission finds that a conditional use is a use allowed only after specific conditions are met and that, in the particular location it is proposed, has met requirements that the surrounding area will be protected. It is that discretion the Commission must use in each and every application. The Commission further finds that this type of conditional use review allows the Commission to review the impacts and appropriateness of a particular use in a particular location, and the requirement added for a noise impact analysis for shooting ranges will ensure control with regard to noise.
 4. The Commission recommended approval of the ordinance with the amendment to shooting range conditional use standards by a vote of 5-aye, 1-nay.
- B. The Commission recommends to the Anchorage Assembly approval of the amendments to the Anchorage Municipal Code, as recommended by the Department, subject to the following additional conditional use standard for shooting ranges:
- A. Add new section 21.50.410.E to state, "A noise impact analysis with a noise map based on the types of firing and layout of the range shall be presented as part of the conditional use hearing."

10th ~~3rd~~ PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the day of March, 2008.

Adopted by the Anchorage Municipal Planning and Zoning Commission this 7th day of April, 2008.



Tom Nelson
Secretary



Toni M. Jones
Chair

(Case 2008-046)

development, and connectivity of public facilities in the area from Spenard Recreation to Northwood Street and down to the Microtel Hotel in order to advise Phase 1B. COMMISSIONER JOSEPHSON seconded.

COMMISSIONER PEASE felt the Commission was not ready to act, but would be willing to act if the listed information is provided.

COMMISSIONER JOSEPHSON noted that the applicant is the Municipality. For want of more information on the western side of the parcel, it is wise to postpone.

AYE: Josephson, Jones, Cotten, Pease, Wang, Phelps
NAY: None

PASSED

3. 2008-046

Municipality of Anchorage. An ordinance amending Anchorage Municipal Code sections 21.35.020 and 21.40.020, to allow public safety facilities and outdoor shooting ranges in the PLI district, and adding a new section 21.50.410 providing conditional use standards for outdoor shooting ranges.

Staff member ANGELA CHAMBERS explained that on March 3, 2008 the Commission reviewed an amendment to this portion of the code. The public hearing was opened and closed. During deliberation, the Commission expressed concern regarding the need for conditional use approval for public safety facilities and some accessory use amendments regarding outdoor shooting ranges. The Department has responded in written form. An email was distributed this evening regarding the conditional use requirements for public safety facilities. The definition of public safety facility is broad and the Department finds that the broader conditional use requirements are not appropriate. This type of use will be before the Commission infrequently. These types of facilities could include a fire training facility with varying impacts depending on the type of training being performed and related support facilities that could be entirely enclosed in a structure. The department finds that the new standards should be based on the conditional use standards, putting the onus on the facility to establish it is appropriate for the location and can adequately buffer itself and mitigate any external impacts. Noise emissions can vary significantly, even on a shooting range, so there should be case-by-case

review. Lighting is also site-specific and dependent on the buffering around the lot. There will be security around the site, but depending on terrain, those aspects will differ. Ammunition storage is subject to existing safety regulations, but this will be reviewed on a case-by-case basis. The Department concurred at the March 3, 2008 hearing that the intent of the draft ordinance was to allow academic and other ancillary uses related to the shooting range, as well as ammunition storage. These are typical accessory uses and would not be prohibited in general. The Department recommends the amended ordinance.

COMMISSIONER JOSEPHSON noted that the Commission approved the site selection for the ORTC last week. He asked whether, if the Commission has found that site near the Birchwood Airport is the best that could be found, the petitioner could not file a rezone to I-2 so the question of whether not PLI land is appropriate for this use is removed. He felt this ordinance seemed beyond what should be done, particularly given that the Department says shooting ranges would not come along often. MS. CHAMBERS stated that a rezoning could be sought. The matter before the Commission is whether this use is appropriate in the PLI. The Municipality is bringing this forward because there is an overriding issue of whether publicly owned and operated properties should be zoned PLI; the PLI zone requires a public facility site plan review. The Title 21 Rewrite intends to treat all uses similarly, but until it is adopted, the current code guides. The Department finds it appropriate to have shooting ranges as a conditional use in PLI. This is appropriate for both public and private ranges. CHAIR JONES stated that as a practical matter in her 20 years of experience, she has seen precious few rezoning requests to I-2. In order to secure such a rezoning, the Comprehensive Plan would have to designate the area as appropriate for I-2 and it would likely need to be adjacent to I-2. COMMISSIONER JOSEPHSON believed the parcel for the ORTC is near an industrial site. CHAIR JONES noted that this ordinance would affect property throughout the Municipality, however.

COMMISSIONER PEASE thanked Staff for their response to her questions on noise. There are property line noise emission standards under AMC 15.70, but that title says that no noise will be permitted across the property line except as otherwise permitted by the terms of a permit issued to the owner or operator of a shooting range or user of explosives. This does not guarantee any level of noise containment or abatement. She asked what protection exists for uses adjoining public safety facilities and outdoor shooting ranges. MS. CHAMBERS replied

that the conditional use process offers protection. The Commission can deny a conditional use or return a proposal for redesign. The Department and she strongly feel that the conditional use process under the general standards, one of which includes environmental impacts, is appropriate because shooting ranges require large parcels of land. There will be varying topographical features depending on the site, which will affect the impact of noise emissions. Ranges will be different sizes and the land around a range will have individual buffers as well. She felt that these uses will have to be reviewed individually and that the owner or operator of the range will have to ensure that there is no negative impact to adjacent property owners. CHAIR JONES asked if the review and approval process would be similar to that for natural resource extractions. MS. CHAMBERS replied in the affirmative. COMMISSIONER PEASE asked if Staff would object to a condition requiring a noise impact analysis with a noise map showing decibel levels based on the type of weapons and layout of the range. MS. CHAMBERS believed this would be helpful and something the Department would require in any case.

COMMISSIONER WANG stated that, given the wide variety of uses permitted in PLI, it is difficult to ascertain the appropriate benchmark against which a conditional use would be measured in terms of whether or not it has impacts greater than uses permitted in the district. MS. CHAMBERS responded that the only standard that exists is for noise crossing over the property line. She noted that any ranges under this ordinance would be new and have new standards of technology.

COMMISSIONER PEASE moved to approve case 2008-046, subject to Staff conditions and the changes presented by Staff in the packet dated March 10, 2008, adding a section 21.50.410.E to state, "A noise impact analysis with a noise map based on the types of firing and layout of the range shall be presented as part of the conditional use hearing." COMMISSIONER COTTEN seconded.

COMMISSIONER PEASE stated the Commission had much discussion on this ordinance at its March 3, 2008 hearing. The idea of adding an outdoor shooting range as an appropriate use on PLI land serves the need for public safety training in Anchorage. This is a permanent change to the code that would allow additional facilities to be located on public land, so it is appropriate to have a conditional use standard. The greatest concern expressed by the public was noise, so it is appropriate to have a noise study. The public health and safety laboratory was separated from the public safety

facility because one is a contained, internal, administrative facility while the other can involve uses that can have a higher impact on the surrounding property.

COMMISSIONER JOSEPHSON did not support the motion, believing he did not know enough about PLI or about the map to support it. He noted that, in a case where the Commission wanted to allow a conditional use permit for hotels, it was very careful to require that the hotels only be allowed only on U-Med property. He believed a future Planning and Zoning Commission would have that conditional use screen to protect the public interest. He thought the site selection that the Commission approved last week was approved because of its location. Had it been in Beach Lake Park or on the hill, the public would object. He viewed this code amendment as very odd. He looked at this code amendment as a quiet rights issue. He questioned why an outdoor shooting range should be compared to a library, housing for the elderly, schools, or a hotel at the university.

COMMISSIONER WANG supported the motion, while understanding Commissioner Josephson's concerns about possible consequences. He did not believe, however, that a shooting range would be approved without public awareness and felt that the conditional use process will allow future commissions to make good decisions as to what is appropriate in the PLI.

CHAIR JONES supported the motion, stating that a conditional use is a use allowed only after specific conditions are met and that, in the particular location it is proposed, has met requirements that the surrounding area will be protected. It is that discretion the Commission must use in each and every application. She stated that this type of conditional use review allows the Commission to review the impacts and appropriateness of a particular use in a particular location. The requirement added by Commissioner Pease will ensure control with regard to noise.

AYE: Jones, Cotten, Pease, Wang, Phelps

NAY: Josephson

PASSED

F. REGULAR AGENDA -- None

G. PUBLIC HEARINGS

1. 2008-041 Eagle River Congregation of Jehovah's Witnesses. A request to rezone

parking lots and there is a problem finding land for new development. She noted that the wind problems at the Atwood Building are significant and she felt that the effects of wind should be examined for every building built in downtown. She stated that all of the downtown zoning districts should be revised quickly.

AYE: Josephson, Jones, Isham, Fredrick, Pease, Wang, Phelps
NAY: None

PASSED

Resolution 2008-xxx

COMMISSIONER ISHAM moved for approval of Resolution 2008-xxx.
COMMISSIONER WANG seconded.

COMMISSIONER WANG asked what language Ms. Chambers had devised for the previous friendly amendment. MS. CHAMBERS suggested that the last sentence read: "The applicant shall incorporate mitigation measures as approved by the study and the Department into building design."

AYE: Josephson, Jones, Isham, Fredrick, Pease, Wang, Phelps
NAY: None

PASSED

F. REGULAR AGENDA – None

G. PUBLIC HEARINGS

1. 2008-046

Municipality of Anchorage. An ordinance amending Anchorage Municipal Code sections 21.35.020 and 21.40.020, to allow public safety facilities and outdoor shooting ranges in the PLI district, and adding a new section 21.50.410 providing conditional use standards for outdoor shooting ranges.

Staff member ANGELA CHAMBERS stated this amendment would allow public safety facilities and outdoor shooting ranges in the PLI district. The PLI District is intended to include areas of significant public open space, major public and quasi-public institutional uses and activities and land reserves for which a specific use or activity is not yet identified. Because of the broad range of uses, a site plan review is

required for all development on PLI lands. The Municipality has been undergoing discussions with multiple public safety agencies over the last year in regards to potential siting of new public safety related facilities. It has been determined through these discussions that although the intent of the PLI district is to allow for a range of public facilities and their related needs, the current use listings do not clearly include for crime laboratories and for public safety outdoor training ranges, which often include shooting ranges. The Department finds that it is an oversight that a crime lab facility is not permitted as a principal use in the PLI district, as it is very similar in operations to that existing at the Medical Examiner/State Troopers/food safety lab area off of East Tudor Road. Currently, an outdoor shooting range is only allowed in the I-2 (Heavy Industrial) and I-3 (Rural Industrial) districts. There are no standards for this use in those districts. It is also very difficult to find available I-2 zoned property located appropriately for public safety use for a shooting range, as these sites are in high demand for private sector industrial needs. Using those for a public facility would be taking away from private sector needs for various heavy industrial uses. The Department finds that an outdoor shooting range is appropriate to allow in the PLI district, but only depending on the location and site characteristics of the proposed use area. This use, unlike most public safety facilities, involves an outdoor facility that requires additional safety measures and can generate off-site noise impacts. The Department supports this ordinance with a minimum parcel size requirement of 20 acres, requiring 100-foot minimum setbacks from rights of way, and prevention of casual access. This ordinance does not treat a public safety firing range any differently than one that would be open to the public. The Department finds that using the conditional use process will allow for a case-by-case review of outdoor shooting ranges. MS. CHAMBERS recommended a change to delete the second sentence of 21.50.410.B, noting that backstops have very specific requirements that will address any concern.

COMMISSIONER PEASE asked why this would be considered only in terms of the potential location along Knik Arm, as this applies to any potential range. MS. CHAMBERS agreed, but noted that the backstop area is subject to federal and other requirements. The Department felt that a 100-foot setback is necessary for adjacency to public right-of-way, but that such a requirement for backstops is not necessary. There will be considerations associated with a backstop, such as a significant topographical differential. The Department does not object to retaining the language, but did not find it necessary. COMMISSIONER ISHAM

noted that this language sets a minimum of 100 feet for a setback for the backstop. MS. CHAMBERS explained that a backstop could be a vertical hill that is not 100 feet back. There are also different safety considerations on the wings of the firing range. The setback from a right-of-way should be 100 feet as that would be the public access route to the range.

COMMISSIONER PEASE felt that on a large site a 100-foot setback would seem appropriate and for a smaller site it would seem undesirable to have a lesser setback. MS. CHAMBERS responded that the Department has no preference to inclusion or deletion of that sentence.

COMMISSIONER PEASE noted that 21.50.410.C refers to "casual access" and asked that Staff respond to the language "access into the line of fire by vehicles, persons or animals, shall be prevented through fencing or some equally effective equivalent." MS. CHAMBERS replied that the term "casual access" is common in the code; it is unrestricted or unauthorized access. On a shooting range, an individual will be managing access.

COMMISSIONER FREDRICK noted that page 001 of the packet refers to this being similar to operations that exist at the Medical Examiner/ State Trooper/food safety lab area. He asked if this reference is that these uses are in PLI. MS. CHAMBERS replied in the affirmative. COMMISSIONER FREDRICK asked under what rubric it was approved in PLI. MS. CHAMBERS replied that there was disagreement within the Department. When that use was approved it was felt to be a permitted PLI use and the Department felt that this amendment should be brought forward to address shooting ranges. The laboratory was felt to be more of an industrial use. There is no concern about the use not being appropriate in that location.

COMMISSIONER PEASE was interested in the issue of noise. She asked what is known about the decibel levels and carrying distance of noise from shooting ranges and what setbacks are common. MS. CHAMBERS noted that AMC Title 15 addresses noise standards. MR. BARRETT distributed code sections 15.70.080, including Table 1. Sound Levels by Receiving Land Use, and 15.70.060 in hard copy. MS. CHAMBERS noted that there are some exemptions on firearms, to a point, but in 15.70.060, Prohibited acts and conditions, section B.6 places restrictions on explosives, firearms, and similar devices. Depending on site layout, there are many methods that can be used to

mitigate sound. Because this is so dependent on site layout the Department believed it is best handled during conditional use review. AMC 21.50.020.D(3), Standards for conditional use, addresses these impacts. Per that code section, the Commission can be more restrictive than 15.70 dictates. More specific information can be provided with specific requests.

COMMISSIONER JOSEPHSON noted that 15.70.060.B(6) cites to 15.70.070.A about permitting for firing ranges. MS. CHAMBERS explained that is general permitting. COMMISSIONER JOSEPHSON felt that if that section of the code contains requirements to secure a license, it would be helpful information. MS. CHAMBERS stated that the DHHS is still working on specifics for permitting for this use.

COMMISSIONER PEASE felt that reference to the general standards for a conditional use approval is circular. Those standards state that the use will "not have a permanent negative impact on the items listed in this subsection substantially greater than that anticipated from permitted development." If a shooting range is a permitted development, there is no standard against which it can be weighed. MS. CHAMBERS stated that is why there is a requirement in the code related to impacts that are identified as excessive, such as in 15.70.080 Table 1.

COMMISSIONER ISHAM noted that AMC 15.70.080.A refers to private property, but if a shooting range were owned by the city or state, it would be public. He asked if those owners are exempted from these rules. MS. CHAMBERS replied that there is a section specifically pertaining to governmental compliance at 15.70.050.

COMMISSIONER PEASE asked how gun rental is conducted in a safe manner. She asked if there is any risk of shoplifting rental equipment. MS. CHAMBERS explained that privately owned indoor shooting ranges have specific procedures for use of their guns. There are strict controls over weapons check out and check in. COMMISSIONER PEASE asked if there is no need to cover this regulation in the ordinance. MS. CHAMBERS stated this is not a land use concern. Gun use would be regulated in a manner similar to gun sales.

COMMISSIONER JOSEPHSON stated he has shot at Isaac Walton, not at the flats near Potter Marsh. He asked if that is where people shoot over the Inlet. MS. CHAMBERS explained that the Inlet is the backdrop; people would not be shooting into the Inlet. There is also

berming at that range, which is the immediate backdrop. COMMISSIONER JOSEPHSON asked what is the distance to the western boundary of that plot from the water line. MS. CHAMBERS indicated she would need to measure that distance. CHAIR JONES commented that this case relates to the entire Municipality, not one particular site.

COMMISSIONER WANG noted that he had just become aware of a possible conflict. He has a conflict in 2008-048 as his law firm represents Eklutna Inc., which owns the parcel designated as selectee for that site selection. He has ongoing work with Eklutna Inc. He is not working on this particular issue, but he would be concerned about his ability to be impartial. He has been excused from participating in cases involving Eklutna Inc. in the past. He felt that case 2008-046 is an ordinance of general application and did not feel he had a conflict in that case.

In response to Commissioner Josephson's earlier question, MS. CHAMBERS stated that page 40 of the packet in case 2008-048 shows ranges and fans for the ranges proposed. She believed there is well over 50 feet between the backdrop and the Potter Marsh range.

The public hearing was opened.

BOBBI WELLS felt the entire Municipality would benefit if public safety training facilities were kept in industrial areas rather than on PLI land. She stated that the Crime Lab is similar to what is allowed in PLI and it is suitable. She stated that PLI seems to be a catchall for all public facilities. She asked that the Commission not confuse an outdoor shooting range with a public safety training facility. PLI allows hospitals, adult and child care facilities, habilitative care, recreation centers, churches, museums, libraries, government, administrative and city buildings, halfway houses, correctional institutions, airports, and public outdoor shooting ranges. She felt that there should be a correction to not allow outdoor shooting ranges in PLI. She felt such uses are more suitable for inclusion in industrial land because those uses are not often visited by the general public. She stated the Isaac Walton shooting range is located on PLI land and it is 70 acres in size. She felt that public training facilities should be kept on industrial land.

COMMISSIONER PEASE asked if Ms. Wells feels a training center has unresolvable conflicts with other PLI uses. MS. WELLS stated that a public safety training facility can include an outdoor shooting range, but it is not only an outdoor shooting range. She felt it was more appropriate that a

public safety training facility be located in an industrial rather than PLI district.

COMMISSIONER ISHAM asked if Ms. Wells also opposes the idea of an outdoor shooting range in PLI. MS. WELLS replied that a public shooting range in PLI is a suitable use, but not a public safety training facility.

JONATHAN STEELE stated he is representing the Municipality in case 2008-048. He noted that the facility that is the subject of case 2008-048 includes an educational component, shoot houses, and a potential storage area and he wanted to ensure that the language in 21.50.410.D does not preclude educational training classrooms and range operation facilities. He suggested that after "on-site uses" the following language be inserted: "educational training classrooms, range operation facilities, and ..."

COMMISSIONER ISHAM asked about storage of ammunition. MR. STEELE replied that it is not preferred to have high volumes of ammunition stored on site, but some storage is needed; he suggested that also be included.

COMMISSIONER JOSEPHSON was confused about the snack shop and retail store. MS. CHAMBERS noted that these standards are applicable to both private and public uses throughout the Municipality. She felt that the items listed by Mr. Steele were understood to be accessory uses. Case 2008-048 is a public training facility with a shooting range, so educational and other components would be permitted. However, a standalone shooting range could include educational training facilities. CHAIR JONES noted that some of the additions Mr. Steele has suggested cover a deficiency in the natural resource extraction standards where there are no conditions to deal with storage of munitions.

MARY ELLEN TUTTLE with DOWL Engineers, who will be representing the Department of Public Safety in case 2008-049, encouraged adoption of this ordinance. A public safety crime lab is consistent with other uses in PLI and she believed it was more of an oversight that language was not included in the PLI district.

The public hearing was closed.

COMMISSIONER ISHAM asked if the definition of public safety facility includes a shooting range. MS. CHAMBERS replied in the negative; these are two different uses. A shooting range as a component or as a standalone requires a conditional use.

COMMISSIONER PEASE asked if she is overlooking details on what is a public safety training facility. She asked whether a public safety training facility includes burning buildings, fighting petroleum fires, and that sort of training. MS. CHAMBERS explained that originally when the Municipality and other governmental agencies were looking at an outdoor training facility, it was not only a shooting range, but rather joint training facilities that would allow inclement weather training for fire and emergency personnel. There have been changes since those original discussions; the Anchorage Fire Department training facility is near Alaska Regional Hospital and there are no immediate plans to change that. There are also needs for emergency vehicle training courses and other training facilities. The outdoor range on the agenda this evening (case 2008-048) is for a range only.

COMMISSIONER PEASE noted that in the site selection study there is mention of the need for an all hazards response training facility. She asked if there should be a condition of approval addressing such a facility on PLI land. She noted that if it deals with flash fires and potential fumes, it may not be desirable next to residential land or a railroad that is transporting hazardous materials. MS. CHAMBERS suggested that the Commission could require conditions or require site plan review standards under "public safety facility" or use standards could be created under 21.45. She believed that a fire training facility would garner a high level of public involvement. COMMISSIONER ISHAM noted that a public training facility could involve training with tear gas and other types of materials. He wondered whether there should be conditional use standards that specifically apply to this use. MS. CHAMBERS suggested that the Commission could postpone action on the item "training for public safety and emergency personnel" by deleting that language under "public safety facility."

COMMISSIONER JOSEPHSON understood this ordinance is to benefit the Crime Lab's move and the potential for an outdoor shooting range for training of law enforcement. He asked how this ordinance provides for that because an outdoor shooting is for target practice, skeet or trap shooting. MS. CHAMBERS stated that the Crime Lab is addressed under the ordinance. The subject of case 2008-048 is only an outdoor shooting range and, the items added by Mr. Steele, should address other concerns. The Commission could delete "training for public safety and emergency personnel" under "public safety facility" or under the PLI definition section entitled "public safety facility" include "except a conditional use is required if the use involves training for public safety and emergency personnel."

COMMISSIONER ISHAM did not believe this ordinance was ready for action, but instead should be postponed to address the concerns that have been expressed.

COMMISSIONER PEASE felt that she understood the shooting range well, but she was not comfortable taking action on the public safety facility, even with the language changes suggested by Ms. Chambers. She was uncertain what "for the purpose of providing public safety and emergency services" encompasses, but if it encompasses suspicious package removal to a site, that site should not be next to a park or other PLI use. There should be conditional uses for uses with risks that could radiate out from a site.

MS. CHAMBERS suggested that action could on the ordinance be postponed for one week. The site selection cases could still be heard this evening. Those cases are not rezonings or granting entitlements per se.

COMMISSIONER JOSEPHSON asked what is the zoning of the ranges at Isaac Walton and Potter Marsh. MS. CHAMBERS replied that Isaac Walton is PLI and perhaps Potter Marsh is PLI.

COMMISSIONER ISHAM moved to postpone case 2008-046 to March 10, 2008. COMMISSIONER PEASE seconded.

CHAIR JONES suggested that public safety representatives have heard the questions posed by the Commission and perhaps could submit additional information to Staff to assist in the Commission's decision-making.

AYE: Josephson, Jones, Isham, Fredrick, Pease, Wang, Phelps
NAY: None

PASSED

COMMISSIONER JOSEPHSON felt that because people have come for the following two cases, they should be heard at least insofar as the public hearings. COMMISSIONER ISHAM agreed that the public hearing could be opened and not closed in those cases. MS. CHAMBERS noted that all parties would be permitted to testify only once, in any case.

2. 2008-048

Municipality of Anchorage. A site selection for a public facility outdoor range training complex. Site areas being considered are Eklutna Lake Road, Mile 2; Eklutna Lake Road, Mile 2.7; Eklutna Lake Road, between miles 4 and 6; and the Birchwood Airport vicinity.

**MUNICIPALITY OF ANCHORAGE
PLANNING DEPARTMENT
MEMORANDUM**

DATE: March 10, 2008

TO: Planning and Zoning Commission

THRU: *TN* Tom Nelson, Director, Planning Department

THRU: *JW* Jerry T. Weaver, Jr., Division Administrator

FROM: *AC* Angela C. Chambers, AICP, Senior Planner

SUBJECT: 2008-046 - An Ordinance Amending AMC Title 21 Regarding Public Safety Facilities and Outdoor Shooting Range Conditional Uses in the PLI (Public Lands and Institutions) District

On March 3, 2008, the Commission reviewed an amendment to the Anchorage Municipal Code Title 21 *Land Use Planning* regarding public safety facilities and outdoor shooting range conditional uses in the PLI (Public Lands and Institutions) District. The public hearing was opened and closed at that time. During deliberations, the Commission noted concern regarding two items. First, there is a large range of public safety training types that could occur at a public safety facility, and conditional use approval and standards may be necessary. Secondly, it may be necessary to clearly allow classrooms and ammunition storage for a shooting range. Action on the ordinance was postponed to March 10, 2008, and the Department was directed to return with a recommendation regarding these issues.

Item 1: Conditional Use Requirements for Public Safety Facilities

The definition of "public safety facility" is very broad, as it is a common land use term that encompasses a wide range of public safety support uses that may include administration facilities, crime or food safety labs, temergency vehicle training and fire safety courses and more. Many such facilities could potentially have impacts on the surrounding area due to smoke, fumes, and noise related to outdoor portions of training. The Department concurs that due to this broad range of public safety uses and collocation needs of multiple public safety and related training uses, this use should be a conditional use. Thus, each particular public safety facility could be reviewed on its own merits to include the site requested and the specifics of the uses proposed.

The larger land use code re-write currently in process is removing the requirements for separate public facility site plan review for all facilities under public management. Currently, AMC 21.15.015 A.2. exempts a public facility from public facility site plan review where a conditional use is required. Instead, the intent with the code rewrite is to treat all uses the same, regardless of public or private ownership. Thus, if a certain use or structure size is deemed appropriate to warrant a certain level of additional

review, ownership would not matter, and would have to meet the established design standards. This ordinance amendment is consistent with the larger land use code rewrite intent.

In a related action, it was determined that public health laboratories would be best served with a separate definition for purposes of technical clarity only.

Item 2: Definition Amendment for Shooting Ranges

The Department concurred, at the March 3 hearing, that the intent of the draft ordinance was to allow academic and other ancillary structures related to the shooting range training and uses. The Department does not object to ammunition storage on the range site for range use. These are both considered to be general accessory uses and structures. Draft language to this effect has been added to the ordinance. The redundant backstop setback requirement is also proposed to be removed.

RECOMMENDATION:

The Department recommends approval of the 3/10/2008 amended ordinance as written.

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Planning Department
For reading:

ANCHORAGE, ALASKA
AO No. 2008-

1
2 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS
3 21.35.020 AND 21.40.020, TO ALLOW PUBLIC HEALTH AND SAFETY
4 LABORATORY, PUBLIC SAFETY FACILITIES AND OUTDOOR SHOOTING
5 RANGES IN THE PLI DISTRICT, AND ADDING A NEW SECTION 21.50.410
6 PROVIDING CONDITIONAL USE STANDARDS FOR OUTDOOR SHOOTING
7 RANGES.

8
9
10 THE ANCHORAGE ASSEMBLY ORDAINS:

11
12 **Section 1.** Anchorage Municipal Code section 21.35.020 is hereby amended to
13 read as follows (*the remainder of the section is not affected and therefore not set*
14 *out*):

15
16 **21.35.020 Definitions and rules of construction.**

17
18 *** *** ***

19 B. The following words, terms and phrases, when used in this title, shall
20 have the meanings ascribed to them in this section, except where
21 the context clearly indicates a different meaning:

22
23 *** *** ***

24
25 *Property line* means a demarcation limit of a lot dividing it from other
26 lots or parcels of land.

27
28 *Public Health & Safety Laboratory* means research and analysis
29 facilities operated by public agencies and designed to assure public
30 health and safety through crime investigation, food safety analysis
31 and other laboratory services.

32
33 *Public Safety Facility* means a facility operated by a government
34 agency, for the purpose of providing public safety and emergency
35 services, training for public safety and emergency personnel, and
36 related administrative and support services.

*** *** ***

Shooting Range, Outdoor means an establishment engaged in the use of land for discharging of firearms for target practice, skeet, and trap shooting. Structures may include academic and other buildings related to the site operations and training needs.

*** *** ***

(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; AO No. 2005-9, § 1, 3-1-05; AO No. 2005-150(S-1), § 1, 2-28-06; AO No. 2005-185(S), § 1, 2-28-06; AO No. 2005-124(S-1A), § 4, 4-18-06; AO No. 2006-121, § 1, 9-26-06; AO No. 2006-64(S-1), § 1, 12-12-06; AO No. 2007-62, § 1, 5-15-07)

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 not set out*):

21.40.020 PLI public lands and institutions district.

*** *** ***

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

*** *** ***

22. Public Health & Safety Laboratory.

*** *** ***

*** *** ***

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

*** *** ***

22. Shooting range, outdoor.

23. Public safety facility.

*** *** ***

(GAAB 21.05.050.A; 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; AO No. 2005-9, § 2, 3-1-05; AO No. 2005-42(S), § 1, 5-31-05; AO No. 2005-150(S-1), § 2, 2-28-06; AO No. 2005-185(S), § 2, 2-28-06; AO No. 2005-124(S-1A), § 5, 4-18-06; AO No. 2006-64(S-1), §§ 2, 3, 12-12-06)

Section 3. Anchorage Municipal Code chapter 21.50 is hereby amended to add a new section to read as follows:

21.50.410 Conditional use standards—Shooting range, outdoor.

The following standards shall apply to outdoor shooting ranges:

- A. *Site size.* The minimum site size shall be 20 acres.
- B. *Setbacks.* All shooting areas shall be set back a minimum distance of 100 feet from any public right-of-way. ~~The setback behind the back stops in the line of fire shall be a minimum of 100 feet.~~ Buildings located behind the firing line are allowed to be located to the normal zone setback.
- C. *Shooting area.* The backstop must be an earth mound or dugout of sufficient dimension to stop projectiles. Casual access into the line of fire shall be prevented through fencing or some equally effective equivalent.

1
2 D. *On-site uses.* An accessory retail store, snack shop, and/or short-term
3 rental of firearms and equipment for use only on the premises are
4 permitted. Ammunition storage for the use is permitted. Sale of
5 alcoholic beverages is prohibited.
6

7 **Section 4.** This ordinance shall become effective immediately upon its passage
8 and approval by the Assembly.
9

10 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
11 _____, 2008.
12
13
14

15
16 _____
17 Chair
18

19 ATTEST:
20
21

22 _____
23 Municipal Clerk
24

**MUNICIPALITY OF ANCHORAGE
PLANNING DEPARTMENT
MEMORANDUM**

DATE: March 3, 2008

TO: Planning and Zoning Commission

THRU: *TN* Tom Nelson, Director, Planning Department

THRU: *JW* Jerry T. Weaver, Jr., Division Administrator

FROM: *AC* Angela C. Chambers, AICP, Senior Planner

SUBJECT: 2008-046 - An Ordinance Amending AMC Title 21 Regarding Public Safety Facilities and Outdoor Shooting Range Conditional Uses in the PLI (Public Lands and Institutions) District

PROPOSED REQUEST:

The Municipality has prepared an amendment to the Anchorage Municipal Code Title 21 *Land Use Planning* regarding public safety facilities and outdoor shooting range conditional uses in the PLI (Public Lands and Institutions) District.

BACKGROUND AND DISCUSSION:

The PLI District is intended to include areas of significant public open space, major public and quasi-public institutional uses and activities and land reserves for which a specific use or activity is not yet identified.

The Municipality has been undergoing discussions with multiple public safety agencies over the last year in regards to potential siting of new public safety related facilities. It has been determined through these discussions that although the intent of the PLI district is to allow for a range of public facilities and their related needs, the current use listings do not clearly include for crime laboratories and for public safety outdoor training ranges, which often include shooting ranges.

An argument could be made that a crime lab is an accessory use to a police station or police/public safety administration building, as with a public safety training shooting range. However, frequently the PLI zoned properties within a public safety campus area will be separate lots owned by different public agencies. According to the land use code, a use cannot be considered "accessory" unless it is on the same lot as the principle use. Also, at times a facility such as an outdoor shooting range may not be able to be located at the same site as, or in close proximity to, a public safety center.

The Department finds that it is an oversight that a crime lab facility is not permitted as a principle use in the PLI district, as it is very similar in operations to that existing at the Medical Examiner/State Troopers/food safety lab area off of East Tudor Road.

Currently, an outdoor shooting range is only allowed in the I-2 (Heavy Industrial) and I-3 (Rural Industrial) districts. There are no standards for this use in those districts. It is also very difficult to find available I-2 zoned property located appropriately for public safety use for a shooting range, as these sites are in high demand for private sector industrial needs. The Department finds that an outdoor shooting range is appropriate to allow in the PLI district, but only depending on the location and site characteristics of the proposed use area. This use, unlike most public safety facilities, involves an outdoor facility which requires additional safety measures and can generate off-site noise impacts. Thus, the Department finds that a public hearing review process is appropriate for this use in the PLI district.

The Department supports adding this use with minimum parcel size requirement of 20 acres, requiring 100 foot minimum setbacks from rights of way, and prevention of casual access. This ordinance does not treat a public safety firing range any differently than one that would be open to the public. The Department also finds that an ability to have an accessory retail store, snack shop, or equipment rental for on-premise use would also be appropriate. The Department finds that using the conditional use process will allow for a case-by-case review of outdoor shooting ranges in the PLI District to ensure appropriateness of location, and ability to ensure adequate mitigation for surrounding uses.

RECOMMENDATION:

The Department recommends approval of the ordinance as written.

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Planning Department
For reading:

ANCHORAGE, ALASKA
AO No. 2008-

1
2 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS
3 21.35.020 AND 21.40.020, TO ALLOW PUBLIC SAFETY FACILITIES AND
4 OUTDOOR SHOOTING RANGES IN THE PLI DISTRICT, AND ADDING A NEW
5 SECTION 21.50.410 PROVIDING CONDITIONAL USE STANDARDS FOR
6 OUTDOOR SHOOTING RANGES.

7
8
9 THE ANCHORAGE ASSEMBLY ORDAINS:

10
11 **Section 1.** Anchorage Municipal Code section 21.35.020 is hereby amended to
12 read as follows (*the remainder of the section is not affected and therefore not set*
13 *out*):

14
15 **21.35.020 Definitions and rules of construction.**

16 *** *** ***

17
18 B. The following words, terms and phrases, when used in this title, shall
19 have the meanings ascribed to them in this section, except where
20 the context clearly indicates a different meaning:

21 *** *** ***

22
23
24 *Property line* means a demarcation limit of a lot dividing it from other
25 lots or parcels of land.

26
27 *Public Safety Facility* means a facility operated by a government
28 agency, for the purpose of providing public safety and emergency
29 services, training for public safety and emergency personnel, and
30 related administrative and support services.

31 *** *** ***

32
33
34 *Shooting Range, Outdoor* means an establishment engaged in the
35 use of land for discharging of firearms for target practice, skeet, and
36 trap shooting.

*** *** ***

(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; AO No. 2005-9, § 1, 3-1-05; AO No. 2005-150(S-1), § 1, 2-28-06; AO No. 2005-185(S), § 1, 2-28-06; AO No. 2005-124(S-1A), § 4, 4-18-06; AO No. 2006-121, § 1, 9-26-06; AO No. 2006-64(S-1), § 1, 12-12-06; AO No. 2007-62, § 1, 5-15-07)

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 not set out*):

21.40.020 PLI public lands and institutions district.

*** *** ***

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

*** *** ***

22. Public safety facility.

*** *** ***

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

*** *** ***

22. Shooting range, outdoor.

*** *** ***

(GAAB 21.05.050.A; 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; AO No. 2005-9, § 2, 3-1-05; AO No. 2005-42(S), § 1, 5-31-05; AO No. 2005-150(S-1), § 2, 2-28-06; AO No. 2005-185(S), § 2, 2-28-06; AO No. 2005-124(S-1A), § 5, 4-18-06; AO No. 2006-64(S-1), §§ 2, 3, 12-12-06)

Section 3. Anchorage Municipal Code chapter 21.50 is hereby amended to add a new section to read as follows:

21.50.410 Conditional use standards—Shooting range, outdoor.

The following standards shall apply to outdoor shooting ranges:

- A. *Site size.* The minimum site size shall be 20 acres.
- B. *Setbacks.* All shooting areas shall be set back a minimum distance of 100 feet from any public right-of-way. The setback behind the back stops in the line of fire shall be a minimum of 100 feet. Buildings located behind the firing line are allowed to be located to the normal zone setback.
- C. *Shooting area.* The backstop must be an earth mound or dugout of sufficient dimension to stop projectiles. Casual access into the line of fire shall be prevented through fencing or some equally effective equivalent.
- D. *On-site uses.* An accessory retail store, snack shop, and/or short-term rental of firearms and equipment for use only on the premises are permitted. Sale of alcoholic beverages is prohibited.

Section 4. This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this ____ day of
_____, 2008.

Chair

ATTEST:

Municipal Clerk

2008 - 046

An ordinance amending Title 21 for PLI Public lands & institutions district.

No objection

2008 - 048 Site selection for a public facility.

No objection

2008 - 049 Site selection for a public facility.


No objection



**Municipality of Anchorage
Development Services Department
Building Safety Division**



MEMORANDUM

DATE: January 30, 2008
TO: Jerry Weaver, Jr., Platting Officer, CPD
FROM:  Daniel Roth, Program Manager, On-Site Water and Wastewater Program
SUBJECT: Comments on Cases due February 4, 2008

JAN 30 2008
Municipality of Anchorage
Zoning Division

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

- 2008 – 027 Site plan review for a library.
No objection
- 2008 – 032 Zoning conditional use for a Habilitative care facility.
No objection
- 2008 – 033 Rezoning to B-3 General business district.
No objection
- 2008 – 034 Site plan review for a public roadway.
No objection
- 2008 – 036 Site plan review for a public roadway.
No objection
- 2008 – 038 Site plan review for a public facility.
No objection
- 2008 – 045 A variance from AMC 21.45.110 to allow an 8 foot fence to exceed the maximum allowed height of 4 feet in the front yard setback and 6 feet in the side and back yard setbacks. Bruce Subdivision #1 Block 1 Lots 1 & 2.
No objection

08-038 Commerce Park, Block 2, Lot 1C, grid 2232

(Site Plan Review, Public Facility, Fire Station)

Correct the civil plans to show, label, and dimension all the easements. Also relocate some of the proposed improvements from the easements or obtain Letters of Non-objection from the Right of Way Division and then from the utilities.

Review time 15 minutes.

08-046

Ordinance Amendment

(Title 21 for Uses in the PLI)

Right of Way Division has no comments at this time.

Review time 15 minutes.

08-048 Various Locations

(Site Selection, Public Facility, Outdoor Range Training Facility)

Right of Way Division has no comments at this time.

Review time 15 minutes.

08-049 Grand Northern Mall, Tract B, grid 2332

(Site Selection, Public Facility, Alaska Crime Laboratory Facility)

Right of Way Division has no comments at this time.

Review time 15 minutes.



MUNICIPALITY OF ANCHORAGE

Development Services Department
Right of Way Division



MEMORANDUM

DATE: January 29, 2008
TO: Planning Department, Zoning and Platting Division
THRU: Jack L. Frost, Jr., Right of Way Supervisor
FROM: Lynn McGee, Senior Plan Reviewer
SUBJ: Request for Comments on Assembly case(s) for March 3, 2008.

RECEIVED

JAN 29 2008

Municipality of Anchorage
Zoning Division

Right of Way Division has reviewed the following case(s) due February 4, 2008.

- 08-027 Orah De Clark Junior High, Tract A-1, grid 1235**
(Site Plan Review, Public Facility, Library)
Should the improvements extend to the rights of way or certain easements, additional review and possible permitting may be required by the MOA Right of Way Division.
Review time 15 minutes.
- 08-032 Woodland Park, Block 1, Lot 1, grid 1628**
(Conditional Use for Habilitative Care Facility)
Need to resolve the zoning setback infractions prior to obtaining the conditional use.
Need to apply for an Encroachment Permit from the Right of Way Division for the retaining wall in the Doris Street right of way.
Review time 15 minutes.
- 08-033 Anchorage Village, Tract A, grid 2530**
(Rezoning Request, I-2 to B-3)
Right of Way Division has provided comments on the plat(s), the fill and grading and building permits to ensure the road infrastructure surrounding this development is sufficiently improved to handle the future type and increased volume of traffic.
Review time 15 minutes.
- 08-034 East 40th Avenue, grids 1734 & 1735**
(Site Plan Review, Public Roadway)
Right of Way Division has provided comments during the design plan review process.
Review time 15 minutes.
- 08-036 Van Buren Street & West 48th Avenue, grid 1828**
(Site Plan Review, Public Roadway)
Right of Way Division has provided comments during the design plan review process.
Review time 15 minutes.

**PLANNING & ZONING
COMMISSION
MEETING
March 3, 2008**

**Supplemental Information
Received After Packet Delivery**

G.1. Case 2008-046

An ordinance amending Anchorage Municipal Code sections 21.35.020 and 21.40.020, to allow public safety facilities and outdoor shooting ranges in the PLI district, and adding a new section 21.50.410 providing conditional use standards for outdoor shooting ranges.

Zoning and Platting Cases On-line

View Case Comments

[Submit a Comment](#)

**** These comments were submitted by citizens and are part of the public record for the cases ****

Questions? If you have questions regarding a case, please contact Zoning at **907-343-7943** or Platting & Variances at **907-343-7942**.

1. Select a Case:

[View Comments](#)

2. View Comments:

RECEIVED

FEB 22 2008

Municipal Planning
Zoning Division

Case Num: 2008-046

An ordinance amending Title 21 for PLI Public lands & Institutions district

Site Address: N/A

Location: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 21.35.020 AND 21.40.020, TO ALLOW PUBLIC SAFETY FACILITIES AND OUTDOOR SHOOTING RANGES IN THE PLI DISTRICT, AND ADDING A NEW SECTION 21.50.410 PROVIDING CONDITIONAL USE STANDARDS FOR OUTDOOR SHOOTING RANGES.

[Details](#) | [Staff Report](#) | [submit a comment](#)

Public Comments

2/22/08

Steven Ellis

I live approximately 2.9 miles from the Birchwood Shooting Range. I can hear the gunfire from my home. Strict standards for off site impacts for noise must be adopted in this ordinance. I often wonder how the people who live closer to the range feel about the noise. People can adapt and adjust to many inconveniences, but they shouldn't have to in their own homes.

2/22/08

Steven Ellis

The CU standards must include limits for off site impacts for noise. I live approximately 2.9 miles from the Birchwood shooting range and I can hear the gunfire. How do the people who live much closer to the range feel about the noise. People can adapt and adjust to many inconvenience, but they shouldn't have to in their own homes.

2/22/08

Steven Ellis

The CU standards must include limits for off site impacts for noise. I live approximately 2.9 miles from the Birchwood shooting range and I can hear the gunfire. How do the people who live much closer to the range feel about the noise. People can adapt and adjust to many inconvenience, but they shouldn't have to in their own homes.

032

Graves, Jill A.

From: Staff, Alton R.
Sent: Monday, February 25, 2008 5:04 PM
To: McLaughlin, Francis D.; Stewart, Gloria I.; Graves, Jill A.
Subject: Zoning and Plat Reviews

Case No. 2008-054 People Mover provides bus service along Spenard Road with routes #7 operating between the Dimond Center, the Airport and Downtown. The route #36 on Spenard also provides bus service between Downtown, west Turnagain and the U-Med district. The plans provided require a pedestrian to use the driveway to access the business. Please include a dedicated sidewalk connection to the walkway on Spenard Road.

The Public Transportation Department has no comment on the following zoning cases:

2008-045
2008-046
2008-048
2008-053

RECEIVED

FEB 26 2008

Municipality of Anchorage
Zoning Division

The Public Transportation Department has no comment on the following plats:

S11640
S11653-1
S11654-1
S11655-2
S11657-1
S11659-1
S11660-1

Alton R. Staff
Planning Manager
Public Transportation Department
3650A East Tudor Road
Anchorage, AK 99507
907-343-8230

Content ID: 006243

Type: Ordinance - AO

Planning and Zoning Commission recommendation for an ordinance amending Anchorage Municipal Code Section 21.35.020 to establish land use definitions

Title: for public health and safety laboratories, public safety facilities, and outdoor shooting ranges, amending Section 21.40.020 to permit these as uses in the PLI District, and adding a new Section 21.50.410, to provide conditional use standards for outdoor shooting ranges.

Author: weaverjt

Initiating Dept: Planning

Description: An ordinance amending Anchorage Municipal Code Section 21.35.020 to establish land use definitions for public health and safety laboratories, public safety facilities, and outdoor shooting ranges

Date Prepared: 4/16/08 3:50 PM

Director Name: Tom Nelson

Assembly Meeting Date: 6/24/08

Public Hearing Date: 7/29/08

2008 JUN 23 PM 2:14
Planning Dept

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	6/12/08 11:08 AM	Exit	Heather Handyside	Public	006243
MuniMgrCoord_SubWorkflow	6/12/08 11:08 AM	Approve	Heather Handyside	Public	006243
MuniManager_SubWorkflow	6/12/08 10:09 AM	Approve	Michael Abbott	Public	006243
Legal_SubWorkflow	5/2/08 1:40 PM	Approve	Dean Gates	Public	006243
OMB_SubWorkflow	5/2/08 11:26 AM	Approve	Wanda Phillips	Public	006243
ECD_SubWorkflow	4/17/08 9:02 AM	Approve	Lisa Villareal	Public	006243
Planning_SubWorkflow	4/17/08 8:50 AM	Approve	Tom Nelson	Public	006243
AllOrdinanceWorkflow	4/16/08 3:52 PM	Checkin	Jerry Weaver Jr.	Public	006243