

Submitted by: **ASSEMBLY MEMBER OSSIANDER**
Assembly Member Honeman
Assembly Vice Chair Flynn
Prepared by: Assembly Counsel
For reading: April 12, 2011

See AO 2010-50(S) **ANCHORAGE, ALASKA**
AO NO. 2011-50

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**
2 **ANCHORAGE MUNICIPAL CODE CHAPTER 21.45 TO PROVIDE FOR SUPPLEMENTARY**
3 **DISTRICT REGULATIONS GOVERNING THE OUTDOOR KEEPING OF ANIMALS AS A**
4 **PERMITTED ACCESSORY USE.**

5
6 WHEREAS, accessory use regulations governing the outdoor keeping of animals under
7 Chapter 5 of the Title 21 Rewrite were reviewed by the Planning & Zoning Commission, the
8 Assembly Title 21 Committee, the Municipal Planning staff, with public hearing hearings before
9 the Planning & Zoning Commission in October 2007, and recommended amendments
10 approved by the Planning & Zoning Commission on January 28, 2008; and

11
12 WHEREAS, accessory use regulations governing the outdoor keeping of animals have
13 been provisionally adopted by the Assembly as part of the Title 21 Rewrite under Chapter 5,
14 Subsections 21.05.070C and D.14 in AO 2008-49, passed and approved on September 16,
15 2008; and

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17 WHEREAS, these provisionally adopted sections authorize the outdoor keeping of small
18 domestic animals such as chickens and rabbits as a permitted accessory use in all residential
19 zoning districts except R-4; and

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21 WHEREAS, completion of the Title 21 Rewrite for implementation has encountered
22 significant delay; and

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24 WHEREAS, amendment of current land use code to include Supplementary District
25 Regulations to implement and govern the outdoor keeping of such animals will not interfere
26 with completion of the Title 21 Rewrite; and

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28 WHEREAS, it is in the public interest to implement the outdoor keeping of domestic
29 animals as an accessory use under the supplementary district regulations in current code,
30 pre-existing differing restrictions notwithstanding; now, therefore,

31
32 **THE ANCHORAGE ASSEMBLY ORDAINS:**

33
34 **Section 1.** Anchorage Municipal Code chapter 21.45, Supplementary District Regulations, is
35 hereby amended by adding a new section to read as follows:

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37 **21.45.115 Outdoor keeping of animals.**

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39 A. *Purpose:* The purpose of this section is to implement regulations governing the
40 outdoor keeping of animals as a permitted accessory use. These regulations
41 exclude dogs, domestic cats, and large domestic animals. This section shall not

1 authorize an accessory use for the keeping of any animals outlawed for personal
2 ownership by other laws or regulations.
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4 B. *Definition:* The accessory use term "outdoor keeping of animals" as used in
5 this section means the restraining or restricting the movement of animals outside
6 of a principal structure, by any means not involving the continued presence
7 and/or participation of a human being. As used in this section, the accessory use
8 term "outdoor keeping of animals" shall not be construed to include dogs,
9 domestic cats, or large domestic animals.
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11 B. *Applicable zoning districts:* Other provisions of this title notwithstanding, the
12 outdoor keeping of animals shall be a permitted accessory use, subject to the
13 supplementary district regulations of this section, in all residential zoning districts
14 except for these prohibitions and exclusions:
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16 1. The outdoor keeping of animals is prohibited in the R-4 zoning district.
17 The R-4 zoning district is excluded from the supplementary district
18 regulations in this section.
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20 2. Animals, other than dogs, shall not be kept outdoors in mobile home
21 parks. Mobile home parks are excluded from the supplementary district
22 regulations in this section.
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24 C. *Standards:* The following accessory use standards apply to the outdoor keeping
25 of all animals permitted under this section:
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27 1. On lots of 40,000 square feet or greater, structures for the outdoor
28 keeping of animals shall not encroach into the setbacks of the zoning
29 district and shall be at least 10 feet from any lot line.
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31 2. On lots smaller than 40,000 square feet, the following shall apply:
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33 a. The outdoor keeping of roosters, turkeys, guinea fowl, peacocks, or
34 geese is prohibited.
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36 b. Up to five animals may be kept on lots of 6,000 square feet or less,
37 with an additional one animal per additional 1,000 square feet of lot
38 area. A facility license may be required pursuant to title 17.
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40 c. Structures for the outdoor keeping of animals shall not encroach
41 into the setbacks of the zoning district and shall be at least 10 feet
42 from any lot line.
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44 d. It shall be unlawful for any owner or custodian of an animal under
45 this section to permit it to make chronic animal noise, as defined in
46 AMC section 17.05.010.
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Section 2. Anchorage Municipal Code subsection 21.10.015 notwithstanding, this ordinance does not require Planning and Zoning Commission review and shall become effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2011.

Chair

ATTEST:

Municipal Clerk