

# Proposed Amendments to the Provisionally-Adopted Title 21

Amendment numbers relate to footnote numbers in the provisionally adopted chapters. When an amendment number is missing, that means a footnote provides different information and does not relate to a proposed amendment.

## CHAPTER 21.01

### 1. Subsection 21.01.060B., Page 3 lines 30-36 [DC did not include](#)

#### **[B. CONFLICT WITH COMPREHENSIVE PLAN**

IT IS VITAL THAT THE MORE SPECIFIC DESIGN AND DEVELOPMENT STANDARDS THAT ARE CONTAINED IN TITLE 21 AND ARE INTENDED TO APPLY TO INDIVIDUAL DEVELOPMENT APPLICATIONS APPLY OVER THE GENERAL GOALS AND POLICIES OF THE COMPREHENSIVE PLAN WHERE THERE MAY BE A POTENTIAL CONFLICT WHEN DEALING WITH DEVELOPMENT APPLICATIONS. WHERE CONDITIONS, STANDARDS, OR REQUIREMENTS IMPOSED BY ANY PROVISION OF THIS TITLE ARE EITHER MORE RESTRICTIVE OR LESS RESTRICTIVE THAN ANY PROVISION FOUND IN THE COMPREHENSIVE PLAN, THE PROVISION OF THIS TITLE SHALL GOVERN.]

Re-letter remaining sections.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

### 2. Subsection 21.01.080D., Page 6, lines 13-17 [DC did not include](#)

“The elements of the comprehensive plan shall be implemented as provided in this section and as provided in the remainder of this title. All provisions governing use and occupancy of land, including zoning map amendments, land use approvals, site plan reviews, and subdivisions, shall be in accordance with and conform to the comprehensive plan elements listed in this section. Where comprehensive plan elements conflict, the most recently adopted shall govern.”

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

### 3. Subsection 21.01.090D., Page 7 [DC included](#)

Add new Subsection D.5.

#### **5. Future Amendments**

The transitional provisions described in this section shall apply to any future amendment to this title, with the referenced effective date meaning the effective date of the amendment that impacts any particular application.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

### 4. Subsection 21.01.090E., Page 8, lines 15-16 [DC did not include](#)

#### **[E. INVESTMENT-BACKED EXPECTATIONS**

[RESERVED]

Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.

## CHAPTER 21.02

### 5. Subsection 21.02.030B, Page 12, line 26 [DC did not include](#)

Add new subsections B.3. and B.4. as follows:

**3.** Draft design study report for new construction and reconstruction of streets of collector class or greater in the *Official Streets and Highways Plan*;

**4.** Applicable trail projects identified in subsection 21.03.190C., *Trail Review*;

Note: This amendment is related to amendment #9.

### 6. Subsection 21.02.040A., Page 13, line 25 [DC did not include](#)

Add new subsection A.3. as follows:

**3.** Landscaping and streetscape and pedestrian facilities for streets of collector classification or greater in the *Official Streets and Highways Plan* (21.03.190);

Note: This amendment is related to amendment #9.

## CHAPTER 21.03

### 7. Subsection 21.03.080F., Page 44, line 35 [DC inserted into 21.03.110, Institutional Master Planning, with edits as shown below](#)

Add new content for business/industrial park as a planned unit development conditional use.

Re-letter remaining sections.

#### **F. Conditional Use for a Business-Industrial Park Planned Unit Development**

##### **1. Intent and Approval**

A business-industrial park planned unit development (BIP-PUD) is intended to provide comprehensively planned commercial-industrial developments that are compatible with surrounding areas. BIP-PUD developments should have integrated, campus-style site plans designed to accommodate a variety of public/institutional, commercial, and industrial uses. High standards for architecture, landscaping, and site planning are encouraged. The ~~planning~~ Planning and ~~zoning~~ Zoning ~~commission~~ Commission shall evaluate the proposed planned unit development in accordance with the conditional use approval criteria at C. above.

##### **2. Zoning District**

A BIP-PUD is allowed only in the B-3 district. Business-industrial parks existing on [effective date] in other zoning districts shall be considered conforming in those districts.

##### **3. Allowed Uses**

- a. In addition to the uses allowed in the B-3 district, a developer may propose to include the following industrial uses in a BIP-PUD: General Industrial Service; Governmental Service; Manufacturing, Light; Warehouse; Wholesale Establishment.
  - b. For initial uses proposed in the BIP-PUD that require a conditional use approval, the conditional use application(s) may be combined with the BIP-PUD conditional use and treated as one application and approval process.
4. **Development Agreement**  
The developer shall enter into a development agreement with the project management and engineering department, using the provisions established in subsection 21.03.100E., *Improvements Associated with Land Use Permits.*
5. **Minimum Standards**  
All BIP-PUDs shall meet the following minimum standards, in addition to the applicable standards of this ~~title~~Title. The ~~planning~~Planning and ~~zoning~~Zoning ~~commission~~ Commission may apply additional standards as it may deem necessary to meet the approval criteria.
- a. The minimum site area for a BIP-PUD is seven acres.
  - b. In keeping with a campus-style site plan, the number of access points to the BIP-PUD shall be limited to only what is necessary, as determined by the traffic engineer.
  - c. Pedestrian walkways shall be provided to streets abutting the BIP-PUD. All transit stops abutting a BIP-PUD shall be connected to the internal street/sidewalk system by a pedestrian walkway. Abutting streets without any transit stops shall have at least one pedestrian walkway connection with the BIP-PUD.
  - d. L3 buffer landscaping shall be provided along the exterior lot lines of the BIP-PUD.
  - e. A BIP-PUD shall have a defined internal street system, which shall have pedestrian facilities and landscaping in accordance with the provisions of this ~~title~~Title. Streets shall allow vehicles to travel into and within the development. Driveways shall access parking areas.
  - f. Except for stand-alone restaurants located along an outside edge of a BIP-PUD, all buildings shall have a common architectural character utilizing similar materials. The standards of 21.07.130 shall not apply.
  - g. Maximum individual building footprint shall be 30,000 square feet.
  - h. The uses in the entire BIP-PUD may aggregate their parking as long as the following standards are met:
    - i. Required parking for each use shall be located no farther than 800 feet from the primary entrance of the use;
    - ii. Relatively direct pedestrian pathways shall be available from required parking to each use;

- iii. At no time shall the aggregate of the required parking of all uses in the BIP-PUD exceed the total number of parking spaces provided.
- i. Loading areas and refuse collection areas shall be internal to the site and not located between any building and any BIP-PUD exterior lot line.
- j. The maximum floor area devoted to retail sales uses shall not exceed 35 percent of the total gross building area of the entire development.
- k. Outdoor storage and display is prohibited.

8. **Section 21.03.080F.2.c.3.iii., Page 46, lines 16-19 DC included amendment but made other changes to sentence**

Level 3 buffer [LEVEL 4 SCREENING] landscaping shall be planted along each boundary of the PUD adjacent to a ~~non~~ residential district or a right-of-way designated for collector or greater capacity on the Official Streets And Highways Plan.

9. **Section 21.03.190, Page 82, line 40 DC included section, as changed below**

Add the following text into the section for Street and Trail Review.

**A. Purpose**

Streets are a significant investment in the municipality's infrastructure and establish long-term land use impacts on nearby properties and the community at large.

Major Multi-Use Trails are a basic part of the infrastructure of the Municipality. They are used for transportation, for recreation and leisure. Major Multi-Use Trails also have long-term impacts on nearby properties and the community at large. Trails in Major Parks are subject to Master Plans.

~~Streets and trails are not only utilitarian, but also add lasting value to the community and convey the image of the municipality to all users.—~~These important parts of the municipality's fabric infrastructure benefit by oversight and concurrence in the design decisions by citizen bodies that are represented by the ~~planning~~ Planning and ~~zoning~~ Zoning ~~commission~~ Commission and the ~~urban~~ Urban design ~~Design~~ Commission and the Anchorage Parks and Recreation Commission and the Chugiak/Eagle River Parks and Recreation Commission. All transportation projects are required to identify functional and design issues early in the process and include public input at various stages of the project. In addition, projects meeting certain thresholds are required to include the planning and zoning commission and urban design commission in the review and approval process.

**B. Street ReviewApplicability**

**1. Applicability and OverviewStreets**

- a. All MOA ~~Municipal~~ transportation projects are required to follow A the Strategy for Developing Context Sensitive Transportation Projects policy.
- b. New construction and major reconstruction of street and intersection projects involving streets of collector classification or greater in the Official Streets and Highways Plan and meeting the Anchorage Metro Area Transportation Solutions (AMATS) definitions of "New Road Connection" or "Road Reconstruction", but not "Road Rehabilitation" or "Pavement Replacement Program" are required to follow a review process by the ~~planning~~ Planning and ~~zoning~~ Zoning ~~commission~~

Commission and urban design commission, as indicated described below and in table 21.03-4. The stages are:

- a. The concept report or equivalent, distributed to the planning and zoning commission as an information item;
- b. The draft design study report, reviewed by the planning and zoning commission; and
- c. The plans in hand design drawings, reviewed by the urban design commission.

<b>TABLE 21.03-4: STREET AND INTERSECTION PROJECT REVIEW</b>		
<b>REVIEW</b>	<b>REVIEW BODY</b>	<b>PRIMARY DECISION</b>
<u>Concept Report</u>	<u>Project Management Team</u>	<u>Issue identification, "go, no-go" decision</u>
<u>Draft Design Study Report</u>	<u>Planning and Zoning Commission</u>	<u>Alternatives Development, Evaluation and Screening Criteria, Alternative Decision</u>
<u>Plans in Hand Design Drawings</u>	<u>Urban Design Commission</u>	<u>Approval of plans at 65 percent stage, including landscaping "theme"</u>

## 2. Application to Specific Trails

- a. This section applies to Major Multi-Use Trails and to new construction and major reconstruction of those Trails, but not to resurfacing, repair or maintenance of any other new or existing trails.
  - i. Only Major multi-use trails such as the Chester Creek Trail, Campbell Creek Trail, Ship Creek Trail, the Coastal Trail shall be subject to review and approval by the Urban Design Commission;
  - ii. This section does not apply to those trials in parks that have an existing Master Plan such as Kincaid Park and Bicentennial Park; and other Parks classified by the Anchorage Park, Greenbelt and Recreation Facility Plan Volume 2 or the Eagle River-Chugiak-Eklutna Plan as Large Urban or Regional Parks. Any new construction or major maintenance of trails within these named parks or another park that is subject to a Master Plan shall be reviewed by either the Chugiak/Eagle River Parks and Recreation Board or the Anchorage Parks and Recreation Board to insure compliance with the existing Master Plan.
- b. Notwithstanding the criteria of 2.a. above, the director may exempt new Major Multi-Use Trails or reconstruction projects for Major Multi-Use Trails from this section if the director finds, in writing, that the project is minor in scope and not likely to cause impacts on surrounding properties and neighborhoods.

## C. Review Process

### 1. Street review Process

- a. The concept report or equivalent shall be distributed to the Planning and Zoning Commission as an information item and shall contain a clearly defined and substantiated purpose and need statement;
- b. The Planning and Zoning Commission shall review and approve a draft design study report (35% design completion).
- c. The Planning and Zoning Commission shall render its decision on the proposed plan when the design is 65% complete.

2. Trail Review Process

- a. The concept report or equivalent shall be distributed to the Urban Design Commission as an information item and shall contain a clearly defined and substantiated purpose and need statement;
- b. The Urban Design Commission shall review and comment on the draft design study report (35% design completion).
- c. The Urban Design Commission shall render its decision on the proposed plan when the design is 65% complete.

3. Concept Report

The concept report shall be distributed to the appropriate commission by the staff as an information item. The staff shall address the issue of purpose and need in the concept report. The appropriate Commission shall determine that there is a clearly defined and substantiated purpose and need for the street or the trail. In the absence of such a determination, the project shall not be taken to the next stage.

4. Procedure for Design Study Report and Plans-in-Hand Review65% Design Drawings

a. Pre-Application Conference

The project management team shall request a pre-application conference with the director, in accordance with subsection 21.03.020B.

b. Community MeetingPublic Outreach

Public outreach is an essential part of Context Sensitive Solutions. Applicants are, and is expected to have been conducted prior to submitting an applicationmeet with the appropriate community council(s) after the 35% design study report has been submitted to the respective commission and before the 65% design drawings have been submitted to the respective commission. Depending on the project, a community meeting may also be held at the application stage; if so, it shall be in accordance with subsection 21.03.020G.

c. Application Submittal

Applications shall contain the information specified in the ~~title~~ Title 21 ~~user's guide~~Users' Guide and in *A Strategy for Developing Context Sensitive Transportation Projects (CSS)*.

d. Public Notice

Notice of all public hearings shall be provided in accordance with section 21.03.020H.

e. Department Review

The department shall review each proposed application and distribute the application to other reviewers as deemed necessary. Reviewers shall address

those aspects of the design that are germane to the commissions' deliberations; detailed lists of technical comments shall be separately coordinated with the design team leader. Based on the results of those reviews the department shall provide a report to the planning and zoning commission or urban design commission, as applicable.

**f. Commission Review**

A public hearing at the draft design study report and plans in hand design drawings phases will be held at the discretion of the planning and zoning commission or urban design commission. The review body will review and act to approve, approve with conditions, or return the application to the project management team for additional work. Concerns and conditions raised by the commission shall be specifically addressed in subsequent submittals.

**3. Concept Report**

The concept report shall be distributed to the planning and zoning commission as an information item. The commission shall take no formal action on the report.

**54. Draft Design Study Report Review and 65 Percent Design Completion Review and Decision by the Planning and Zoning Commission for Applicable Street Projects and by the Urban Design Commission for Applicable Trail Projects**

**a.** The planning and zoning commission shall review, modify, approve or disapprove, the both the draft design study report (35% completion) and subsequently the design drawings (65% completion) or equivalent document, for all applicable street projects, and shall issue a decision. A public hearing is not required but may be held at the commission's discretion.

**b.** The Urban Design Commission shall review, modify, approve or disapprove, the both draft design study report (35% completion) and subsequently the design drawings (65% completion) for all applicable trail projects.

**c.** Both Commissions shall provide a public hearing after submission of the draft design drawings (35% completion) and prior to final action on the project.

**bd.** As applicable, the review process of both Commissions commission's review of the project draft design study report shall include, but not be limited to the following issues:

**i.** Existing conditions, including but not limited to traffic volumes throughout the location of the new street or the new trail;

**ii.** The applicable design standards and criteria, including landscaping requirements, with specific attention to any requests for variances from the criteria;

**iii.** Compliance with this title;

**iv.** Identification and evaluation of Alternatives—alternatives and recommendations arising out of the evaluation identification, evaluation, and recommended alternative;

**iv.** Compliance with this title;

**v.** Project construction costs;

- vi. Both short and Longlong-term impacts on existing and projected land uses in the vicinitysurrounding properties;
  - vi.vii. Both short and Short-term and long-term impacts ef-on property acquisition for rights-of-way;
  - vii.viii. Impacts on utilities and other public infrastructure, including the requirement of undergrounding of overhead utilities;
  - vii.Street illumination;
  - ix. Maintenance costs and other maintenance considerations;
  - ix.Environmental constraints;
  - xi.x. Pedestrian and other non-motorized access and use;
  - xi.Public involvement summary;
  - xii.Cost estimate.
- c.** Decisions of the Planning and Zoning Commission or the Urban Design Commission may be appealed to the board Board of adjustment Adjustment pursuant to subsection 21.03.050A.

#### **5. Plans in Hand Design Drawings Review**

- a.** The urban design commission shall review and approve all landscaping and streetscape and pedestrian facilities for streets of collector classification or greater in the Official Streets and Highways Plan.
- b.** The urban design commission shall approve, approve with conditions, or reject the landscaping, streetscape, and pedestrian design plans at a stage no greater than 65 percent designed, for all applicable street projects. A public hearing is not required but may be held at the commission's discretion.
- c.** As applicable, the commission's review of the plans in hand design drawings shall include but not be limited to:
  - i. Compliance with this title;
  - ii. Context of the area and the long-term impact on existing and projected adjacent land uses;
  - iii. Initial cost of materials including installation;
  - iv. Long term costs associated with operation and maintenance;
  - v. Adherence to a design theme established through local area plans or prior public improvements;
  - vi. Effectiveness in meeting community design goals; and
  - vii. Accommodation of pedestrians and non-motorized users.

- d. ~~Decisions may be appealed to the planning and zoning commission, which shall be required to hold a public hearing only if the urban design commission did not hold a public hearing.~~

## **C. Trail Review**

### **1. Purpose**

~~Trails are a basic part of the infrastructure of the municipality. They are used for transportation, for recreation and leisure, and also provide aesthetic and psychological benefits. Significant additions or revisions to the municipality's trail network benefit by oversight and concurrence in design decisions by the planning and zoning commission.~~

### **2. Applicability**

a. ~~This section applies to new construction and reconstruction of the following types of trails:~~

i. ~~Major multi-use trails that extend between multiple neighborhoods, such as the Chester and Campbell Creek Trails, the Ship Creek Trail, and the Coastal Trail.~~

ii. ~~Trails over one-half mile in length in parks classified by the *Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan* as community use area, special use area, or natural resource use area; or in parks classified by the *Anchorage Park, Greenbelt and Recreation Facility Plan Volume 2: "Eagle River Chugiak-Eklutna"* as Community, Large Urban, or Regional Parks.~~

iii. ~~Trails over one-half mile in length along streams, or connecting subdivisions or other developments.~~

b. ~~Notwithstanding the criteria of 2.a. above, the director may exempt new trails or trail reconstruction projects from this section if the director finds, in writing, that the project is minor in scope and not likely to cause impacts on surrounding properties and neighborhoods. The director may also require new trails or trail reconstruction projects that do not meet the criteria of 2.a. above to be reviewed in accordance with this section, if the trail project is likely to create significant public interest, or cause impacts on surrounding properties and neighborhoods.~~

### **3. Review and Action**

#### **a. Pre-Application Conference**

~~The project management team shall request a pre-application conference with the director, in accordance with subsection 21.03.020B.~~

#### **b. Application Submittal**

~~Applications shall contain the information specified in the title 21 user's guide.~~

#### **c. Public Notice**

~~Notice of all public hearings shall be provided in accordance with section 21.03.020H.~~

#### **d. Department Review**

~~The department shall review each proposed application and distribute the application to other reviewers as deemed necessary. Based on the results of those reviews the department shall provide a report to the planning and zoning commission.~~

**e. Planning and Zoning Commission Action**

The planning and zoning commission shall approve, approve with conditions, or reject the application. A public hearing is not required but may be held at the commission's discretion.

**4. Appeals**

The decision may be appealed to the board of adjustment pursuant to subsection 21.03.050A.

Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.

## CHAPTER 21.04

### 10. Subsection 21.04.020J.2.c., Page 113, lines 5-28 DC included in R-4 district, as amended

**c. Floor Area Ratio (FAR) Incentives for the R-4 and R-4A Districts**

The maximum floor area ratio (FAR) within the R-4 ~~and R-4A~~ districts is 1.02.0 FAR, but may be increased up to a maximum total FAR of 2.04.0 FAR in the R-4 district ~~and 3.0 FAR in the R-4A district~~ through the following bonus provisions subject to section 21.06.030C. These incentives provide for an incremental increase in the floor area of a development in exchange for incremental increases in any of following special features deemed of benefit to the community. Increases in the FAR may be achieved through the use of one or more of the following:

i. Bonus for Open Space [BONUS.]

One square foot of additional floor area is allowed per square foot of additional open space area. This space shall meet the standards of 21.07.030D and be in addition to any open space required by section 21.07.030. The floor area bonus increases to two square feet for open space that meets the standards for high quality spaces in 21.07.030D.6.

ii. Bonus for Below Grade Parking [BONUS.]

Two square feet of additional floor area is allowed per gross square foot of covered below grade parking floor area, up to a maximum increase of 1.0 FAR. The floor area bonus increases to three square feet on the second parking level below grade.

iii. Bonus for Affordable Housing [BONUS.]

Three[TWO] square feet of additional floor area is allowed per square foot of affordable housing unit floor area, up to a maximum increase of 0.5 FAR. The affordable housing units shall be consistent with the standards of 21.07.110L.100H., STANDARDS FOR Affordable Housing.

iv. Bonus for Sidewalk/Walkway Widening.

One square foot[FIVE SQUARE FEET] of additional floor is allowed per square[LINEAR] foot of area provided as part of a primary pedestrian walkway that meets the requirements of 21.07.060F.4.

v. Bonus for Upper Level Setbacks / Step Backs for Sunlight Access

A floor area bonus equal to one-third of the sum of step back areas on each upper floor where the step back is at least 16 feet from the face of the building at the floor immediately below, such that the floor's existence does not increase the amount of shadowing on surrounding residences, private open spaces, sidewalks, schools, or parks on March/September 21, from 9:00 a.m. to 3:00 p.m. solar time.

vi. Bonus for Ambient Daylight for Residences

A floor area bonus equal to 10 percent of the lot area (0.10 FAR) but not to exceed 4,000 square feet is allowed for preservation of daylight for all dwellings in the development and facing the development, using the standards of 21.07.100C.8.g. To receive credit, the building shall not exceed a daylight plane rising up over the building at an angle of five feet of run for every three feet of rise, and starting from a height of 5 feet above finished grade at the foundation of surrounding residential buildings.

- vii. **Bonus for Pedestrian-Interactive Use**  
Three square feet of additional floor area is allowed per each square foot of ground-floor space which is to be occupied by a pedestrian-active use that meets the standards of 21.07.060F.16.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**11. Subsection 21.04.030C.2., Page 118, after line 20 DC did not include**

Add new subsection c.

“c. Residential household living uses in the B-3 district shall be subject to the R-4 related FAR provisions in subsection 21.04.020J.2.c.”

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**12. Subsection 21.04.030D.2., Page 118, after line 42 DC did not include**

Add new subsection c.

“c. **Residential in RO**  
Residential household living uses in the RO district shall be subject to the R-4 related FAR provisions in subsection 21.04.020J.2.c.”

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**13. Subsection 21.04.050G.2.b., Pages 122-123, lines 43, 1-26 DC did not include**

**b. Floor Area Ratio (FAR) Incentives**

Floor area ratio (FAR) incentives are offered to encourage residential development and other features of benefit to the public in mixed-use districts. The maximum floor area ratio (FAR) established by table 21.06-3 may be increased by up to two times through the following provisions subject to section 21.06.030C. These incentives provide for an incremental increase in the floor area of a development in exchange for increases in one or more of the following special features:

- i **Bonus for Housing [BONUS.]**  
Two square feet of additional floor area is allowed per gross square foot of housing unit floor area, up to a maximum increase of 0.5 FAR.
- ii **Bonus for Open Space [BONUS.]**  
One square foot of additional floor area is allowed per square foot of additional open space. This space shall meet the standards of 21.07.030D and be in addition to any open space required by section 21.07.030. The floor area bonus increases to two square feet for open space that meets the standards for high quality spaces in 21.07.030D.6.
- iii **Bonus for Below Grade Parking [BONUS.]**

Two square feet of additional floor area is allowed per gross square foot of below grade parking floor area, up to a maximum increase of 0.5 FAR. The floor area bonus increases to three square feet on the second parking level below grade.

- iv *Bonus for Affordable Housing [BONUS.]*  
Three square feet of additional floor area is allowed per square foot of affordable housing unit floor area, up to a maximum increase of 0.5 FAR. The affordable housing units shall be consistent with the standards of 21.07.110I., [100H., STANDARDS FOR] *Affordable Housing*. A housing unit receives this affordable housing bonus instead of the housing bonus in b.1.
- v *Bonus for Sidewalk Widening.*  
One square foot [FIVE SQUARE FEET] of additional floor is allowed per square [LINEAR] foot of area provided as part of a primary pedestrian walkway that meets the requirements of 21.07.060F.4.
- vi *Bonus for Pedestrian-Interactive Use*  
Three square feet of additional floor area is allowed per each square foot of ground-floor space which is to be occupied by a pedestrian-active use that meets the standards of 21.07.060F.16.
- vii *Bonus for Upper Level Setbacks / Step Backs for Sunlight Access*  
A floor area bonus equal to one-third of the sum of step back areas on each upper floor where the step back is at least 16 feet from the face of the building at the floor immediately below, such that the floor's existence does not increase the amount of shadowing on surrounding residences, private open spaces, sidewalks, schools, or parks on March/September 21, from 9:00 a.m. to 3:00 p.m. solar time.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

14. Subsection 21.04.050G.5., Page 124, lines 5-7 DC did not include

5. **Sidewalks [AND WALKWAYS]**

[SIDEWALKS AND WALKWAYS EXTENDING ALONG PUBLIC STREETS, PRIMARY CIRCULATION DRIVES, OR COMMERCIAL BUILDING STOREFRONTS SHALL HAVE AN UNOBSTRUCTED CLEAR WIDTH OF AT LEAST SIX FEET.]

This section promotes sidewalk widening and streetscape enhancements to support higher levels of pedestrian activity and access in mixed-use districts. An enhanced sidewalk environment with "main street" style amenities may be provided in lieu of required site perimeter landscaping where it is logical to support a pedestrian zone as determined by the department through an administrative site plan review, and subject to the following:

- a. The sidewalk width shall be at least 12 feet, and include a pedestrian movement zone, building interface zone, and street interface zone. The street interface zone shall be at least four feet wide along major arterials. A pedestrian-interactive use meeting the standards of 21.07.060F.16 shall be provided in the building next to the designated sidewalk.

[ILLUSTRATION]

- i. A public use easement shall be recorded for any part of the designated sidewalk to be located within the subject parcel.

- ii. Physical obstructions within the sidewalk's building interface zone, such as landscape plantings, entry stoops, or seating, shall extend no more than two feet into the minimum required 12 foot width, so that at least 10 feet remain.
- b. The enhanced sidewalk shall provide at least two-thirds the total number of landscaping units and two-thirds the tree units that would be required for site perimeter landscaping.
- c. The enhanced sidewalk may be placed wholly or in part within a right-of-way, subject to approval of the traffic engineer and municipal engineer.
  - i. The enhanced sidewalk shall be subject to the applicable requirements of title 24 including sections 24.30.020., *Permit to Use Public Places*, and 24.90, *Encroachment Permit*.
  - ii. Improvements within the public right of way shall be consistent with the D.C.M and M.A.S.S.
  - iii. Existing improvements that meet the standards of the enhanced sidewalk may be counted toward the requirements of this section, subject to approval by the director.
  - iv. The owner shall maintain landscaping and amenities for the enhanced sidewalk within the right-of-way, and comply with the provisions for removal of snow and ice in section 24.80.090, 100, and 110.
  - v. Where the right-of-way is not adequate or cannot be configured to accommodate the enhanced sidewalk, then the development shall be set back from the street frontage as necessary to accommodate part of the improvements within the property.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**15. Section 21.04.060B.1., Page 124, lines 24-29 DC did not include and amended the section differently**

The I-1 district is intended primarily for public and private light manufacturing, processing, service, storage, wholesale, and distribution operations along with limited commercial uses that support and/or are compatible with industrial uses. OFFICE INDUSTRIAL PARKS AND SSingle-commodity bulk retail sales and building supply stores and services are allowed. This district is applied in areas designated as industrial/commercial by the comprehensive plan.

**16. Subsection 21.04.080G.2.c., Page 127, line 18 DC did include, although not in the correct location**

Add new subsection c. as follows:

**c. Number of Structures Allowed**

Only one principal structure is allowed per lot, unless a conditional use approval is obtained for additional principal structures.

**17. Subsection 21.04.080H., Page 127, line 19 DC did not include**

Until the Airport District issues are resolved, staff recommends retaining the Transition (T) district, as the TR district.

## **21.04.070I. TR: Transition district**

### **1. Purpose**

- a.** This district is intended to include suburban and rural areas that, because of location in relationship to other development, topography or soil conditions, are not developing and are not expected to develop in the immediate future along definitive land use lines. The permitted uses in these districts are intended to be as flexible as possible consistent with protection from noxious, injurious, hazardous or incompatible uses.
- b.** It is intended that interim development shall proceed in accordance with the applicable comprehensive development plan for the property being developed.
- c.** As development patterns start to emerge within these areas and the sophistication of their protection becomes more critical to the general public interest, it is anticipated that such lands within the TR districts will be proposed for more restrictive zoning classifications.

### **2. District-Specific Standards**

#### **a. Permitted Uses**

All uses in the residential, public/institutional, commercial, and industrial use categories are permitted, except those uses specifically prohibited in subsection 2.e. below, and those permitted only by conditional use in subsection 2.d. below.

#### **b. Sale of Alcohol**

Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see subsection 21.05.020A.

#### **c. Accessory Uses**

Accessory uses and structures customarily incidental to any permitted principal use are permitted, as well as all antennas without tower structures, and type 1, 3, and 4, local interest towers that meet the conditions of subsections 21.05.040K.2.a. through 2.c. and 2.e. through 2.o.

#### **d. Conditional Uses**

The following uses require conditional use approval in the TR district: mobile home park; junkyard or salvage yard; natural resource extraction; cemetery; roominghouse; unlicensed nightclub; types 1, 2, 3, and 4 community interest towers; types 1, 2, 3, and 4 local interest towers that fail to meet the conditions of subsections 21.05.040K.2.a. through 2.c. and/or 2.e. through 2.o.

#### **e. Prohibited Uses**

The following uses are prohibited in the TR district: hospital/ health care facility, nursing facilities, adult care facility, assisted living facility, production or storage of explosive materials, types 2 and 3 local interest towers as principal uses that meet the conditions of subsections 21.05.040K.2.a. through 2.c. and 2.e through 2.o., any use or structure which is likely to be incompatible with established permanent uses within the area to be affected by the proposed use or structure.

#### **f. Dimensional Standards**

Minimum lot size in the TR district is 7,000 square feet. Except as required in subsection 2.g. below, there are no setbacks, lot coverage maximums, or height limits in the TR district.

#### **g. Abutting Residential**

- i. Land zoned TR lying contiguous to residentially-zoned land shall be permitted to be used only in accordance with provisions and standards less intense or equal to provisions and standards allowed under this title for the least intensive land use zone within a 1,000-foot radius of the boundary of existing TR-zoned property for which a building permit or land use permit has been requested. Permitted uses must conform to the standards of this title listed in order from lowest to highest intensity: W, R-10, R-9, R-8, R-6, R-5A, R-7, R-1A, R-1, R-2A, R-5, R-2F, R-2M, R-2D, R-3, R-4, R-4A, R-O, B-1A, NMU, CMU, RMU, B-3, PLI, I-1, I-2, T.
- ii. Property owners of residential-zoned land within 1,000 feet of a TR-zoned property shall be notified in writing of the issuance of a building or land use permit. The effective date of the permit shall be no earlier than 30 days after the date of mailing a TR zone land use determination notification.

**i. Conformance With Comprehensive Plan**

Notwithstanding any other provision of this title, no building or land use permit shall be issued in the TR zone authorizing uses and structures that do not conform to the land use plan maps in the applicable comprehensive development plan for the area in which the property is located.

**j. Appeals**

- i. The assembly shall hear and decide TR zone use determination appeals. Any TR zone landowner or any landowner of residential-zoned land within a 1,000-foot radius of the TR-zoned property may appeal a TR zone land use determination. Any written communication received by the municipal clerk is an appeal of the TR zone use determination if it objects to the TR zone use determination, contains a legal description of the property on behalf of which the appeal is made, is signed by the person making the appeal, and is made within 30 days of mailing of a TR zone land use determination notification. The effective date of any TR zone building or land use permit is automatically suspended upon the filing of an appeal until assembly action as provided in this section has been concluded.
- ii. If an appeal is filed, any assembly approval of a TR zone use shall be as submitted or with special limitations or other modifications at least as restrictive, with reference to the standards listed in subsection 2.g. of this section, as those submitted in the proposed use. Assembly action approving a TR zone use shall be by an affirmative vote of eight assembly members if the TR zone land use determination is protested by the owners of at least one-third in the area, excluding rights-of-way, of:
  - (A). The land to which the use determination applies; or
  - (B). The land within 300 feet of the outer boundary of the land to which the use applies, excluding land owned by the municipality, except where the municipality joins the protest or the use was initiated by the state or the United States.

The assembly may disapprove the TR-zone use, or remand the determination to the planning and zoning commission with instructions for its consideration.

Re-letter remaining section

## CHAPTER 21.05

19. Subsection 21.05.010F., Table 21.05-2, Pages 146-156

Add "Townhouse" as "S" in B-3 and RO districts YES  
Add "~~Parking lot or structure (less than 50 spaces)~~" as "~~P~~" in NMU district

20. Subsection 21.05.010F., Table 21.05-2, Pages 146-156 Use types reformatted—unclear which amendments were included

Table 21.05-2: Table of Allowed Uses, amend as follows:

Instructional Services	Change from prohibited to " <u>C</u> " in I-1 District
Amusement Establishment	Change from "P" (permitted) to " <u>C</u> " in I-1 District
Fitness and Recreational Sports Center	Change from prohibited to " <u>C</u> " in I-1 District
Marine wholesaling	Change from prohibited to " <u>P</u> " in I-1 District

Table 21.05-2: Table of Allowed Uses, amend the following uses in the PLI District:

- Add "Assisted Living Facility (9 or more residents) as "C"
- Add "Nursing Facility" as "C"
- Delete "Amusement Establishment" (ie., delete the "C")
- Delete "Fitness and Recreational Sports Center" (ie., delete the "S")
- Delete "Bar" (ie., delete the "P")
- Delete "Food and Beverage Kiosk" (ie., delete the "P")
- Delete "Restaurant" (ie., delete the "P")

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

21. Subsection 21.05.040G.2., Page 182, line 1

Due to scheduling difficulties, the Planning and Zoning Commission and the Parks and Recreation Commission approved separate recommendations for this section. Both are listed here.

*Planning and Zoning Commission Recommendation: DC included the Parks and Rec Commission version rather than the PZC version*

2. ~~Park [AND OPEN SPACE], Public or Private~~

~~a. Definition~~

~~An area that is predominately open space, reserved for and designed to be used principally for active and/or passive recreation, and/or to serve ecological and aesthetic functions; any area designated as park by the assembly.~~

~~b. Use Specific Standards in the Anchorage Bowl~~

~~i. Any master plan created for a municipal park shall be reviewed and approved as follows:~~

~~(A) For all park master plan proposals, the parks and recreation commission shall hold a public meeting, which shall include the opportunity for oral public comment.~~

~~(B) Master plans for parks classified by the Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan as community use area, special use area, or natural resource use area (over 30 acres) shall be approved by the planning and zoning commission.~~

~~(C) Master plans for parks classified by the Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan as neighborhood use area or natural resource use area (30 acres or fewer) shall be approved administratively by the director.~~

~~ii. All development projects in municipal parks require a site plan review, as follows:~~

~~(A) For all development projects in municipal parks, the parks and recreation commission shall hold a public meeting, which shall include the opportunity for oral public comments.~~

~~(B) Any discrepancies with an approved park master plan shall be described and justified.~~

~~(C) All development projects costing more than \$500,000 or disturbing more than one acre of land and in parks classified by the Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan as community use area, special use area, or natural resource use area (over 30 acres) shall be approved by major site plan review in accordance with 21.03.180C. For the purposes of this subsection, vegetation removal for public safety, natural resource protection and enhancement (such as invasive species removal and reforestation), ecosystem health, and general routine maintenance is not considered land disturbance.~~

~~(D) All development projects costing \$500,000 or less and disturbing one acre or less of land, and all development projects in parks classified by the Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan as neighborhood use area or natural resource use area (30 acres or fewer) shall be approved by administrative site plan review in accordance with 21.03.180B. Trails that are reviewed under section 21.03.190, Street and Trail Review, are exempt from this administrative site plan review. For the purposes of this subsection, vegetation removal for public safety, natural resource protection and enhancement (such as invasive species removal and reforestation), ecosystem health, and general routine maintenance is not considered land disturbance.~~

~~**c. Use Specific Standards in Chugiak-Eagle River-Eklutna**~~

~~i. Any master plan created for a municipal park shall have a public hearing before the Eagle River-Chugiak parks and recreation board of supervisors, and shall be reviewed and approved as follows:~~

~~(A) For all park master plan proposals, the Eagle River-Chugiak parks and recreation board of supervisors shall hold a public meeting, which shall include the opportunity for oral public comments.~~

~~(B) Master plans for parks classified by the Anchorage Park, Greenbelt and Recreation Facility Plan Volume 2: "Eagle River-Chugiak-Eklutna" as Community, Large Urban, or Regional Parks shall be approved by the planning and zoning commission.~~

~~(C) Master plans for parks classified by the Anchorage Park, Greenbelt and Recreation Facility Plan Volume 2: "Eagle River-Chugiak-Eklutna" as playlots, mini parks, vest pocket parks, or neighborhood parks shall be approved administratively by the director.~~

~~ii. All development projects in municipal parks require a site plan review, as follows:~~

~~(A) For all development projects in municipal parks, the Eagle River Chugiak parks and recreation board of supervisors shall hold a public meeting, which shall include the opportunity for oral public comments.~~

~~(B) Any discrepancies with an approved park master plan shall be described and justified.~~

~~(C) All development projects costing more than \$500,000 or disturbing more than one acre of land, and in parks classified by the Anchorage Park, Greenbelt and Recreation Facility Plan Volume 2: "Eagle River Chugiak-Eklutna" as Community, Large Urban, or Regional Parks shall be approved by major site plan review in accordance with 21.03.180C. For the purposes of this subsection, vegetation removal for public safety, natural resource protection and enhancement (such as invasive species removal and reforestation), ecosystem health, and general routine maintenance is not considered land disturbance.~~

~~(D) All development projects costing \$500,000 or less and disturbing one acre or less of land, and all development projects in parks classified by the Anchorage Park, Greenbelt and Recreation Facility Plan Volume 2: "Eagle River Chugiak-Eklutna" as playlots, mini-parks, vest pocket parks, or neighborhood parks shall be approved by administrative site plan review in accordance with 21.03.180B. Trails that are reviewed under 21.03.190, Street and Trail Review, are exempt from this administrative site plan review. For the purposes of this subsection, vegetation removal for public safety, natural resource protection and enhancement (such as invasive species removal and reforestation), ecosystem health, and general routine maintenance is not considered land disturbance.~~

**d. Use-Specific Standards in Turnagain Arm**

~~i. All master plans, and any development projects costing more than \$500,000 in municipal parks identified in the Anchorage Park, Greenbelt and Recreation Facility Plan Volume 3: "Turnagain Arm" shall be approved by major site plan review in accordance with 21.03.180C.~~

~~ii. All development projects costing \$500,000 or less in municipal parks identified in the Anchorage Park, Greenbelt and Recreation Facility Plan Volume 3: "Turnagain Arm" shall be approved by administrative site plan review in accordance with subsection 21.03.180B.~~

**e. Director's Discretion**

~~i. Notwithstanding the various requirements above, the director shall require a park master plan or development project that would normally be approved administratively, to be approved by the appropriate commission if, in his or her judgment:~~

~~(A) The plan or project is likely to generate significant public interest;~~

~~(B) The project is a significant deviation from an approved master plan;~~

~~(C) The project will have a significant impact on neighboring uses; or~~

~~(D) The plan or project significantly increases the intensity of development of the park.~~

Parks and Recreation Commission Recommendation:

2. **Park and Open Space [AND OPEN SPACE], Public or Private DC included this version**

**a. Definition**

An area that is predominately open space, reserved for and designed to be used principally for active and/or passive recreation, and/or to serve ecological and aesthetic functions; any area designated as park by the assembly.

**b. Use-Specific Standards in the Anchorage Bowl**

i. Any master plan created for a municipal park shall be reviewed and approved as follows:

(A) For all park master plan proposals, the parks and recreation commission shall hold a public meeting, which shall include the opportunity for oral public comments.

(B) Master plans for parks classified by the *Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan* as natural resource use area (over 30 acres), special use area, or community use area shall be approved by the ~~planning~~ Planning and ~~zoning~~ Zoning ~~commission~~ Commission.

(C) Master plans for parks classified by the *Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan* as natural resource use area (30 acres or fewer) or neighborhood use area shall be approved administratively by the director.

ii. All development projects in municipal parks shall be reviewed and approved as follows:

(A) For all development projects in municipal parks, the parks and recreation commission shall hold a public meeting, which shall include the opportunity for oral public comments.

(B) All development projects costing more than \$250,000 and in parks classified by the *Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan* as natural resource use area (over 30 acres), special use area, or community use area shall be approved by major site plan review in accordance with 21.03.180C.

(C) All development projects costing \$250,000 or less, and all development projects in parks classified by the *Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan* as natural resource use area (30 acres or fewer) or neighborhood use area shall be approved by administrative site plan review in accordance with 21.03.180B. Trails that are reviewed under section 21.03.190, *Street and Trail Review*, are exempt from this administrative site plan review.

iii. All development projects in parks with approved master plans shall be consistent with the approved master plan.

**c. Use-Specific Standards in Chugiak-Eagle River-Eklutna**

i. Any master plan created for a municipal park shall be reviewed and approved as follows:

(A) For all park master plan proposals, the Eagle River-Chugiak parks and recreation board of supervisors shall hold a public meeting, which shall include the opportunity for oral public comments.

(B) Master plans for parks classified by the *Anchorage Park, Greenbelt and Recreation Facility Plan Volume 2: "Eagle River-Chugiak-Eklutna"* as Community, Large Urban, or Regional Parks shall be approved by the planning-Planning and zoning-Zoning commissionCommission.

(C) Master plans for parks classified by the *Anchorage Park, Greenbelt and Recreation Facility Plan Volume 2: "Eagle River-Chugiak-Eklutna"* as playlots, mini parks, vest pocket parks, or neighborhood parks shall be approved administratively by the director.

ii. All development projects in municipal parks shall be reviewed and approved as follows:

(A) For all development projects in municipal parks, the Eagle River-Chugiak parks and recreation board of supervisors shall hold a public meeting, which shall include the opportunity for oral public comments.

(B) All development projects costing more than \$250,000 and in parks classified by the *Anchorage Park, Greenbelt and Recreation Facility Plan Volume 2: "Eagle River-Chugiak-Eklutna"* as Community, Large Urban, or Regional Parks shall be approved by major site plan review in accordance with 21.03.180C.

(C) All development projects costing \$250,000 or less, and all development projects in parks classified by the *Anchorage Park, Greenbelt and Recreation Facility Plan Volume 2: "Eagle River-Chugiak-Eklutna"* as playlots, mini parks, vest pocket parks, or neighborhood parks shall be approved by administrative site plan review in accordance with 21.03.180B. Trails that are reviewed under 21.03.190, *Street and Trail Review*, are exempt from this administrative site plan review.

iii. All development projects in parks with approved master plans shall be consistent with the approved master plan.

**d. Use-Specific Standards in Turnagain Arm**

i. All master plans, and any development projects costing more than \$250,000 in municipal parks identified in the *Anchorage Park, Greenbelt and Recreation Facility Plan Volume 3: "Turnagain Arm"* shall be approved by major site plan review in accordance with 21.03.180C.

ii. All development projects costing \$250,000 or less in municipal parks identified in the *Anchorage Park, Greenbelt and Recreation Facility Plan Volume 3: "Turnagain Arm"* shall be approved by administrative site plan review in accordance with subsection 21.03.180B.

**e. Director's Discretion**

i. Notwithstanding the various requirements above, the director may-shall require a park master plan or development project that would normally be approved administratively, to be approved by the appropriate commission if, in his or her judgment:

- (A). The plan or project is likely to generate significant public interest;
  - (B). The project is a significant deviation from an approved master plan;
  - (C). The project will have a significant impact on neighboring uses; or
  - (D). The plan or project significantly increases the intensity of development of the park.
- ii. Notwithstanding the various requirements above, the director may require a park master plan or development project that would normally be approved by a commission, to be approved administratively, if, in his or her judgment the project has minimal impacts on the existing situation, despite reaching the monetary threshold.

**f. General Provisions**

- i. For the purposes of this subsection only, the term "development project" does not include the following unless the total project cost is over \$250,000:
  - (A) Vegetation removal for public safety, natural resource protection and enhancement (such as invasive species removal and reforestation), ecosystem health, and/or general routine maintenance;
  - (B) Stream maintenance;
  - (C) Structure/equipment maintenance;
  - (D) Replacement of existing facilities;
  - (E) Upgrading equipment/facilities in such a manner that doesn't change the nature or intended use of the equipment/facility and doesn't increase its footprint.
- ii. All park master plans and all development projects in parks in the municipality, regardless of the required approval process of this section, shall be posted on the municipal website.

22. Subsection 21.05.040I.3., Page 183, lines 9-19 DC did not include the airstrip amendment, but did include the heliport amendment, as amended

2. **Airstrip, Private**

a. **Definition**

Privately owned land or water maintained as a runway for fixed-wing aircraft.

b. **Use-Specific Standards**

- i. Private airstrips are allowed conditionally in residential districts only if approach and noise buffer areas are provided.
- ii. Applications for private airstrips shall be accompanied by a determination letter from the Federal Aviation Administration.

3. **Heliport**

a. **Definition**

An area designed to be used for the landing or takeoff of helicopters, which may include all necessary passenger and cargo facilities, fueling, and emergency service facilities.

**b. Use-Specific Standards**

- i. Heliports are not accessory uses unless they are accessory to an airport or hospital. A heliport associated with a principal use other than an airport shall be considered an additional principal use on the property and shall meet these use-specific standards.
- ii. Applications for heliports shall be accompanied by a determination letter from the Federal Aviation Administration.
- iii. In addition to the conditional use approval criteria at subsection 21.03.080C., the ~~planning~~ Planning and ~~zoning~~ Zoning ~~commission~~ Commission shall consider the following issues when reviewing a conditional use application for a heliport, in order to minimize impacts of a heliport on nearby uses:
  - (a) Proximity to residential zoning districts, schools, and parks.
  - (b) Arrival and departure, as established by the FAA.
  - (c) Hours of operation and projected number of takeoffs and landings.

Amend table 21.05-2 to allow a heliport as a conditional use ("C") in the I-1, I-2, and B-3 districts.  
[Included](#)

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

23. Subsection 21.05.050F.3., Page 203 [DC did not include](#)

Add new content to "Office, business or professional" use

**b. Use-Specific Standards**

- i. Business or professional office uses in the PLI district shall comply with one of the following:
  - (A) The use shall be an administrative office of a charitable and similar quasi-public organization of a noncommercial nature;
  - (B) The use shall be primarily engaged in directly serving the function of a public/institutional use permitted in the district; or
  - (C) The use shall be accessory to a use permitted in the district, and comprise no more than one-third of the gross floor area on the site, unless a greater percentage is approved by the director.
- ii. Business or professional office uses in the I-1 district shall be subject to the following limitations:
  - (A) The building or portion of the building containing the use shall not exceed 45 feet in height.

(B) The proposed office use shall directly serve the function of an industrial or public/institutional use permitted in the district.

(C) If accessory to a commercial use permitted in the district, the office use shall comprise no more than one-third of the gross floor area on the site when the gross floor area is over 5,000 square feet, unless a greater percentage is approved by the director.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**23. Subsection 21.05.050F.3., Page 203 DC did not include**

ii. Business or professional office uses in the I-1 and I-2 districts shall be subject to the following limitations:

(A) The building or portion of the building containing the use shall not exceed 45 feet in height.

(B) The proposed office use shall directly serve the function of an industrial or public/institutional use permitted in the district.

(C) [IF ACCESSORY TO A COMMERCIAL USE PERMITTED IN THE DISTRICT, T]The office use shall comprise no more than 25 percent [ONE-THIRD] of the gross floor area on the site when the gross floor area is over 5,000 square feet, unless a greater percentage is approved by the director.

Amend table 21.05-2 to allow office as a permitted use ("P") in the I-2 district.

*Note: This amendment amends the previous amendment, but was not included in it, as this proposal has not been reviewed by the Planning and Zoning Commission. Changes between the two are highlighted in orange.*

**24. Subsection 21.05.050G.3., Page 204, lines 23-30 DC did not include**

An establishment, whether for consideration or not, that provides care, advice, aid, maintenance...Examples include, but are not limited to: dry-cleaning drop-off...repair of household appliances; pharmacies; and tanning salons. This use excludes maintenance and repair of vehicles and industrial equipment or machinery.

**25. Subsection 21.05.050H.6., Page 205, line 37 DC did not include**

Add this new use as H.6. and re-number remaining

**6. Furniture and Home Appliance Store**

**a. Definition**

An establishment engaged primarily in the sale of large household items, such as furniture, mattresses, carpets and flooring, and home appliances, in which a majority of the merchandise occupies large amounts of store floor area and is generally too large or heavy for an individual consumer to carry alone.

In table 21.05-2, add this use and allow it by "P" in the B-3, CMU, and RMU, and by "C" in the I-1 districts.

26. Subsection 21.05.050H.6., Page 205 DC did not include

An establishment engaged primarily in the retail sale of goods or merchandise...discount stores, catalog showrooms; [PHARMACIES;] and specialty retail stores specializing in such goods as clothing, [HOME FURNISHINGS,] sporting goods, books, stationary, music, video rentals, or flowers.

27. Subsection 21.05.060D., Page 216, lines 30-33 DC did not include

There is little on-site sales activity with the customer present. Accessory uses may include offices, limited retail sales, truck fleet parking, and maintenance areas.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

28. Subsection 21.05.060E.6., Pages 229-230, lines 28-41, 1-4 DC did not include

6. Landfill

a. **Definition**

The burial of hazardous or non-hazardous agricultural, residential, institutional, commercial, or industrial waste, including areas for the disposal of building and organic material and solid waste processing. This use does not include land reclamation.

b. **Use-Specific Standards**

- i. Landfills (operational area, excavated or filled area) shall be set back at least 200 feet from the property boundary, and at least 500 [660] feet from the lot line of any academic school, hospital, religious assembly, or residential zoning district. [NON-INDUSTRIAL USE, AND THAT REQUIRED SETBACK SHALL BE PLANTED WITH] L4 screening landscaping is required along all lot lines.
- ii. Landfills shall contain and treat [ON-SITE] all run-off that comes into contact with the waste material, in such a manner that the run-off will not contaminate surface or ground water.
- iii. Landfills shall comply with the requirements of 18 AAC 60. [NOT BE LOCATED IN ANY FLOODWAY.]
- iv. Applications for a conditional use for a landfill shall [NO LANDFILL SHALL COMMENCE OPERATION UNTIL A NUISANCE CONTROL PLAN,] specify[ING] all measures to be taken to control nuisance conditions (such as odor, noise, scattered solid waste, wildlife) [HAS BEEN APPROVED BY THE DIRECTOR].

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

28. Subsection 21.05.060E.6.a., Page 229, lines 30-33 DC did not include

The burial of hazardous or non-hazardous agricultural, residential, institutional, commercial, or industrial waste, including [AREAS FOR THE DISPOSAL OF BUILDING AND ORGANIC MATERIAL AND] solid waste processing. This use does not include land reclamation.

*Note: This amendment is not included in the previous amendment, because the Planning and Zoning Commission has not reviewed this proposal.*

29. Subsection 21.05.060E.7., Page 230, lines 5-19 DC included, as amended below

7. **Recycling Drop-Off**

a. **Definition**

A lot or portion of a lot where containers are located to collect various materials for recycling. This use includes drop-off and collection of materials for recycling, but not processing of such materials.

b. **Use-Specific Standards**

i. No recycling drop-off area shall be located in required parking for any other uses on the same lot, required landscaping, or pedestrian facilities.

ii. Containers shall be screened in accordance with the standards of subsection 21.07.080H.2.

ii.iii. Recycling drop-off areas that are on a lot with another principal use such as a school or retail store shall, to the extent reasonably feasible, be placed to the side of the principal structure and/or site, and not abutting the street that provides primary access to the site.

iii. ~~Recycling drop-offs that are the sole or principal use on a lot, and are not placed on a lot with another principal use such as a school or retail store, shall be fenced. The fencing shall be interior to any landscaping required by section 21.07.080. Recycling drop-offs in mixed-use districts or adjacent to residential districts shall have a screening fence. [CONTAINERS SHALL BE SCREENED IN ACCORDANCE WITH THE STANDARDS OF SUBSECTION 21.07.080H.2.]~~

iv. If a recycling drop-off area is within 200 feet of a residential district, n[N]o collection/pick-up of the accumulated materials shall occur between the hours of 10:00 p.m. and 6[7]:00 a.m. on weekdays, or between 6:00 p.m. and 10:00 a.m. on weekends.

v. If a recycling drop-off area is within 200 feet of a residential district, and the drop-off includes containers for collecting glass, the area shall be closed between the hours of 10:00 p.m. and 6[7]:00 a.m.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

30. Subsection 21.05.060E.9., Pages 231-232, lines 34-46, 1-12 DC included as amended below

8. **Solid Waste and/or Recycling Transfer Facility**

a. **Definition**

An establishment for the processing, transfer, and/or disposal of hazardous or non-hazardous solid waste and/or materials for recycling.

b. **Use-Specific Standards**

[ALL SUCH USES SHALL COMPLY WITH THE FOLLOWING STANDARDS:]

i. [LOCATION OF SITE]

A solid waste transfer facility (structures, operations, outdoor storage) shall not be located within 500 feet of any academic school, hospital, religious assembly, [GOVERNMENTAL FACILITY (EXCEPT GOVERNMENTAL SERVICE), RELIGIOUS ASSEMBLY,] or residential zoning district [SUBDIVISION, OR

PLACE OF PUBLIC ASSEMBLY]. The facility shall be set back at least 100 feet from any mixed-use district.

- ii. [MINIMUM LOT SIZE AND WIDTH]  
Notwithstanding the general dimensional standards set forth in ~~chapter~~ Chapter 21.06, the minimum lot size for a solid waste and/or recycling transfer facility shall be two acres and the minimum lot width shall be 150 feet, unless otherwise established by the ~~planning~~ Planning and ~~zoning~~ Zoning ~~commission~~ Commission.
- iii. [LIMITS ON OUTDOOR STORAGE]  
Outdoor storage shall not exceed 35 feet in height. No outdoor storage, operations, or donations shall occur within the required front or side setback as set forth in chapter 21.06.
- iv. [SCREENING]  
In addition to any landscaping required under section 21.07.080, *Landscaping, Screening, and Fences*, the facility shall be surrounded by a [SOLID, OPAQUE] fence that is at least eight feet high, except that public drop-off areas need not be fenced unless they are adjacent to residential or mixed-use districts, LOCATED NO LESS THAN 100 FEET FROM ANY PUBLIC RIGHT-OF-WAY, AND LOCATED NO LESS THAN 50 FEET FROM AN ADJACENT PROPERTY]. Such fencing that is adjacent to residential or mixed-use districts shall be screening fencing; such fencing that is adjacent to other non-industrial districts or to streets shall be sight-obscuring fencing.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**31. Subsection 21.05.070D., Table 21.05-5, Page 236 Unclear if DC included or not**

Add "Outdoor keeping of animals" as "P" in PR and PLI

**32. Subsection 21.05.070D.1.b.iii.(B)., Page 238, lines 31-32 DC did not include**

ADUs shall be allowed in all residential zoning districts except [R-1, R-1A,] R-3, R-4, and R-4A.

**33. Subsection 21.05.070D.1.iii.(C).(1)., Page 240, lines 27-29 DC did not include**

The ADU shall be at least 60 feet from all [THE PRIMARY] front lot lines, and [OR] at least 10 feet behind the [PRIMARY] façade of the principal dwelling unit that contains the primary entrance.

**34. Subsection 21.05.070D.6.b., Page 243 DC did not include**

Add new subsection iii.

**iii. Change of Use**

The addition or removal of a drive-through is a change of use.

**35. Subsection 21.05.070D.12.b.vi., Page 248, lines 16-17 DC did not include**

Loading or unloading a connex unit, or the use of a connex during construction is exempt from this section, as long as the connex unit is removed promptly at the finish of the loading/unloading or construction activity.

**CHAPTER 21.06**

**36. Subsection 21.06.020B., Table 21.06-2, Page 265 DC did not include**

	Area	Width	Lot Coverage	Front sb	Side sb	Rear sb	Height
<b>B-3: General Business</b>							
Allowed Residential Household Living Uses	6,000	50	50	10	5 plus one foot for each five feet in height exceeding 35 feet	10	45 <sup>8</sup>
All other uses	6,000	50	Unrestricted	10	15 if adjacent to a residential district; otherwise 0 or at least 10	15 if adjacent to a residential district; otherwise 0 or at least 5	45
<b>RO: Residential Office District</b>							
Allowed Residential Household Living Uses	6,000	50	50	10	5 plus one foot for each five feet in height exceeding 35 feet	10	45 <sup>8</sup>
All other uses	6,000	50	50	10	10 if adjacent to a residential district; otherwise 5	15 if adjacent to a residential district, otherwise 10	45, not to exceed three stories of nonresidential use

Add footnote #8: See subsection 21.04.020I.2.d. for information regarding possible height increases.

Renumber remaining footnotes.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**37. Subsection 21.06.020C., Table 21.06-3, Page 267 DC did not include**

In NMU district in row for “All other uses”, change the max floor area ratio: **0.75**[0.5]

Amend footnote 9: “Additional FAR available.” See FAR incentives for mixed-use districts at 21.04.050G.2.”

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**38. Subsection 21.06.020D., Table 21.06-4, Page 269 DC included as amended**

The following amends the height column in the PLI row:

75 feet, unless greater height is approved by conditional use or through an institutional master plan [NO MAXIMUM, EXCEPT THAT THE HEIGHT TRANSITION PROVISIONS OF SUBSECTION 21.06.030D.7. SHALL APPLY]

39. Subsection 21.06.030C.1.f., Page 270, after line 37 DC did not include

Add new text in subsection f. as follows:

f. Where a setback is allowed to be zero feet, the setback shall be any inelastic response displacement distance required by title 23 to accommodate seismic deflection. A parapet cap, trim, or other similar cover shall cover any gap between buildings, in accordance with title 23.

## CHAPTER 21.07

40. Subsection 21.07.020B.6.b.ii., Page 294, line 17 DC did not include

Add new ii.(C). and renumber remaining items.

(C). On-site snow storage piles in accordance with subsection 21.07.040F., Snow Storage and Disposal.

41. Subsection 21.07.030B., Page 304, lines 14-17 DC sort of included—he added our new language to his amendment

Development shall be required to set aside private open space according to the following minimum requirements, except where specifically provided otherwise. [SINGLE-FAMILY, TWO-FAMILY, AND TOWNHOUSE RESIDENTIAL USES ARE EXEMPT. FOR THE PURPOSES OF THIS SECTION, GROSS FLOOR AREA SHALL NOT INCLUDE FLOOR AREA DEVOTED TO PARKING OR LOADING, OR INDOOR PRIVATE OPEN SPACE THAT MEETS THE STANDARDS OF C.4 BELOW.]

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

42. Subsection 21.07.030B.3., Page 304, lines 25-31 DC did not include

R-4 and R-4A districts: For a multifamily use with townhouse-style construction, 225 square feet of private open space per dwelling unit, to be provided for the exclusive use of each dwelling unit per C.2. below; for non-townhouse-style multifamily uses, 120 [125] square feet of private open space per dwelling unit, and at least half of the private open space shall be shared in common among the units. Group living uses and nonresidential development shall provide an area equal to five percent of the gross floor area for open space.

43. Subsection 21.07.030C., Page 305, lines 1-7 DC sort of included—and amended

### C. Exemptions

The following are exempt from the private-usable open space requirement:

1. Single-family, two-family, mobile home, and townhouse residential uses;
2. Non-residential uses; Parks [AND OPEN AREAS], public safety facility, transportation facility, utility facility, telecommunication facility, agricultural uses, commercial kennel, large domestic animal facility;

~~3. Vehicles and equipment, manufacturing and production, warehouse and storage, and waste and salvage use categories;~~

~~4.3. Any building floor area devoted to parking and/or loading; and [AND]~~

~~5. Any building floor area provided as indoor private open space that meets the standards of D.5 below; and~~

~~6.4. Any non-residential development building with less than 5,000[1,000] square feet of gross floor area.~~

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**44. Subsection 21.07.030D.3., Page 305, lines 30-34 DC did not include**

A fence, hedge, earth berm, railings on decks, and/or other continuous linear landscaping features shall define and separate ground-level private open space from abutting streets and rights-of-way. Such features may be incorporated as part of required perimeter landscaping. A non-residential private open space such as a plaza or outdoor seating area shall be exempt from the physical delineation requirement where it abuts a sidewalk or other public pedestrian space. Private open space shall be separated from refuse collection areas by L2 visual enhancement landscaping.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**45. Subsection 21.07.030D.6.c., Page 306, line 34 DC did not include**

c. Has a minimum inside dimension of 25 feet for residential uses, or 20 feet for non-residential uses; and

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**46. Subsection 21.07.060F.6.e., Page 326, after line 42 DC did include**

Add new subsection e.

Plazas shall not be paved with asphalt.

**47. Subsection 21.07.060F.16., Page 331, line 1 DC did include**

Add new F.16. as shown here:

**16. Pedestrian-Interactive Use:**

A pedestrian-interactive use is intended to provide ground-floor spaces that strongly engage the sidewalk with street-facing windows and entrances, feature activities and services that support neighborhood residents, and generally contribute to the pedestrian-oriented environment in mixed-use districts. The standards that follow apply where the term "pedestrian-interactive use" is listed in this title as a requirement, special feature for a bonus, or a menu choice.

a. A pedestrian-interactive use shall be any of the following uses that are permitted in the district: a retail sales use; retail and pet services use; financial institution providing banking services open to the public with at least one employee on site; food or beverage service; personal service; cultural facility; or the frontage of entry ways or stairways through which such uses are principally accessed; provided, however, that the following

types of retail sales shall not be considered pedestrian-interactive uses: fueling station; building materials store. The following permitted uses supporting residential neighborhood and housing development are also considered pedestrian-interactive uses: residential dwellings with individual front entries along the street; elementary school, middle or high school; health services; and child care center.

- b. A pedestrian-interactive use shall provide a primary entrance facing the street. Entrances at building corners facing a street may be used to satisfy this requirement.
- c. A pedestrian-interactive use shall occupy a habitable space at least 24 feet deep extending along the full length of the ground-floor, street-facing building elevation, allowing for pedestrian and vehicle entrances, entry lobbies or atriums, and stairwells.
- d. A pedestrian-interactive use shall comply with 21.060.030C.5., *Maximum Setbacks*.
- e. Street-facing ground-floor wall areas of a pedestrian-interactive use shall be 67 percent visual access windows, except that such wall areas for dwellings shall be at least 20 percent visual access windows.
- f. Where a building has three or more street frontages, these criteria apply along only two of the frontages.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**48. Subsection 21.07.080E.5.f., Page 339, lines 9-12 [DC did not include](#)**

As an alternative to the street frontage site perimeter landscaping requirements of table 21.07-2, nonresidential and mixed-use development in the NMU, CMU, RMU, B-1A, R-4, and R-4A districts may instead comply with the enhanced [MIXED-USE DISTRICT] sidewalk [STREETSCAPE LANDSCAPING] standards in subsection 21.04.050G.5.

*Note: This amendment relates to amendment #14.*

**49. Subsection 21.07.080F.5., Page 346, lines 23-24 [DC did not include](#)**

Except as specifically allowed elsewhere in this title, no structure, motor vehicle area, snow storage, or paved area may be located in areas required for landscaping, except that snow storage is allowed in site enhancement landscaping.

**50. Subsection 21.07.080H.3.a., Page 350, lines 25-29 [DC did not include](#)**

In the R-1, R-1A, R-2A, R-2D, R-2F, R-2M, R-3, R-4, R-4A, R-5, and R-7 districts, fences in front setbacks shall not exceed four feet in height. Fences in secondary front setbacks that abut a street of arterial or greater classification may be up to eight feet in height. Fences in side or rear setbacks shall not exceed six feet in height, except where abutting or across an alley from a nonresidential district, in which case the fence may be up to eight feet in height.

**51. Subsection 21.07.090E., Table 21.07-5, Pages 354-361 [DC did not include](#)**

Amend the table of off-street parking requirements as follows:

Community center or religious assembly: 1 per 5 [4] persons in principal assembly area based on maximum occupancy provisions of AMC title 23

Amusement establishment: add "Indoor shooting range" at "1 per target area, or 1 per 5 seats, whichever is greater"

Delete "Pharmacy/Drugstore and Video Rental Store" and "Dry-cleaning drop-off site/Mail Package Service/Locksmith Shop"

Change "All other uses" to "General Personal Services": 1 per 400 [300] sf gfa

Change "Retail sales of large or bulky merchandise such as furniture, home appliance, or flooring store" to "Furniture and Home Appliance Store"

Move "Bicycle store [SHOP]" to be a subset of "General retail"

**52. Subsection 21.07.090F.3.c., page 364, lines 45+ DC did not include**

For buildings constructed after [effective date], parking facilities including driveways shall comprise no more than 50 percent [ONE-THIRD] of the area between the street property line and the street facing building elevation, and garage doors shall comprise no more than 50 percent [ONE-THIRD] of the length of the street facing building elevation. These requirements apply to no more than two street frontages.

**53. Subsection 21.07.090H.7.b., Page 376, lines 5-10 DC did not include**

Delete from 21.07.090H.7.b. and add as new 21.07.110C.5., renumbering remaining sections. Retitle as "Relationship to Parking"

**54. Subsection 21.07.090H.9.b., Page 376, lines 34-46 DC did not include**

... Circulation patterns within parking facilities shall be well defined with pavement marking and signage, [VERTICAL] curbs, landscaping, landscaped islands, and/or other similar features....

**55. Subsection 21.07.090H.9.e.i., Page 377, lines 22-26 DC did not include**

To ensure safe and efficient vehicular access to parking spaces, each [REQUIRED] off-street parking space shall open directly on a parking aisle or driveway of such width and design as provided in table 21.07-9 and the illustrations that follow the table. Adequate ingress and egress to each parking space shall be provided without backing more than 25 feet.

**56. Subsection 21.07.090H.10.j., Page 381, line 23 DC did not include**

Add new subsection j. as follows:

**j. Stacked, Automated, or Tandem Spaces**

The traffic engineer may approve reduced parking space dimensions for stacked, parking spaces, and/or tandem spaces in an attendant parking facility.

**57. Subsection 21.07.090J.7., Page 384, lines 30-36 DC did not include**

Car accessible spaces shall be at least eight feet wide with an access aisle at least five feet wide abutting the space. Van accessible spaces shall be at least eight feet [FOUR INCHES] wide with an abutting access aisle at least eight feet in width...

**58. Subsection 21.07.110C.4.b.i.(B)., Page 391, line 9 DC did not include**

One foot distance for every one foot of building height, up to 35 feet.

**59. Subsection 21.07.110C.6.a.i., Page 393, lines 5-7 DC did include, as amended**

| The maximum interval may be increased by two ~~and one-half~~ feet for each foot of additional change in wall plane of the projection or recess—up to a maximum interval of 42 [40] feet

**60. Subsection 21.07.110C.6.h., Page 393, lines 38-40 DC did include**

Provide windows and/or primary entrance doors comprising at least 20 [25] percent of the wall area of the building elevation.

**61. Subsection 21.07.110C.8.a, Page 395, lines 2-5 DC did include**

Provide outdoor shelter that covers at least 32 [36] square feet for any primary entrance that serves one dwelling, 48 square feet for any primary entrance that serves up to four dwellings, and 64 square feet for any primary entrance that serves more than four dwellings.

**62. Subsection 21.07.110D.1.a., Page 397, lines 24-25 DC did not include**

Provide visual interest and architectural variety to attached dwellings that enhances [ADDS VISUAL INTEREST TO] the neighborhood character;

**63. Subsection 21.07.110D.7., Page 399, lines 5-11 DC did include, with amendments**

| Any townhouse building elevation ~~facing-abutting~~ a primary street, required common private open space, or having at least one primary entrance shall provide features from the menu below. If the building has one or two applicable elevations, then at least four features shall be provided on each elevation. If a third elevation is applicable, at least ~~three-two~~ features shall be provided on that elevation. If the building has four or more dwellings and the applicable building elevation is 40 feet or longer, then feature 6.a. shall be required as one of the features on each applicable elevation. Any applicable elevation with the primary entrance shall have four features provided.

**64. Subsection 21.07.110G., Page 404, lines 5-13 DC did not include**

Move Quonset hut definition to chapter 21.14.

65. Subsection 21.07.110H.2., Page 404, line 18 DC did include, as amended

A. **Intent**

This section regulates the development of multiple residential structures on a single lot. The section is intended to allow flexibility from the subdivision regulations while still achieving neighborhoods that are healthy, safe, and convenient, and meet the goals of the comprehensive plan. The approval processes and standards are intended to result in a development with a cohesive neighborhood identity, an attractive and functional streetscape, a hierarchy of streets and driveways, convenient and safe pedestrian circulation, sufficient parking near each dwelling unit, usable and well-located open space, a positive image of higher density residential development, and well designed and visually pleasing structures and neighborhoods.

B. **Applicability and Review Process**

1. This section applies to the development of two or more principal residential structures on a single lot. It does not apply to the development of an accessory dwelling unit or a caretaker's unit.
2. Multiple residential structures on a single lot are permitted in the R-2M, R-3, R-4, R-4A, B-3, RO, NMU, CMU, and RMU districts.
3. Applicable developments with between two and 15 dwelling units shall be approved by administrative site plan review pursuant to subsection 21.03.180B. Applicable developments with 16 or more dwelling units shall be approved by the ~~planning~~ Planning and zoning ~~Zoning~~ commission ~~Commission~~ using the major site plan review process (subsection 21.03.180C.).
4. All approvals under this section shall use the approval criteria of subsection C. below, in addition to the general site plan review approval criteria. The decision-making body may place conditions on the development as it may deem necessary to meet the approval criteria.

C. **Approval Criteria**

1. The proposal shall clearly distinguish between streets and driveways. Streets shall allow vehicles to travel into and within the development, and shall be the means for assigning an address to dwelling units. Driveways shall access garages and parking areas. Some small developments may not need a street network.
- ~~2. Dwelling units shall be oriented towards streets (either within the development or along the boundary of the development) or towards a courtyard or similar common open space. Buildings with frontage on both a street and a driveway shall be oriented towards the street. If the development is so small that no internal street network is necessary, then buildings and dwelling units shall be oriented towards the local public streets on the boundaries of the development, or towards common open space.~~
- ~~3.2.~~ The area between the front of a unit facing a street and the street shall include landscaping or lawn, so that the streetscape features green space rather than just paved parking areas. Adequate snow storage area shall be provided. On-street parking shall be accommodated (if provided).
- ~~4. Developers should make every effort to design and arrange dwelling units in such a manner as to provide "eyes on the street", take advantage of solar access, and to the extent feasible, provide privacy for neighboring units' yards.~~

5.3. In addition to sidewalks required by section 21.07.060, pedestrian pathways shall be provided to large open space areas and in the middle of long blocks. Pedestrian circulation should be convenient both within the development and to appropriate neighboring areas outside the development.

6.4. The development is designed to take advantage of any significant natural features on site, and to provide usable open space and recreation areas.

**D. Development Agreement**

The developer shall enter into a development-subdivision agreement with the department, using the provisions established in subsection 21.0308.400E060A., *Improvements Associated with Land Use Permits*.

**E. Minimum Standards**

All development with multiple residential structures on a single lot shall meet the following minimum standards, in addition to the applicable standards of this ~~title~~ Title.

**1. Open Space**

A minimum of 30 percent of the site shall be reserved as open space which shall meet the standards of section 21.07.030, *Private Open Space*. Any requirement in section 21.07.030 for open space for the individual use of a dwelling shall count toward the total 30 percent requirement. The open space shall not be simply the lot setbacks and leftover fragments such as corner bits that are unusable for other purposes.

**2. Buffers for Neighboring Uses**

Common open space with L4 screening landscaping shall be provided along any lot line abutting a residential neighborhood where the density is less than half the density of the development with multiple residential structures on a single lot.

**3. Building Spacing**

Within a development, no portion of any single-, two-, or three-story building shall be closer than 10 feet from any other single-, two-, or three-story building. ~~All portions of any building taller than three stories shall be separated by no less than 20 feet from any other building.~~

**4. Vehicle Plug-In**

Each unit with no garage shall be provided with at least one electrical outlet that is convenient to the required parking space(s).

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**66. Subsection 21.07.110H.3., Page 404, lines 19-34 DC did include, as amended**

**3. Driveway Width**

a. [A.] This section limits the width of a driveway at the property line and at the curb. The intent of these limitations is to provide adequate space for snow storage within the right-of-way, to have space for on-street parking where appropriate, and to discourage the majority of the front area of a lot from being paved and/or used for vehicle parking. The municipal driveway standards established by the traffic engineer, including parameters for driveway characteristics such as angles, profile, landing grades, number, and distances between shall, where not in conflict with this section, apply to all residential development.

- ab.[B.] Unless otherwise provided in this title, the total width of driveway entrances to a residential lot from a street shall not exceed 40 percent of the frontage of the lot on the street at the property line and 30 percent at the curb.
- bc.[C.] Notwithstanding the above, a driveway for residential uses may always have a driveway throat width [BE A MINIMUM] of 14 feet wide at the curb and shall not have a driveway throat width [BE] wider than 20 feet at the curb, except as provided below.
- ed. Notwithstanding the above, the width of a two-way driveway providing common access to at least eight dwellings may be up to a maximum of 24 feet wide.
- de. Notwithstanding the above, the total width of driveway entrances f[F]or townhouse uses[, THE TOTAL WIDTH OF DRIVEWAY ENTRANCES] shall not exceed 50 percent of the frontage of the lot on the street at the property line and at the curb, provided that driveways of abutting dwelling units are attached in pairs to the maximum extent feasible in order to maximize spacing between driveways along the street frontage.
- ef. Flag lots are exempt from the percentage limitations, but shall have a maximum driveway throat width at the curb of 20 feet.
- fg. When a driveway serves both residential and nonresidential principal uses, such as in mixed-use development, the driveway dimensions shall be as required for the nonresidential use.

67. Subsection 21.07.110H.4.b., Page 404 DC did include, as amended

In situations where a group of lots front[ING] an entire block on one side of a street between two intersections, about a mid-block alley, and are being developed together, then parking access to the structures shall be from the alley, and t[he] building(s) may encroach into the front setback by up to a maximum of five feet. [MAY BE REDUCED TO 10 FEET.]

68. Subsection 21.07.130A.5.j.ii., and iii., and iv., Page 414, lines 22-25 DC did include, as amended

- ii. Peaked, arched, or other entrance roof form;
- iii. Transom or clerestory windows, along with double entry doors or sidelight windows;
- iv. Façade detail [ORNAMENTAL ARCHITECTURAL] features such as tilework, moldings, or lighting, integrated into the building design; or

69. Subsection 21.07.130A.6.f., Page 416, lines 33-37 DC included part, as amended

- f. **Street-Facing [UPPER LEVEL] Windows**  
Provide visual access windows and/or primary entrances on each street-facing building elevation (up to a maximum of two elevations) comprising at least 15 percent of the ground-floor wall area. Elevations facing streets and residentially zoned lots shall provide windows along 35 percent of each upper floor façade. For the purposes of this section only, floors shall be considered 15 foot increments in height, and rooftop mechanical penthouses are exempt. An elevation that is more than 150 feet away from the facing street right-of-way shall be exempt, unless it is the only applicable elevation. Qualifying windows shall be no more than four feet above finished grade. [ELEVATIONS FACING STREETS AND RESIDENTIALLY ZONED LOTS SHALL PROVIDE WINDOWS ALONG 35 PERCENT OF EACH UPPER FLOOR FAÇADE. FOR THE PURPOSES

OF THIS SECTION ONLY, FLOORS SHALL BE CONSIDERED 15 FOOT INCREMENTS IN HEIGHT, AND ROOFTOP MECHANICAL PENTHOUSES ARE EXEMPT.]

## CHAPTER 21.08

### 70. Subsection 21.08.030F.7.a., Page 420 [DC did include](#)

The subdivider shall provide names for all new streets in the subdivision, which names shall neither duplicate, nor be subject to confusion with, the spelling or the pronunciation of any existing street name in the municipality. The subdivider's selection of street names shall be subject to review by the director, who may reject any proposed street name that does not conform to this section or to any regulation promulgated pursuant to this section. The municipality shall name all streets that are peripheral to the subdivision and all extensions of existing streets into the subdivision. [WHERE A NEW STREET EXTENDS OR CONTINUES AN EXISTING STREET, THE NAME OF THE EXISTING STREET SHALL BE USED FOR THE NEW STREET.]

### 71. Subsection 21.08.030H.2.d., Page 421 [DC did include](#)

A summary of field exploration methods and tests on which the report is based, such as probings, core drilling, [BOREHOLE PHOTOGRAPHY,] or test pits.

### 72. Subsection 21.08.030H.6., Page 422, lines 30-34 [DC did not include](#)

#### 6. Sidewalks/Pathways [TRAILS]

[ANY R]Requirements for sidewalks or pathways [TRAILS] along local streets [ROADS] may be reduced or eliminated [LIMITED,] by the platting authority[, TO PROVIDING A SIDEWALK/TRAIL ON ONE SIDE OF THE ROAD ONLY. IN SUCH CASE, THE SIDEWALK/TRAIL SHALL BE A MINIMUM OF 6 FEET WIDE AND SEPARATED FROM THE ROAD.] In deciding the extent of pedestrian facilities to be required, the platting authority shall consider negative impacts to the terrain and the possibility of alternate locations for pedestrian facilities.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

### 73. Subsection 21.08.030H.8., Page 423, lines 1-2 [DC did not include](#)

#### 8. Vehicular Routes

The intent of this subsection is to minimize disturbance to the natural landscape in the alpine areas of the municipality by limiting disturbed area(s) for roadway construction to the dedicated right-of-way, and that where the final constructed road embankment cannot be constructed within the right-of-way, that structural solutions, but not embankment cut and fill limits, may extend not more than 15 feet beyond the right-of-way in dedicated slope easement(s).

a. Streets, roads, private access roads, and other vehicular routes shall generally follow natural contour lines, and shall be designed in accordance with the *Design Criteria Manual* and this subsection.

b. Land disturbance, including vegetation clearing and grubbing, grading, etc., shall be curtailed to the smallest area/extent possible.

- i. Initial land disturbance shall be limited to the proposed travel-way (lanes and shoulders) to accommodate land survey, geotechnical investigation of the in situ materials, and "rough" construction.
  - ii. The ultimate extent of land disturbance shall be dependent upon the nature of the subsurface materials. The extent of disturbance shall be the minimum necessary and shall be limited to the right-of-way, except that the municipal engineer may allow disturbance to extend 15 feet beyond the right-of-way on each side with demonstrated justification, easement permissions, and notifications. Construction of improvements up to 15 feet outside the right-of-way is for the purpose of constructing structural solutions and not to widen the roadway embankment's footprint.
  - iii. The subdivision agreement shall be used to implement this subsection H.8.
- d. Disturbed area within the 15 feet abutting the right-of-way on both sides shall be a slope easement, for the purpose of providing and maintaining the lateral support of the constructed street.
- e. Cut and fill slopes and all disturbed areas shall be stabilized and reinforced using the most appropriate engineering means. Vertical or near vertical constructed retaining walls shall be no taller than 15 feet without an eight foot horizontal or near horizontal terrace. Vertical or near vertical surfaces that are formed from underlying rock need not be terraced. Any vegetation employed as a means of stabilization shall replicate original native landscape conditions.
- f. The platting authority may require common driveways to be shared by two or more lots, with the concurrence of the traffic engineer and the fire department, to avoid excessive and unnecessary disturbance to slopes by multiple and individual lot driveway cuts, and/or to avoid and/or reduce impacts to other natural features, such as wetlands, creeks, etc.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

**74. Subsection 21.08.030I.4., Page 423, lines 21-23 DC did not include**

The platting authority may reject a proposed subdivision in its entirety if the geotechnical investigation does not demonstrate that the area can be developed in accordance with this title and AMC title 23.

**CHAPTER 21.09 DC did not propose any amendments to 21.09**

**75. Subsection 21.09.040B.2.a., Page 462, after line 15**

Add new a.iii. as follows:

**iii. District-Specific Standard**

More than one principal structure may be allowed on any lot or tract by administrative site plan review. No portion of any structure may be closer than 10 feet to any portion of any other structure.

**76. Subsection 21.09.040B.2.b., Page 462, lines 29-31**

Amend b.iii. as follows:

iii. *District-Specific Standards*

(A). Nonresidential uses may be allowed as provided in table 21.09.050-1, but shall be allowed only on central sewer, not septic systems.

(B). Only one principal structure is allowed on any lot or tract.

**77. Subsection 21.09.040B.2.c., Page 463, lines 7-10**

Amend b.iv. as follows:

iv. *District-Specific Standards*

(A). In spite of section 3.a. below, commercial vehicles, shipping containers, construction equipment, and the like may be stored outdoors in this district.

(B). Only one principal structure is allowed on any lot or tract.

**78. Subsection 21.09.040B.2.d., Page 463, after line 33**

Add new d.iv. as follows:

iv. *District-Specific Standard*

Unless determined otherwise through an area master plan, only one principal structure is allowed on any lot or tract.

**79. Subsection 21.09.040B.2.e., Page 463 (464), after line 4**

Add new e.iii. as follows:

iii. Only one principal structure is allowed on any lot or tract.

**80. Subsection 21.09.040B.2.f., Page 464, after line 20**

Add new iii.(C). as follows:

(C). More than one principal structure may be allowed on any lot or tract by administrative site plan review. No portion of any structure may be closer than 10 feet to any portion of any other structure.

**CHAPTER 21.11 DC did not propose any amendments to 21.11**

**81. Section 21.11.040C., Page 548, lines 3-8**

For the purposes of this chapter and for determining allowable freestanding sign area, public street frontage is the length of a lot line, measured between two corners of the lot, which abuts the public street along which the sign is to be located. The length of public street frontage along one lot line shall only be used to calculate the allowable freestanding sign size for a sign to be located on that lot line. Lots with more than one public street frontage shall not add these street frontages together to calculate an allowable freestanding sign area. THE PUBLIC STREET WHICH IS CONTIGUOUS TO THE ADJACENT

PRIVATE PARCEL FOR WHICH THE SIGN IS BEING CONSIDERED.] For the purposes of these regulations a public alley is not considered a public street. For the purposes of this section, standards, which are based on a minimum length of the public street frontage, shall also apply to “any portion thereof” unless the specific section states otherwise. For signs placed at the intersection of two streets, equidistant from two lot lines, the length of either lot line, but not both, may be used to determine the allowable sign size.

## CHAPTER 21.12

### 82. Subsection 21.12.010G., Page 568, line 37 DC did include

Add new G. and re-letter remaining subsections.

#### **G. Additions and New Construction**

In those situations where an addition to an existing structure, or a new structure on an existing lot, is permitted despite the existence of a nonconformity or being out of compliance with the required characteristics of use, the addition/new construction shall comply with all requirements of this title Title. The director may allow an exception to any maximum setback requirements when such requirement is shown to be impractical.

*Note: This proposal was reviewed and recommended by the Planning and Zoning Commission.*

## CHAPTER 21.13 DC did not propose any amendments to 21.13

### 83. Subsection 21.13.060D.2.a., Page 588, lines 19-20

Serve notice of the complaint upon the violator(s) named, and the property owner if different from the violator(s), in person or by certified mail; or

## CHAPTER 21.14 DC did not propose any amendments to 21.14

### 84. Section 21.14.020B., Page 592, lines 21-23

#### **B. Headings, Text, and Illustrations[, AND TEXT]**

##### **1. Headings and Text**

In the event of a conflict or inconsistency between the text of this title [CHAPTER] and any heading, caption, figure, illustration, table, or map, the text shall control.

##### **2. Illustrations**

Illustrations in this zoning ordinance are provided for purposes of describing, clarifying, or providing examples. Such illustrations are not to scale and do not replace, limit, or expand the meaning of the text.

Delete subsection 21.14.020N.

85. Subsection 21.14.020I., Page 593, lines 11-13

**F.i. Mandatory and Permissive Terms**

The word “shall” is mandatory in nature, establishing an obligation or duty to comply with the particular provision. The words “may” and “should” are permissive, indicating compliance is optional.

86. Subsection 21.14.030, Page 595-end

Various amendments to the definitions:

**Building Interface Zone**

The space located between the pedestrian movement zone of an enhanced sidewalk and the street-facing building façade. The building interface zone protects pedestrians walking on the sidewalk from opening doors and objects protruding from buildings. It can accommodate window shopping and building egress and ingress. It may also provide space for features along the building wall such as seating, foundation landscaping, or residential front stoops.

**Deck**

A platform, either freestanding or attached to a building, supported on the ground by pillars, posts, columns, or similar structural members.

**Driveway Throat Width**

The width of a driveway at the property line or street curb, measured from face of curb to face of curb (or, where there are no curbs, between the edges of the driveway travel way surface), at the point of tangency. The measurement does not include any medians contained in the driveway. For driveways with a curb return design at the opening of the street curb, the measurement does not include additional width at the driveway opening created by the curb return radii. [ILLUSTRATION TO BE ADDED]

**Façade, Building**

A vertical wall plane of a building [STRUCTURE].

**National Electrical Safety Code (NESC)**

The most current national electrical safety code or successor code, as published, amended, and/or interpreted by the federal government.

**Pedestrian Feature**

A permanent object that provides pedestrians with increased convenience, comfort, and utility, and which is publicly accessible and not limited to a tenant or establishment such as seating for a restaurant. Pedestrian features include:

- Seating such as benches accommodating several people;
- Secondary/informal seating opportunities such as steps, pedestals, low walls, or edges of fountains, accommodating several people;
- A space for standing with objects to lean against such as bollards, short fences, or irregular building facades, accommodating several people;
- A tree or raised planter;
- A work of art such as a water feature, sculpture, cultural exhibit, or clock feature;
- A winter city feature such as a wind screen, or outdoor stove or space heater; or
- Other object supporting pedestrian utility, such as a gazebo or kiosk.

### **Pedestrian Movement Zone**

The middle portion of an enhanced sidewalk, located between the sidewalk's street interface and building interface zones. The pedestrian movement zone provides for the primary function of sidewalks, and is kept clear of any obstructions to pedestrian movement.

### **Pedestrian Oriented**

A characteristic of a development or district that emphasizes the street sidewalk and/or connecting pedestrian access to the site and building(s), such that a person can comfortably walk from one location to another, and optional pedestrian activities such as strolling, window shopping, or relaxing can take place. Pedestrian oriented characteristics [FEATURES] include: buildings placed within a short setback distance from the sidewalk; primary entrances and windows on building facades which face the street; a mix of civic, commercial, and/or residential uses; shared open spaces and plazas; architectural details and visual interest at the pedestrian scale; pedestrian features [AMENITIES] such as wide walkways, seating, bicycle facilities, public art, landscaping, lighting, and wayfinding signs; and northern climate features such as atriums, canopies, transit shelters, wind protection, and orientation for sunlight access.

### **Pharmacy**

An establishment offering only to prepare, preserve, compound, and dispense prescribed and nonprescribed medication and drugs, medical supplies, and health care items.

### **Physical Access**

For the purposes of chapter 21.08, having physical access means being adjacent to a street [ROAD] suitable for travel by passenger automobiles that is connected to the publicly dedicated and improved transportation network of the municipality.

### **Quonset Hut**

Quonset hut is defined as a self-supporting structure that is shaped like a longitudinal half of a cylinder resting on its flat surface, with or without straight sides of six feet or less on the cylinder (non-gable) sides, that is more than 10 feet wide across the gable end, or 15 feet along the non-gable side, or 10 feet high, and has two of the four following characteristics:

1. Prefabrication.
2. Fabric or plastic material or corrugated metal roofing.
3. Ribbed appearance in the roofing material
4. A roof system that is in height as tall as or taller than the wall systems on the non-gable sides.

### **Street Interface Zone**

The portion of an enhanced sidewalk that lies between the street curb and the pedestrian movement zone of a sidewalk, providing a buffer between vehicular traffic and pedestrians. The street interface zone accommodates streetscape objects to be kept out of the movement zone portion of the sidewalk, such as street trees, landscaping, street furniture, street signs, light poles, and/or utility boxes.

### **Traffic Engineer**

The municipal official and practicing engineer responsible for the duties established in AMC title 9. [UNLESS OTHERWISE INDICATED, THE DIRECTOR OF THE TRAFFIC DEPARTMENT, OR DESIGNEE.]

### **Tree, Evergreen**

A tree that retains its leaves throughout the year.

**Issues Not Yet Addressed:**

1. Predominant zoning provision (Standards for pedestrian facilities, Landscaping, Dumpster screening)
2. Dumpster location and screening—some issues with SWS still need to be addressed
3. Loading area screening
4. Potential amendments to address multi-story self-storage facilities
5. Additional definitions may be needed