

CHAPTER 21.05: USE REGULATIONS

21.05.010 TABLES OF ALLOWED USES

Tables 21.05-1 and 21.05-2 below list the uses allowed within all base zoning districts. Each of the listed uses is defined in sections 21.05.030 through 21.05.060.

A. Explanation of Table Abbreviations

The abbreviations in the tables indicate the type of review process required for a use within a zoning district. District-specific standards in chapter 21.04, use-specific standards in chapter 21.05, or design and development standards in chapter 21.07 may require a higher level of review than indicated in the tables under specific circumstances. For example, many commercial uses are allowed by right ("P" for permitted use) in various zoning districts as indicated in the tables, but are required to be approved by major site plan review if the gross floor area of the use is over the size threshold for a large commercial establishment. That threshold and requirement for a higher level of review are found in subsection 21.07.130A[120].

1. Permitted Uses

"P" in a cell indicates that the use is allowed by right in the respective zoning district. Permitted uses are subject to all applicable regulations of this title, including the use-specific standards set forth in this chapter and the development and design standards set forth in chapter 21.07.

2. Administrative Site Plan Review

"S" in a cell indicates that the use requires administrative site plan review in the respective zoning district in accordance with the procedures of section 21.03.180[190]B., *Administrative Site Plan Review*. The site plan review process is intended to determine compliance with the development standards of this title, not to review the appropriateness of the use itself.

3. Major Site Plan Review

"M" in a cell indicates that the use requires major site plan review in the respective zoning district, in accordance with the procedures of section 21.03.180[190]C., *Major Site Plan Review*. The site plan review process is intended to determine compliance with the development standards of this title, not to review the appropriateness of the use itself.

4. Conditional Uses

"C" in a cell indicates that, in the respective zoning district, the use is allowed only if reviewed and approved as a conditional use in accordance with the procedures of section 21.03.080, *Conditional Uses*. Throughout this title, the term "conditionally allowed" means that approval through the conditional use process is required.

5. Multiple Abbreviations

Where table 21.05-1 or table 21.05-2 indicates more than one abbreviation for a particular use, such as "P/M" or "S/M," then the applicable review procedure is determined by size, geographic location, or other characteristic of the use as specified in this code.

6. Prohibited Uses

A blank cell indicates that the use is prohibited in the respective zoning district.

7. Definitions and Use-Specific Standards

Each use listed in tables 21.05-1 and 21.05-2 is defined in this chapter. Regardless of whether a use is allowed by right, subject to major or administrative site plan review, or permitted as a conditional use, there may be additional standards that are applicable to the use. The [EXISTENCE OF THESE USE-SPECIFIC STANDARDS IS NOTED

1 THROUGH A] cross-reference in the last column of the table identifies the code location
2 of the definition and any use-specific standards. Any [THESE] standards apply in all
3 districts unless otherwise specified.

4 **B. Table Organization**

5 In tables 21.05-1 and 21.05-2, land uses and activities are classified into general “use categories”
6 and specific “use types” based on common functional, product, or physical characteristics, such
7 as the type and amount of activity, the type of customers or residents, how goods or services are
8 sold or delivered, and site conditions. This classification provides a systematic basis for
9 assigning present and future land uses into appropriate zoning districts. This classification does
10 not list every use or activity that may appropriately exist within the categories, and specific uses
11 may be listed in one category when they may reasonably have been listed in one or more other
12 categories. The use categories are intended merely as an indexing tool and are not regulatory.

13 **C. Unlisted Uses**

14 When application is made for a use type that is not specifically listed in tables 21.05-1 and 21.05-
15 2, the procedure in section 21.03.220[230], *Use Classification Requests*, shall be followed.

16 **D. Use for Other Purposes Prohibited**

17 Approval of a use listed in tables 21.05-1 and 21.05-2, and compliance with the applicable use-
18 specific standards for that use, authorizes that use only. Development or use of a property for
19 any other use not specifically allowed in the tables and approved under the appropriate process
20 or approved through section C. above, is prohibited.

21

E. Table of Allowed Uses – Residential Districts

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL DISTRICTS

This table shows only those uses allowed in the residential districts. All other uses not shown are prohibited.

P = Permitted Use S = Administrative Site Plan Review
 C = Conditional Use M = Major Site Plan Review

31 [

Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2F	R2-M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	Definitions and Use-Specific Standards
RESIDENTIAL USES																	
Household Living	Dwelling, mixed-use								P	P							21.05.030A.1.
	Dwelling, multifamily					S	P / S	P	P	P							21.05.030A.2.
	Dwelling, single-family attached			P	P	P	P	(31)									21.05.030A.3.
	Dwelling, single-family detached	P	P	P	P	P	P	(31)			P	P	P	P	P	P	21.05.030A.4.
	Dwelling, townhouse					S	S	S	S	S							21.05.030A.5.
	Dwelling, two-family			P	P	P	P	P			P	P	P	P	P		21.05.030A.6.
	Dwelling, mobile home										P						21.05.030A.7.
	Manufactured home community					C	C	C	C		C						21.05.030A.8.
Group Living	Assisted living facility (3-8 residents)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.030B.1.
	Assisted living facility (9 or more residents)	C	C	C	C	P	P	P	P	P	P	C	C				21.05.030B.1.
	Habilitative care facility	C	C	C	C	C	C	C	C	C	C	C	C				21.05.030B.3.
	Roominghouse					C	C	P	P	P	C	C	C	C	C		21.05.030B.4.
	Transitional living facility							P	P	P							21.05.030B.5.
PUBLIC / INSTITUTIONAL USES																	
Adult Care	Adult care (3 to 8 persons)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.040A.
	Adult care (9 or more persons)	C	C	C	C	C	C	C	C	C	C						21.05.040A.
Child Care	Child care center (9 or more children)	C	C	C	C	C	S	S	S	S	S	S	S	S	S	S	21.05.040B.1.
	Child care home (up to 8 children)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.040B.2.
Community Service	Community center							S	S	S							21.05.040C.2.
	Neighborhood recreation center	S	S	S	S	S	S	S	S	S	S	S	S	S	S		21.05.040C.6.

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL DISTRICTS

This table shows only those uses allowed in the residential districts. All other uses not shown are prohibited.

P = Permitted Use S = Administrative Site Plan Review
 C = Conditional Use M = Major Site Plan Review

Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2F	R2-M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	Definitions and Use-Specific Standards
	Religious assembly	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	21.05.040C.7.
Cultural Facility	Library	P	P	P	P	P	P	P	P	P	P						21.05.040D.3.
Educational Facility	Boarding school							M	M	M							21.05.040E.1.
	College or university									M							21.05.040E.2.
	Elementary or middle school	M	M	M	M	M	M	M	M	M	M	M	M				21.05.040E.3.
	High school	M	M	M	M	M	M	M	M	M	M	M	M				21.05.040E.4.
	Instructional services	C	C	C	C	C	C	C	C	C	P	C	C	C	C		21.05.040E.5.
Health Care Facility	Health services									P							21.05.040F.1.
	Nursing facility							C	C								21.05.040F.3.
Parks and Open Area	Community garden					P	P	P	P	P							21.05.040G.1.
	Park and open space, public or private	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	21.05.040G.2.
Public Safety Facility	Community or police substation					P	P	P	P	P							21.05.040H.1.
Transportation Facility	Airstrip, private	C	C	C	C	C	C				C	C	C				21.05.040I.2.
Utility Facility	Utility substation	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	21.05.040J.2.
Telecommunication Facilities	Type 1 tower	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	21.05.040K.
	Type 2 tower																21.05.040K.
	Type 3 tower	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	21.05.040K.
	Type 4 tower	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.040K.
COMMERCIAL USES																	
Agricultural Uses	Commercial horticulture	C	C	C	C	C	C				C	C	C	C	C		21.05.050A.1.
Animal Sales, Service & Care	Kennel, commercial													C	C		21.05.050B.2.
	Large domestic animal facility, principal use										C	C	C	C	C		21.05.050B.3.

31

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL DISTRICTS

This table shows only those uses allowed in the residential districts. All other uses not shown are prohibited.

P = Permitted Use S = Administrative Site Plan Review

C = Conditional Use M = Major Site Plan Review

Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2F	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	Definitions and Use-Specific Standards
	Retail and pet services									P							21.05.050B.4.
	Veterinary clinic									P		C	C	C	C		21.05.050B.5.
Assembly	Club / lodge / meeting hall							C	S	S							21.05.050C.2. 21.05.020A.
Entertainment and Recreation	Fitness and recreational sports center								S	P							21.05.050D.3.
	General outdoor recreation, commercial															C	21.05.050D.4.
	Skiing facility, alpine															C	21.05.050D.10.
Food and Beverage Service	Restaurant								S	P							21.05.050E.3. 21.05.020A.
Office	Financial institution									P							21.05.050F.2.
	Office, business or professional									P							21.05.050F.3
Personal Services	General personal services									P							21.05.050G.3.
Retail Sales	Convenience store							C	S	P							21.05.050H.3.
	General retail									P							21.05.050H.6.
	Grocery or food store								S	S							21.05.050H.7. 21.05.020A.
Vehicles and Equipment	Parking lot, principal use							C	C	C	C						21.05.050I.4.
	Parking structure, principal use							C	C	C	C						21.05.050I.5.
Visitor Accommodations	Camper park							C	C								21.05.050J.1.
	Extended-stay lodgings								C	S							21.05.050J.2.
	Hostel					C	C	S	S	S							21.05.050J.3.
	Hotel/motel								C	S							21.05.050J.4.
	Inn									S							21.05.050J.5. 21.05.020A.
	Recreational and vacation camp											C		C	C	C	21.05.050J.6.

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL DISTRICTS

This table shows only those uses allowed in the residential districts. All other uses not shown are prohibited.

P = Permitted Use S = Administrative Site Plan Review

C = Conditional Use M = Major Site Plan Review

Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2F	R2-M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	Definitions and Use-Specific Standards
INDUSTRIAL USES																	
Manufacturing and Production	Natural resource extraction, organic and inorganic	C	C	C	C	C	C	C			C	C	C	C	C		21.05.060B.5.
Waste and Salvage	Land reclamation	S /	S /	S /	S /	S /	S /	S /	S /	S /	S /	S /	S /	S /	S /	S /	21.05.060E.4.
	Snow disposal site	C	C	C	C	C	C	C			C	C	C				20.05.060E.6.

31 >

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS
 P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
 For uses allowed in the A and TA districts, see section 21.04.050.

This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.

Use Category	Use Type	COMMERCIAL AND MIXED-USE												INDUSTRIAL					OTHER				Definitions and Use-Specific Standards
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	MI	AF	DR	PR	PL	M		
PUBLIC / INSTITUTIONAL USES																							
Adult Care	Adult care facility	P	P				P	P	P	P										P			21.05.040A.
Child Care	Child care center	P	P				P	P	P	P										P			21.05.040B.1.
	Child care home	P	P				P	P	P	P													21.05.040B.2.
Community Service	Cemetery or mausoleum																						21.05.040C.1.
	Community center		S				S	S	S	S									C	S			21.05.040C.2.
	Crematorium		P										P	P						C			21.05.040C.3.
	Government administration and civic buildings	P/ S/ M	P/ S/ M				P/ S/ M	P/ S/ M	P/ S/ M	P/ S/ M									M	P/ S/ M			21.05.040C.4.
	Homeless and transient shelter																				C		
Cultural Facility	Neighborhood recreation center	S						S	S											S			21.05.040C.6.
	Religious assembly	P	P				P	P	P											P			21.05.040C.7.
	Aquarium						M			M									M	M			21.05.040D.1.
	Botanical gardens																			S			21.05.040D.2.

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS
 P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
 For uses allowed in the A and TA districts, see section 21.04.050.

This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.

Use Category	Use Type	COMMERCIAL AND MIXED-USE												INDUSTRIAL					OTHER					Definitions and Use-Specific Standards
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	MI	AF	DR	PR	PLI	W			
	Library	[S/] [M]					[S/] [M]		[S/] [M]	[S/] [M]	[S/] [M]								[S/] [M]				21.05.040D.3.	
	Museum or cultural center						[S/] [M]		[S/] [M]	[S/] [M]	[S/] [M]								[S/] [M]				21.05.040D.4.	
	Zoo																		C	C			21.05.040D.5.	
Educational Facility	Boarding school		P						M	M										M			21.05.040E.1.	
	College or university		M					M	M											M			21.05.040E.2.	
	Elementary school		M						M	M										M			21.05.040E.3.	
	High school or middle school		M						M	M										M			21.05.040E.4.	
	Instructional services		P						P	P										C			21.05.040E.5.	
	Vocational or trade school		C						C	C										M			21.05.040E.6.	
Health Care Facility	Health services	P	P						S	S										C			21.05.040F.1.	
	Hospital/Health care facility		P						S	S										C			21.05.040F.2.	
	Nursing facility		P						S	S										(RII)			21.05.040F.3.	
Parks and Open Area	Community garden																			P			21.05.040G.1.	
	Park and open space, public or private	S	S						S	S										S	S	S	21.05.040G.2.	

RII []
 RI []
 32 []

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS
 P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
 For uses allowed in the A and TA districts, see section 21.04.050.

This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.

Use Category	Use Type	COMMERCIAL AND MIXED-USE											INDUSTRIAL					OTHER					Definitions and Use-Specific Standards	
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	I-1	MI	AF	DR	PR	PL	M		
Public Safety Facility	Community or police substation	P	P				P	P	P	P											P			21.05.040H.1.
	Correctional institution																				C			21.05.040H.2.
	Fire station	M	M				M	M	M	M			M	M							M			21.05.040H.3.
	Public safety facility		C										P								C			21.05.040H.4.
Transportation Facility	Airport																				C			21.05.040I.1.
	Airstrip, private																				C			21.05.040I.2.
	Heliport		R13																		C			21.05.040I.3.
	Rail yard																							21.05.040I.4.
	Railroad freight terminal							P																21.05.040I.5.
	Railroad passenger terminal		32						32	M	M										M			21.05.040I.6.
Utility Facility	Transit center		S						S	S											S			21.05.040J.7.
	Utility facility																				C			21.05.040J.1.
Telecommunication Facilities	Utility substation	S	S				S	S	S	S											S	S		21.05.040J.2.
	Type 1 tower	P	P				P	P	P	P											S	S		21.05.040K.

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS
 P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
 For uses allowed in the A and TA districts, see section 21.04.050.

This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.

Use Category	Use Type	COMMERCIAL AND MIXED-USE										INDUSTRIAL					OTHER					Definitions and Use-Specific Standards	
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	M1	AF	DR	PR	PLI	W		
	Type 2 tower	C	P				C	P	P	P			P	P	P		S	C	S	S	S	S	21.05.040K
	Type 3 tower	P	P				P	P	P				P	P	P		P	P	S	S	P	P	21.05.040K
	Type 4 tower	P	P				P	P	P				P	P	P		P	P	P	P	P	P	21.05.040K
COMMERCIAL USES																							
Agricultural Uses	Commercial horticulture		P						P	P			P	P						C			21.05.050A.1.
	Animal shelter ⁹		S										P	P						S/IM			21.05.050B.1.
	Kennel, commercial ⁹		P						P	C	C		P	P									21.05.050B.2.
	Large domestic animal facility, principal use ⁹		C										P	C						C			21.05.050B.3.
	Retail and pet services ⁹	P	P						P	P	P		C										21.05.050B.4.
Assembly	Veterinary clinic ⁹	P	P				P		P	P		P											21.05.050B.5.
	Civic / convention center																			C			21.05.050C.1. 21.05.020A.
	Club / lodge / meeting hall		P				P		P	P		P								S			21.05.050C.2. 21.05.020A.
Entertainment and recreation ⁹	Amusement establishment ⁹		P						P	P		P								C			21.05.050D.1. 21.05.020A.

R11

R11

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS
 P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
 For uses allowed in the A and TA districts, see section 21.04.050.

This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.

Use Category	Use Type	COMMERCIAL AND MIXED-USE										INDUSTRIAL					OTHER					Definitions and Use-Specific Standards	
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	MI	AF	DR	PR	PL	M		
Entertainment and recreation cont.	Entertainment facility, major		C										C						C	C			21.05.050D.2. 21.05.020A.
	Fitness and recreational sports center	P	P			P			P	P			(RII)							S	(RII)		21.05.050D.3.
	General outdoor recreation, commercial		P								S		P						M	C	C		21.05.050D.4.
	Golf course																		C	C	C		21.05.050D.5.
	Motorized sports facility												C						C	C	C		21.05.050D.6. 21.05.020A.
	Movie theater		M							S	S		(32)										21.05.050D.7. 21.05.020A.
	Nightclub		P							P	P		P						C	C	C		21.05.050D.8. 21.05.020A.
	Shooting range, outdoor																		C	C	C		21.05.050D.9.
	Skiing facility, alpine																		C	C	C		21.05.050D.10.
	Theater company or dinner theater		C							S	S		(32)										21.05.050D.11. 21.05.020A.
Food and Beverage Service	Bar		P						P	P	P		P							P	(RII)	21.05.050E.1. 21.05.020A.	
	Food and beverage kiosk		P				P		S	S		P	P	P				P	P	P		21.05.050E.2. 21.05.020A.	
	Restaurant		P				P		P	P		P						P	P	P	(RII)	21.05.050E.3. 21.05.020A.	

(RII) [32 [32 [(RII)

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS
 P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
 For uses allowed in the A and TA districts, see section 21.04.050.

This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.

Use Category	Use Type	COMMERCIAL AND MIXED-USE												INDUSTRIAL					OTHER					Definitions and Use-Specific Standards
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	M	AF	DR	PR	PLI	W			
Office	Broadcasting facility		P				C		C	P			P						P				21.05.050F.1.	
	Financial institution	P	P				P		P	P			32										21.05.050F.2.	
	Office, business or professional	P	P				P		P	P			P	38					P				21.05.050F.3.	
Personal Services, Repair, and Rental	Business service establishment		P				P		P	P			P										21.05.050G.1.	
	Funeral services		P				P		S	S			32										21.05.050G.2.	
	General personal services	P	P				P		P	P			32										21.05.050G.3.	
Retail Sales	Small equipment rental		P						P	P			P										21.05.050G.4.	
	Auction house		P										P	P									21.05.050H.1.	
	Building materials store		P							M			P	C									21.05.050H.2.	
	Convenience store	P	P						P	P			32										21.05.050H.3. 21.05.020A.	
	Farmers market		P							P			32						P				21.05.050H.4.	
	Fueling station	C	P				C	C	C	S	S		P	P	P								21.05.050H.5. 21.05.020A.	
	General retail	P	P						P	P	P		32										21.05.050H.6.	
Grocery or food store	P	P						S	S	S		32										21.05.050H.7. 21.05.020A.		

32 []
 38 []
 32 []
 32 []
 39 []
 32 []

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS
 P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
 For uses allowed in the A and TA districts, see section 21.04.050.

This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.

Use Category	Use Type	COMMERCIAL AND MIXED-USE										INDUSTRIAL					OTHER					Definitions and Use-Specific Standards
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	MI	AF	DR	PR	PLI	M	
Vehicles and Equipment	Liquor store ^a	P	P						P	P			32									21.05.050H.8. 21.05.020A.
	Pawnshop ^a		P						P	P			32									21.05.050H.9.
	Aircraft and marine vessel sales		P				P								P	P						21.05.050I.1.
	Parking lot or structure (50+ spaces)	C	P			C	C		M	M			P	P						C		21.05.050I.2. or I.3.
	Parking lot or structure (less than 50 spaces)	C	P			C	C	32	S	S			P	P						P		21.05.050I.2. or I.3.
	Vehicle parts and supplies		P							P	P			P								21.05.050I.4.
	Vehicle-large, sales and rental		P								S			P								21.05.050I.5.
	Vehicle-small, sales and rental		P					C			S			P								21.05.050I.6.
	Vehicle service and repair, major		P											P	P							21.05.050I.7.
	Vehicle service and repair, minor	C	P						C	S	P			P	P							21.05.050I.8.
Visitor Accommodations	Camper park		C										32							C		21.05.050J.1.
	Extended-stay lodgings		P				S		P	P			32									21.05.050J.2.
	Hostel		P				S		P	P			32									21.05.050J.3.

32

32

32

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS
 P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
 For uses allowed in the A and TA districts, see section 21.04.050.

This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.

Use Category	Use Type	COMMERCIAL AND MIXED-USE												INDUSTRIAL					OTHER					Definitions and Use-Specific Standards	
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	I-1	AF	DR	PR	PLI	W				
	Hotel/motel		P				M		S	S													21.05.060J.4. 21.05.020A.		
	Inn		P				S		P	P													21.05.060J.5. 21.05.020A.		
	Recreational and vacation camp		P																	C			21.05.060J.6.		
INDUSTRIAL USES																									
Industrial Service	Data processing facility		P				P																	21.05.060A.1.	
	Dry cleaning establishment		P						P	P														21.05.060A.2.	
	General industrial service																							21.05.060A.3.	
	Governmental Service																					C		21.05.060A.4.	
	Heavy equipment sales and rental																							21.05.060A.5.	
	Research laboratory		P								C										S			21.05.060A.6.	
	Commercial Food Production		C								C											P		21.05.060B.1.	
	Cottage crafts	P	P								P	P													21.05.060B.2.
	Manufacturing, heavy																								21.05.060B.3.
	Manufacturing, light																								21.05.060B.4.

32

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS
 P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
 For uses allowed in the A and TA districts, see section 21.04.050.

This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.

Use Category	Use Type	COMMERCIAL AND MIXED-USE												INDUSTRIAL					OTHER					Definitions and Use-Specific Standards
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	M1	AF	DR	PR	PLI	W			
	Natural resource extraction, organic and inorganic	C	C				C	C	C	C			C	C	C		C	C	C				21.05.060B.5.	
	Natural resource extraction, placer mining												C	C			C			C	C		21.05.060B.6.	
Marine Facility	Aquaculture						C							C	P				C				21.05.060C.1.	
	Facility for combined marine and general construction												P	P	P								21.05.060C.2.	
	Marine operations														P	P							21.05.060C.3.	
	Marine wholesaling															P	P						21.05.060C.4.	
Warehouse and Storage	Bulk storage of hazardous materials												C	C	C								21.05.060D.1.	
	Impound yard												P	P					C				21.05.060D.2.	
	Motor freight terminal												P	P	P								21.05.060D.3.	
	Self-storage facility		P										P	P									21.05.060D.4.	
	Storage yard												P	P	P								21.05.060D.5.	

R11

TABLE 21.05-2: TABLE OF ALLOWED USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS
 P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
 For uses allowed in the A and TA districts, see section 21.04.050.

This table shows only those uses allowed in the non-residential districts. All other uses not shown are prohibited.

Use Category	Use Type	COMMERCIAL AND MIXED-USE												INDUSTRIAL					OTHER					Definitions and Use-Specific Standards
		B-1A	B-3	DT-1	DT-2	DT-3	RO	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	I-1	MI	AF	DR	PR	PLI	W		
Waste and Salvage	Warehouse												P	P	P					C				21.05.060D.6.
	Wholesale establishment												P	P	P									21.05.060D.7.
	Composting facility																			C				21.05.060E.1.
	Incinerator or thermal desorption unit													C						C				21.05.060E.3.
	Junkyard or salvage yard													C										21.05.060E.4.
	Land reclamation	S/C	S/C				S/C	S/C	S/C	S/C	S/C			S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	21.05.060E.5.
	Landfill																				C			21.05.060E.6.
	Recycling Drop-Off	P	P						P	P	P			P	P						P			21.05.060E.7.
	Snow disposal site		C											S	S	S					C			21.05.060E.8.
	Solid waste transfer facility													C	P						C			21.05.060E.9.

⁹ Uses with structures with a gross floor area over 20,000 square feet require a major site plan review through subsection 21.07.130A., Large Commercial Establishments.

21.05.020 GENERALLY APPLICABLE USE STANDARDS

A. Uses Involving the Retail Sale of Alcoholic Beverages

Any use that involves the retail sale of alcoholic beverages is subject to the special land use permit for alcohol review process in section 21.03.040[050], *Alcohol—Special Land Use Permit [FOR ALCOHOL]*. That process shall apply to any such use regardless of whether it is listed in table[S] 21.05-1, table [OR] 21.05-2, or chapter 21.09 as being permitted as a matter of right or subject to site plan or conditional use review. The applicant shall be required to obtain approval through both the special land use permit for alcohol process and the separate process referenced in table[S] 21.05-1, table [OR] 21.05-2, or chapter 21.09. A cross-reference to this section 21.05.020A. in table[S] 21.05-1, table [OR] 21.05-2, or chapter 21.09 is not required for the operator of a use to request approval under section 21.03.040[050].

B. Premises Containing Uses Where Children are Not Allowed

Premises containing uses where children are not allowed are defined in AMC section 10.40.050. Any premises containing uses where children are not allowed, regardless of whether it is listed in table[S] 21.05-1, table [OR] 21.05-2, or chapter 21.09 as being permitted as a matter of right or subject to site plan or conditional review, shall comply with the requirements of this subsection 21.05.020B. The applicant shall be required to obtain approval through the process referenced in table[S] 21.05-1, table [OR] 21.05-2, or chapter 21.09 and also to comply with the standards of this subsection 21.05.020B.

1. Purpose

Certain types of enterprises are places where children unaccompanied by an adult guardian or parent are prohibited. These enterprises have been determined, by court-accepted independent studies, to produce secondary impacts on surrounding land uses. The impacts include a decline in property values; an increase in the level of criminal activity, including prostitution, rape, and assaults, in the vicinity of these types of enterprises; and the degradation of the community standard of morality by inducing a loss of sensitivity to the adverse effect of pornography upon children, upon established family relations, and upon respect for marital relationships. The purpose of this section is to segregate such enterprises from places frequented by minors in order to reduce the influence of these enterprises on minors.

2. Minimum Distance from Certain Uses

Except as provided in subsection B.3. below, permitted principal uses, accessory uses, or conditional uses that are prohibited by law from having minors or unaccompanied minors on the premises for reasons other than sale of liquor, shall be located so that all portions of the lot on which the use is located shall be 1,000 feet or more from the property line of:

- a. A school or instructional service serving any combination of grades kindergarten through 12;
- b. A public park;
- c. A religious assembly;
- d. Property zoned residential;
- e. Property in the TA district designated as “residential” in the *Turnagain Arm Comprehensive [AREA] Plan*;
- f. A community center;

1 g. A neighborhood recreation center;

2 h. Child care centers; or

3 i. Public libraries.

4 **3. Compliance with State Standards**

5 Where the state has provided specific standards for determining an enterprise's
6 permissible location, the state's means of measurement shall apply. Such enterprises
7 shall also comply with subsection B.2. above if the enterprise engages in other activities
8 not regulated by the state for which AMC title 8 prohibits the presence of minors or
9 unaccompanied minors on the premises.

10 **4. Administrative Permit Required**

11 An administrative permit **is required and** shall be on display in a prominent place. This
12 permit shall certify that the enterprise is in compliance with subsection B.2. or **B.3.** of this
13 section, as applicable. This permit shall be obtained from the director, pursuant to
14 section 21.03.030, *Administrative Permits*. This permit shall remain valid so long as the
15 enterprise remains in continuous operation at that location and does not physically
16 expand. In addition, a permit granted under subsection B.3. shall remain valid so long as
17 the enterprise does not engage in an activity for which a permit is required under
18 subsection B.2.

19 **5. Premises Without Permit**

20 An enterprise not in possession of a permit must immediately cease all activities for
21 which a permit pursuant to this section is required.

22 **21.05.030 RESIDENTIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

23 This section defines the general residential use categories and specific residential use types listed in
24 tables 21.05-1 and 21.05-2. This section also contains use-specific standards that apply to specific use
25 types. The use-specific standards apply regardless of whether the use type is permitted as a matter of
26 right, or subject to a site plan or conditional use review process.

27 **A. Household Living**

28 This category is characterized by residential occupancy of a dwelling unit by a "household," which
29 is defined in chapter 21.14. Tenancy is arranged on a month-to-month or longer basis. Common
30 accessory uses include recreational activities, raising of pets, gardens, personal storage
31 buildings, hobbies, and parking of the occupants' vehicles. Specific use types include:

32 **1. Dwelling, Mixed-Use**

33 a. **Definition**

34 A dwelling that is located on the same lot or in the same building as a non-
35 residential use, in a single environment in which both residential and non-
36 residential amenities are provided.

37 b. **Use-Specific Standards**

38 The residential portion of a mixed-use building or development shall comply with
39 section 21.07.**110C**[100G]., *Standards for Multifamily Residential*. The
40 nonresidential portion of a mixed-use building or development shall comply with
41 the public/institutional and commercial design standards in section
42 21.07.**120**[110] and/or the large commercial establishment standards of
43 21.07.**130A**[120]. In case of overlap and/or conflict, the more stringent standard
44 shall control.

2. Dwelling, Multifamily

a. Definition

A residential building or multiple residential buildings comprising three or more dwelling units on one lot. The definition includes the terms “apartment” or “apartment building.”

b. Use-Specific Standards

- i. Multifamily developments that consist of three or more units in one building shall comply with section 21.07.110C[100G]., *Standards for Multifamily Residential*, except as provided in subsection b.iii. below.
- ii. Dwellings with single-family style and two-family style construction in multifamily developments shall comply with the residential design standards in subsections 21.07.110E. and F.[100E., STANDARDS FOR SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL DWELLINGS.]
- iii. Dwellings with townhouse style construction in multifamily developments shall comply with section 21.07.110D[100F]., *Standards for Townhouse Residential*.

3. Dwelling, Single-Family Attached

a. Definition

One dwelling unit in a building on its own lot, with one or more walls abutting the wall or walls of one other single-family dwelling unit on an adjacent lot.

b. Use-Specific Standards

- i. *Residential design standards*
Single-family attached dwellings shall comply with the applicable residential design standards in section 21.07.110[100], *Residential Design Standards*.
- ii. *Common Party Wall Agreement*
A common party wall agreement shall be recorded. The agreement shall provide for maintenance of the structure and other improvements in good condition, and for maintenance of the uniformity and common appearance of the exterior of all structures and landscaping.
- iii. *Access; No Vertical Stacking*
Each unit shall have its own access to the outside, and no unit may be located over another unit in whole or in part.
- iv. *Side Setback Requirement*
Detached accessory structures shall comply with the side setback requirement of the underlying zoning district on the common lot line between attached residential units.

4. Dwelling, Single-Family Detached

a. Definition

One detached building on its own lot, erected on a permanent foundation, designed for long-term human habitation exclusively by one household, having complete living facilities, and constituting one dwelling unit.

b. Use-Specific Standard[S]

34 ↑
1
2

Single-family detached dwellings shall comply with the applicable residential design standards in section 21.07.110[100], *Residential Design Standards*.

3
4
5
6
7

5. Dwelling, Townhouse

a. Definition

A [ATTACHED] building containing three or more single-family dwelling units erected in a single row, with each unit on its own lot and having its own separate entrance.

8
9
10
11

b. Use-Specific Standards

i. Residential Design Standards

Townhouse dwellings shall comply with the applicable residential design standards in section 21.07.110[100], *Residential Design Standards*.

12
13
14
15
16

ii. Common Party Wall Agreement

A common party wall agreement shall be recorded. The agreement shall provide for maintenance of the structure and other improvements in good condition, and for maintenance of the uniformity and common appearance of the exterior of all structures and landscaping.

17
18
19

iii. Access; No Vertical Stacking

Each unit shall have its own access to the outside, and no unit may be located over another unit in whole or in part.

20
21
22
23

iv. Side Setback Requirement

Detached accessory structures shall comply with the side setback requirement of the underlying zoning district on the common lot line between attached residential units.

24
25
26
27

6. Dwelling, Two-Family

a. Definition

One detached building on one lot designed for and constituting two dwelling units. The definition includes the term "duplex."

28
35 ↑
29
30

b. Use-Specific Standard[S]

Two-family dwellings shall comply with the applicable residential design standards in section 21.07.110[100], *Residential Design Standards*.

31
32
33
34
35

7. Dwelling, Mobile Home

a. Definition

A transportable, factory-built dwelling unit designed and intended to be used as a year-round dwelling, and built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1976.

36
37
38
39
40

b. Use-Specific Standard[S]

Only one mobile home is allowed per lot in the R-5 district, unless the lot is within a manufactured home community. A mobile home shall be placed on a permanent foundation unless it is located within a manufactured home community.

41
42
43
44
45
46

8. Manufactured Home Community (MHC)

a. Definition

Any parcel or adjacent parcels of land in the same ownership that are [IS] utilized for occupancy by more than two mobile homes or manufactured homes. This term shall not be construed to mean tourist facilities for parking of travel trailers or campers, which are classified under "camper park."

1
2 **b. Use-Specific Standards**

3 All MHCs within the municipality shall be constructed, operated, and maintained
4 in accordance with the general standards listed below.

5 **i. Compliance with Applicable Regulations**

6 MHCs shall be constructed, operated, and maintained in conformance
7 with all applicable state statutes and regulations and local ordinances;
8 provided, however, that the provisions of chapter 21.12,
9 *Nonconformities*, of this title shall not be applied to prohibit the removal
10 and replacement of a mobile home or manufactured home on a space
11 within a MHC subject to that chapter.

12 **ii. Responsibility for Compliance**

13 Complete responsibility for standards established by this subsection and
14 for construction within a MHC shall rest with the owner of such
15 community.

16 **iii. Minimum Site Size**

17 MHCs shall be on sites of at least two acres.

18 **iv. Maximum Site Density**

19 Gross density for MHCs shall not exceed eight units per acre.

20 **v. Impermanent Foundations**

21 No mobile homes and manufactured homes within an MHC shall be
22 placed on a permanent foundation.

23 **vi. Mobile Home or Manufactured Home Spaces**

24 **(A) Occupancy**

25 No mobile home or manufactured home space shall contain
26 more than one manufactured home, mobile home or duplex
27 mobile home or manufactured home. No other dwelling unit
28 shall occupy a mobile home or manufactured home space.

29 **(B) Minimum Size**

30 In manufactured home communities created after [effective
31 date], all single mobile home or manufactured home spaces shall
32 have a minimum of 3,500 square feet of land area and all duplex
33 mobile home or manufactured home space shall have a
34 minimum of 5,000 square feet of land area.

35 **(C) Mobile Home or Manufactured Home Separation**

36 **(1)** No part of any mobile home, manufactured home,
37 accessory building, or its addition shall be placed closer
38 than 15 feet from any other mobile home, manufactured
39 home, or its addition, or no closer than ten feet if that
40 mobile home, manufactured home, accessory building,
41 or its addition being placed meets NFPA 501A and HUD
42 #24 CFR 328O standards.

43 **(2)** The requirements of sections 21.06.030C[A].2.,
44 *Projections into Required Setbacks* and 21.05.070,
45 *Accessory Uses and Structures*, shall not apply to
46 MHCs. All mobile homes, manufactured homes, and

1 accessory structures shall be placed at least five feet
2 from the front space line. Steps shall not be considered
3 in determining the separations required by this
4 subsection.

5 (D) Access

6 Each mobile home or manufactured home space shall have
7 direct access to an internal street. Direct access to exterior
8 public streets is prohibited.

9 **vii. Streets and Drainage Facilities**

10 All streets within an MHC shall comply with the following standards:

11 (A) Street Surface

12 All streets shall be surfaced with all-weather materials, such as
13 asphalt or concrete, to a minimum surface width of 33 feet.

14 (B) Right-of-Way Width

15 Any street that services 100 spaces or more shall be classified
16 as a major street. Major streets shall have a minimum right-of-
17 way width of 50 feet. All other streets shall have a minimum
18 right-of-way width of 40 feet. Streets are not required to be
19 dedicated as public rights-of-way.

20 (C) Cul-De-Sac Streets

21 No street shall dead end except for cul-de-sac streets that are no
22 more than 650 feet in length and have a minimum turning radius
23 of 50 feet at the termination point of the cul-de-sac.

24 (D) Intersections

25 No street shall extend more than 650 feet in length between
26 street intersections. Intersecting streets shall cross at 90-degree
27 angles from an alignment point 100 feet from the point of
28 intersection. No street intersection shall be closer than 130 feet
29 to any other street intersection.

30 (E) Street Frontage

31 Double-frontage spaces are prohibited, except that reverse-
32 frontage spaces may back against streets bordering the MHC.

33 (F) Street Layout

34 Streets shall be laid out so that their use by through traffic will be
35 discouraged.

36 (G) Street Grades

37 Street grades shall not exceed six percent. Street grades within
38 100 feet of intersections shall not exceed four percent.

39 (H) Street Curves and Visibility

40 The radius of street curves (between intersections) shall exceed
41 100 feet. Streets shall be constructed to provide clear visibility
42 as measured along a centerline of the street for a minimum
43 distance of 150 feet.

44 (I) Crosswalks

1 Pedestrian crosswalks not less than ten feet in width may be
2 required in blocks longer than 330 feet when deemed essential
3 to provide reasonable circulation or access to schools,
4 playgrounds, shopping centers, convenience establishments,
5 service buildings or other community facilities. Signs approved
6 by the traffic department shall be provided at crossing locations.

7 **viii. Water and Sewage Systems**

8 All mobile homes in MHCs shall be connected to water and sewage
9 systems approved by the appropriate governmental body before they
10 may be occupied.

11 **ix. Landscaping**

12 **(A)** L3 buffer landscaping shall be planted along each boundary of
13 the MHC, except for vehicular and pedestrian ingress and egress
14 points. Where two MHCs share a common lot line, the L3 buffer
15 landscaping shall be split, with seven and one half feet (of the
16 total 15 foot requirement) on each lot. Along MHC lot lines
17 abutting a dedicated park, the landscaping requirement shall be
18 halved.

19 **(B)** All areas not devoted to mobile home or manufactured home
20 spaces, structures, drives, walks, off-street parking facilities, or
21 other required landscaping shall be planted with site
22 enhancement landscaping.

23 **x. Additions to Mobile Homes or Manufactured Homes; Accessory
24 Buildings**

25 **(A) Generally**

26 All additions and accessory buildings shall be subject to the
27 spacing and setback requirements for mobile homes and
28 manufactured homes. Any addition or accessory building shall
29 be constructed in accordance with building safety code
30 regulations pertaining to temporary structures, provided that
31 additions will not be required to have a permanent foundation.

32 **(B) Height**

33 The height of accessory buildings is limited to that of the
34 underlying zoning district. In the case of districts where the
35 height is unrestricted, the maximum height of accessory
36 structures shall be 12 feet. The height of additions to mobile
37 homes or manufactured homes is limited to that of the underlying
38 zoning district. The use of any area created above the original
39 roof line of the mobile home or manufactured home as living
40 space is prohibited.

41 **(C) Exits**

42 The number of exterior exits from additions shall be equal to or
43 greater than the number of exits leading from the mobile home or
44 manufactured home to the addition. When two exterior exits are
45 required from additions, they shall be placed a distance apart
46 equal to one-fifth of the total perimeter of the addition.

47 **xi. Refuse Collection**

1 A MHC operator shall provide adequate refuse collection facilities.
2 Refuse collection facilities shall be constructed and maintained in
3 accordance with all municipal health regulations and shall be designed to
4 bar animals from access to refuse. Refuse shall be removed from refuse
5 collection sites at least once a week. Refuse facilities shall be screened
6 pursuant to section 21.07.080 **G[H]**., *Screening*.

7 **xii. Fuel Tanks**

8 Fuel oil supply tanks shall be placed in compliance with applicable
9 building and fire codes. Liquefied gas containers shall be securely
10 anchored to a permanent and stable holding structure or adequately
11 secured to a mobile home or manufactured home.

12 **xiii. Campers and Travel Trailers**

13 Occupied campers and travel trailers are not subject to paragraphs
14 8.b.vi., *Mobile Home or Manufactured Home Spaces*, and 8.b.viii., *Water*
15 *and Sewage Systems*, of this subsection. Any permitted spaces
16 intended for occupied campers and travel trailers shall be placed in an
17 area segregated from permanent mobile home or manufactured home
18 spaces. Any area within a MHC that is occupied by campers and travel
19 trailers shall be served by a service building containing public toilet
20 facilities and water supply.

21 **xiv. Animals in MHCs**

22 Outdoor keeping of animals other than dogs in MHCs shall be regulated
23 by subsection 21.05.070D.14., except that "spaces" within MHCs shall
24 be considered "lots" for the purposes of applying subsection
25 21.05.070D.14.

26 **xv. Convenience Establishments in MHCs**

27 Convenience establishments of a commercial nature, including stores,
28 coin-operated laundry, beauty shops and barbershops, may be permitted
29 in MHCs subject to the following restrictions. Such establishments and
30 the parking **lot [AREA]** primarily related to their operations shall not
31 occupy more than ten percent of the area of the community, shall be
32 subordinate to the residential use and character of the park, shall be
33 located, designed and intended to serve frequent trade or service needs
34 of persons residing in the community, and shall present no visible
35 evidence of their commercial character from any portion of any district
36 outside the community. Such convenience areas shall be considered
37 accessory uses to the principal use of mobile homes or manufactured
38 homes, may be permitted without a zoning change, and shall be
39 discontinued if the MHC is discontinued.

40 **xvi. Sites in Flood Hazard Area**

41 The following requirements shall apply to all MHCs, any portion of which
42 are within a flood hazard area:

43 **(A)** Over-the-top ties shall be provided at each of the four corners of
44 the mobile home or manufactured home and two ties per side at
45 intermediate locations. Mobile homes more than 50 feet long
46 shall require one additional tie per side.

47 **(B)** Frame ties shall be provided at each corner of the frame, and
48 five ties per side at intermediate points. Mobile homes or

1 manufactured homes more than 50 feet long shall require four
2 additional ties per side.

3 (C) All components of the anchorage system shall be capable of
4 carrying a force of 4,800 pounds.

5 (D) Any additions to the mobile home or manufactured home shall
6 be similarly anchored.

7 (E) All applications for a conditional use for a MHC shall include an
8 evacuation plan indicating alternate vehicular access and escape
9 routes during times of flooding.

10 xvii. **Sites in Floodplain**

11 No mobile homes or manufactured homes shall be placed within the
12 regulatory floodplain, except that MHCs existing before September 25,
13 1979, shall be permitted to place mobile homes or manufactured homes
14 within existing unit spaces.

15 xviii. **Nonconforming MHCs**

16 (A) Those MHCs situated within the boundaries of the former City of
17 Anchorage which existed prior to August 30, 1977, are not
18 subject to paragraphs 8.b.vi., *Mobile Home or Manufactured*
19 *Home Spaces*, and 8.b.vii., *Streets And Drainage Facilities*, of
20 this subsection, provided that such communities meet the
21 standards set forth in the former City of Anchorage Municipal
22 Code sections 6.60.010 through 6.60.110.

23 (B) Those MHCs situated in any area of the municipality other than
24 that described in paragraph i. above, which existed prior to 1966,
25 are not subject to the requirements of paragraphs 8.b.vi., *Mobile*
26 *Home or Manufactured Home Spaces*, 8.b.vii., *Streets and*
27 *Drainage Facilities*, and 8.b.x., *Additions to Mobile Homes or*
28 *Manufactured Homes; Accessory Buildings*, of this subsection,
29 within the area and to the extent that it was constructed,
30 operated or maintained prior to that date.

31 (C) Any MHC exempt from certain requirements of this subsection
32 21.05.030A.8., *Manufactured Home Community*, as provided in
33 paragraphs xviii.(A) and (B) above, shall conform to all
34 provisions of this subsection 21.05.030A.8. within any area first
35 constructed, operated, or maintained after the specified date or
36 within any area that is substantially altered, remodeled,
37 reconstructed, or rebuilt after that date.

38 **B. Group Living**

39 This category is characterized by residential occupancy of a structure by a group of people who
40 do not meet the definition of "Household Living." The size of the group may be larger than a
41 family. Generally, structures have a common eating area for residents. The residents may
42 receive care, training, or treatment, and caregivers may or may not also reside at the site.
43 Accessory uses commonly include recreational facilities and vehicle parking for occupants and
44 staff. Specific use types include:

45 **1. Assisted Living Facility**

46 **a. Definition**

1 A facility that provides housing and ancillary care services on a residential basis
2 to three or more adults, and adolescents in appropriate cases as allowed by
3 exception. A small assisted living facility is defined as a group of three to eight
4 residents. A large assisted living facility is defined as a group of nine or more
5 residents.

6 **b. Use-Specific Standards for Small Assisted Living Facilities**

7 **i. Housekeeping Unit**

8 A small assisted living facility serving five or fewer residents shall be
9 considered a single housekeeping unit.

10 **ii. Administrative Variance Needed**

11 In the R-1, R-1A, R-2A, and R-2D zones, a small assisted living facility
12 serving five or fewer residents is permitted by right. An administrative
13 variance pursuant to section 21.03.240[250]J. is required to serve six to
14 eight residents.

15 **c. Use-Specific Standards for Large Assisted Living Facilities**

16 Large assisted living facilities shall comply with the use-specific standards set
17 forth for "adult care facilities with **nine** [9] or more persons" below.

18 **2. Correctional Community Residential Center**

19 **a. Definition**

20 A community residential facility, other than a correctional institution, for the short-
21 term or temporary detention of people in transition from a correctional institution,
22 performing restitution, or undergoing rehabilitation and/or recovery from a legal
23 infirmity. This does not include people who pose a threat or danger to the public
24 for violent or sexual misconduct or who are imprisoned or physically confined
25 under guard or 24-hour physical supervision.

26 **b. Use-Specific Standards**

27 **i. Standards for Centers Established After January 1, 1995**

28 The following standards apply to all correctional community residential
29 centers established after January 1, 1995:

30 **(A)** No new correctional community residential center may be
31 located within 1,250 feet of an existing center, a public park, or a
32 school or instruction service serving any combination of grades
33 kindergarten through 12, unless the planning and zoning
34 commission determines that a reduction in separation distance is
35 warranted based upon the program proposed and any other
36 circumstances the commission deems appropriate. If the
37 commission reduces the separation distance, it shall adopt
38 findings of the facts upon which such reduction is based.

39 **(B)** Program occupancy limits shall be as determined by the state
40 department of corrections.

41 **(C)** Maximum resident occupancy at a center shall be determined by
42 requiring a minimum of 150 square feet of building area per
43 resident. This measurement shall be calculated by including all
44 bedroom, kitchen, bathroom, living, recreation, and other areas
45 within the facility intended for common use by the residents.

46 **(D)** Each center shall have a minimum of 50 square feet of outdoor
47 recreation area per maximum resident occupancy.

1 (E) Centers that house felons are only permitted by conditional use
2 in the I-1 and PLI districts. Centers allowed in other districts may
3 only house residents convicted of misdemeanors.

4 (F) No additional correctional community residential centers may be
5 located in the DT zoning districts or in a B-3 zoning district in the
6 area bounded on the north by Ship Creek, on the south by
7 Chester Creek, on the east by Orca Street extended, and on the
8 west by Cook Inlet.

9 (G) CCRCs shall not house sex offenders.

10 ii. **Existing Centers Established Under Quasi-Institutional House**
11 **Provisions**

12 The three correctional community residential centers that were
13 established under the quasi-institutional house provisions of title 16 and
14 title 21 of this code and that existed as of January 1, 1995, may continue
15 to operate under the terms of their existing conditional use permits and at
16 the occupancy level permitted as of that date. No other beds may be
17 added to these centers.

18 3. **Habilitative Care Facility**

19 a. **Definition**

20 A residential facility, other than a correctional center or transitional living facility,
21 the principal use or goal of which is to serve as a place for persons seeking
22 rehabilitation or recovery from any physical, mental, or emotional infirmity, or any
23 combination thereof, in a family setting as part of a group rehabilitation and/or
24 recovery program utilizing counseling, self-help, or other treatment or assistance,
25 including, but not limited to, substance abuse rehabilitation. Such care for
26 persons age 18 and under, who are under the jurisdiction of the state division of
27 juvenile justice, shall be considered habilitative care, and not a correctional
28 community residential center.

29 4. **Roominghouse**

30 a. **Definition**

31 Any dwelling or establishment in which four or more guestrooms are available for
32 compensation that is paid on a daily, weekly, or monthly basis. A roominghouse
33 may offer dining services only to its tenants and their guests. This definition does
34 not include bed-and-breakfast establishments, which are classified in this title as
35 an accessory use under section 21.05.070, or a hostel, which is classified as a
36 "visitor accommodation" under section 21.05.050.

37 b. **Use-Specific Standards**

38 i. **Administrative Permit**

39 Roominghouses shall require an administrative permit issued in
40 accordance with section 21.03.030. An application for a roominghouse
41 shall not be complete unless it is accompanied by proof of a current
42 business license, health inspection for 25 occupants or more, a
43 certificate of on-site systems approval (for on-site systems only), and a
44 site plan and building floor plans meeting the requirements of this title.

45 ii. **General Standards**

46 (A) In residential zones, the design standards for multi-family
47 residential buildings shall apply.

- 1 (B) L2 visual enhancement landscaping is required when abutting
2 residential lots in a residential zone.
- 3 (C) In the R-2F, R-2M, R-5, R-6, R-7, R-8, and R-9 zoning districts,
4 the number of guestrooms shall be limited to eight guestrooms or
5 12 pillows.
- 6 (D) Cooking facilities are prohibited in guestrooms.
- 7 (E) The roominghouse shall be limited to a single structure, and only
8 one roominghouse shall be allowed per lot.
- 9 (F) Public ingress and egress to the roominghouse shall be limited
10 to one primary entrance; guestroom entrances shall be from a
11 shared interior hall rather than individual exterior doors.
- 12 (G) In residential zones, the owner or operator of the roominghouse
13 shall reside on site.

14 **5. Transitional Living Facility**

15 **a. Definition**

16 A facility providing temporary housing with services to assist homeless persons
17 and families and persons with special needs to prepare for and obtain permanent
18 housing within twenty-four months. The facility provides 24-hour a day, seven
19 days a week programmatic assistance[,] or services[,] for self-sufficiency skills to
20 its tenants, and may provide services such as, but not limited to, on-site
21 assistance in learning independent living skills (shopping, cooking, financial
22 budgeting, preparing for job interviews, preparing resumes, and similar skills),
23 and referral to off-site education and employment resources (GED completion,
24 job training, computer training, employment services, and the like) to assist the
25 tenants in becoming financially self-sustaining.

26 **21.05.040 PUBLIC/INSTITUTIONAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

27 This section defines the general public/institutional use categories and specific public/institutional use
28 types listed in tables 21.05-1 and 21.05-2. This section also contains use-specific standards that apply to
29 specific use types. The use-specific standards apply regardless of whether the use type is permitted as a
30 matter of right, subject to an administrative or major site plan review process, or subject to the conditional
31 use process.

32 **A. Adult Care**

33 **1. Definition**

34 A non-residential facility providing assistance with activities of daily living as described in
35 AS 47.33.990(1) for three or more adults or a combination of three or more adults and
36 adolescents.

37 **2. Use-Specific Standards for Adult Care Facilities with One through Eight Persons**

38 **a.** These facilities are intended to be minor commercial activities, shall not detract
39 from the principal use allowed in the district, and shall not place an undue burden
40 on any private or public infrastructure greater than anticipated from a permitted
41 development.

42 **b.** In all residential districts [AND IN THE R-O AND B-1A DISTRICTS,] these
43 facilities shall be located only in a single family detached structure, excluding
44 detached condominium units. These facilities shall be prohibited if the only direct
45 street access is from a private street.

1 c. These standards shall not apply to any use continuing as a lawful conditional use
2 on April 18, 2006.

3 **3. Use-Specific Standards for Adult Care Facilities with Nine or More Persons (also**
4 **apply to “Large Assisted Living Facilities” and “Nursing Facility”)**

5 **a. Access**

6 The site shall provide for direct access from a street constructed to class A
7 improvement area standards.

8 **b. Minimum Lot Size**

9 **i.** Unless otherwise authorized by the planning and zoning commission, the
10 minimum lot size for a nursing facility shall be:

11 **(A)** Six to 10 beds: 15,000 square feet.

12 **(B)** Eleven or more beds: 20,000 square feet.

13 **ii.** The minimum lot size for adult care facilities with nine or more persons,
14 and for large assisted living facilities shall be:

15 **(A)** Nine to 16 beds: the minimum lot size of the underlying district.

16 **(B)** Seventeen or more beds: 20,000 square feet.

17 **c. Vegetated Open Space**

18 A minimum of 15 percent (25 percent in the RO district) of the lot shall remain as
19 a planted open area, landscaped area, or natural vegetation area, to exclude
20 buildings, driveways, parking lots [AREAS], sidewalks, etc., unless the decision-
21 making body determines that retention of less than 15 percent (25 percent in the
22 RO district) allows for sufficient buffering of adjacent uses.

23 **d. Parking and Setbacks**

24 In residential zoning districts, no parking or loading areas shall be placed in any
25 setback, except in approved driveways.

26 **e. Adjacent Residential**

27 A facility in a non-residential district that is adjacent to a residential use or district
28 shall provide L3 buffer landscaping along the lot line dividing the two.

29 **f. Ambulance and Delivery Areas**

30 Ambulance and delivery areas shall be screened from adjacent residential areas
31 by L3 buffer landscaping or a fence no less than six feet high.

32 **g. Snow Storage**

33 Snow storage space adjacent to surface parking lots and pathways shall be
34 identified on the site plan. In residential districts, to facilitate snow removal, snow
35 storage areas equal to at least 15 percent of the total area of the site used for
36 parking, access drives, walkways, and other surfaces that need to be kept clear
37 of snow, shall be designated on the site plan. Such areas designated for snow
38 storage shall be landscaped only with grasses and flowers and shall have
39 positive drainage away from structures and pavements. Except for facilities in
40 single-family or two-family structures, storage of snow is not allowed in the front
41 setback. Storage of snow may be in 50 percent of the side and rear setbacks, if
42 trees and other vegetation designated for preservation will not be damaged. If
43 snow is to be hauled off-site, temporary snow storage areas shall be shown on
44 the site plan.

1 **h. Continuing Conditional Uses**
2 These standards shall not apply to any use continuing as a lawful conditional use
3 on April 18, 2006.

4 **4. Additional Standards for Conditional Uses (also apply to “Nursing Facility” and**
5 **“Large Assisted Living Facility”)**

6 **a. Use-Specific Standards Apply**
7 These uses shall meet the use-specific standards above in addition to any
8 requirements imposed by a conditional use approval.

9 **b. Vegetated Open Space**
10 A minimum of 25 percent of the lot shall remain as open area, to include
11 landscaping or natural vegetation. The open area shall not include buildings,
12 driveways, parking lots [AREAS], sidewalks, or similar structures, unless the
13 planning and zoning commission determines retention of less than 25 percent of
14 the lot as open area allows for sufficient buffering of adjacent uses.

15 **c. Factors for Consideration**
16 When a conditional use permit is required for these uses, the following factors
17 shall be considered, as well as the approval criteria for conditional uses in
18 subsection 21.03.080C.

19 **i.** The extent to which the facility and the applicant seek to protect and
20 preserve the primarily residential character of the district. Factors may
21 include traffic patterns, on-street parking patterns, the control exercised
22 by the provider to mitigate environmental disturbance associated with
23 ingress and egress of facility staff at shift change, and any other
24 measures taken by the provider to ensure commercial aspects of the
25 facility do not detract from its residential purpose (if applicable) and the
26 primarily residential character of the district.

27 **ii.** Economic hardship on the intended occupants of the facility if the
28 conditional use is denied. Cost and availability of other housing
29 alternatives, including whether a shortage of other facilities exists, may
30 be addressed in preparation and review of the application.

31 **iii.** Whether the requested facility and the applicant are implementing
32 accident prevention and safety measures specific to the needs of the
33 residents, including but not limited to safety measures in state law and
34 regulation, and in municipal fire code adopted under title 23.

35 **iv.** Whether the conditional use advances housing opportunities for disabled
36 individuals in a residential community without jeopardizing residential
37 aspects of the neighborhood with commercial aspects of operation.

38 **v.** Whether the proposed size of the facility is necessary for the financial
39 viability of the facility.

40 **vi.** External characteristics and impacts of the proposed facility, including
41 without limitation appearance, projected contribution to traffic volumes
42 and on-street parking within the neighborhood, available street lighting,
43 and sidewalks.

44 **vii.** Quantifiable risks to the health, safety, and quality of life of area
45 residents and users.

1 **viii.** Administrative and economic burden on the municipality, in either
2 approval or denial of the conditional use.

3 **ix.** Other factors deemed relevant to the applicant or the planning and
4 zoning commission in review of the application.

5 **B. Child Care**

6 **1. Child Care Center**

7 **a. Definition**

8 Child care center has the same meaning as set forth in AMC chapter 16.55 for
9 child care and educational center, and may care for nine or more children.
10 Operation of a child care center is not a home occupation pursuant to subsection
11 21.05.070D.11[12]. **This use includes pre-schools that are not associated or co-**
12 **located with an elementary, middle, or high-school.**

13 **b. Use-Specific Standards**

14 **i. Access**

15 The site shall have direct access from a street constructed to municipal
16 standards.

17 **ii. Usable Outdoor Space**

18 Usable outdoor space shall be provided pursuant to AMC section
19 16.55.450. Exempt child care centers, as per chapter 16.55, are not
20 required to meet the usable outdoor space requirement.

21 **iii. Vegetated Open Space**

22 In zoning districts where a child care center requires conditional use
23 approval, a minimum of 25 percent of the lot shall remain as planted
24 open area, landscaped area, or natural vegetation area, to exclude
25 buildings, driveways, parking **lots** [AREAS], sidewalks, etc., unless the
26 planning and zoning commission determines that retention of less than
27 25 percent allows for sufficient buffering of adjacent uses. In all other
28 zoning districts where a child care center is allowed, a minimum of 15
29 percent of the lot area shall remain as required above, unless the
30 decision-making body determines that retention of less than 15 percent
31 allows for sufficient buffering of adjacent uses.

32 **iv. Parking and Setbacks**

33 In residential zoning districts, no parking or loading areas shall be placed
34 in any setback, except in approved driveways.

35 **v. Adjacent Residential**

36 L2 visual enhancement landscaping shall be provided along each lot line
37 that abuts a lot within a residential district. A child care center in a
38 nonresidential district, that is adjacent to a residential use or district, shall
39 provide L3 buffer landscaping along the adjacent lot line.

40 **vi. Snow Storage**

41 In residential districts, snow storage areas equal to at least 15 percent of
42 the total area of the site used for parking, drives, walkways, and other
43 surfaces that need to be kept clear of snow, shall be designated on the
44 site plan. Such areas designated for snow storage shall be landscaped
45 only with grasses and flowers and shall have flat or concave ground
46 surface with positive drainage away from structures and pavements.
47 Snow storage is not allowed in front setbacks except in association with

1 single-family or two-family structures. Snow storage is allowed in 50
2 percent of side and rear setbacks, if trees and other vegetation
3 designated for preservation will not be damaged. If snow is to be hauled
4 off-site, temporary snow storage areas shall be shown on the site plan.

5 **vii. Continuing Conditional Uses**

6 This section shall not apply to any use continuing as a lawful conditional
7 use on February 28, 2006.

8 **c. Additional Standards for Conditional Uses**

9 **i. Use-Specific Standards Apply**

10 These uses shall meet the use-specific standards above in addition to
11 any requirements imposed by a conditional use approval.

12 **ii. Additional Standards**

13 Additional restrictions as to the size of the use, hours of operation, or
14 other restrictions necessary to ensure compatibility with the
15 neighborhood and minimize offside impacts, may be imposed by the
16 planning and zoning commission.

17 **iii. Vegetated Open Space**

18 A minimum of 25 percent of the lot shall remain as open area, to include
19 landscaping or natural vegetation. The open area shall not include
20 buildings, driveways, parking lots [AREAS], sidewalks, or similar
21 structures, unless the planning and zoning commission determines
22 retention of less than 25 percent of the lot as open area allows for
23 sufficient buffering of adjacent uses.

24 **2. Child Care Home**

25 **a. Definition**

26 Child care home has the same meaning as set forth in AMC chapter 16.55 and
27 may care for up to eight children. Operation of a child care home is not a home
28 occupation pursuant to subsection 21.05.070D.11. This use includes pre-
29 schools that are not associated or co-located with an elementary, middle, or high-
30 school.

31 **b. Use-Specific Standards**

32 **i. Minor Commercial Activity**

33 Licensed child care homes are intended to be minor commercial
34 activities, shall not detract from the principal use allowed in the district,
35 and shall not place an undue burden on any private or public
36 infrastructure greater than anticipated from a permitted development.

37 **ii. Usable Outdoor Space**

38 Licensed child care homes shall provide usable outdoor space as
39 required by section 16.55.450.

40 **iii. Continuing Conditional Uses**

41 This section shall not apply to any use continuing as a lawful conditional
42 use on February 28, 2006.

43 **C. Community Service**

44 This category includes uses of a public, non-profit, or charitable nature providing a local service to
45 people of the community. Generally, such uses provide the service on-site or have employees at
46 the site on a regular basis. The service is ongoing, not just for special events. The use may

1 provide special counseling, education, or training. Accessory uses may include offices, meeting,
2 food preparation, parking, [HEALTH,] therapy areas, and athletic facilities. Specific use types
3 include:

4 **1. Cemetery or Mausoleum**

5 **a. Definition**

6 A graveyard, burial ground, mausoleum, or other place of interment,
7 entombment, or sepulture of one or more human bodies or remains. Crematoria
8 are not permitted unless specifically allowed under this title as a separate
9 principal use.

10 **b. Use-Specific Standards**

11 **i. Burial of Human Remains in Other Areas Prohibited**

12 Human remains, other than cremated remains, may not be buried,
13 entombed, or interred, above or below ground, except in an approved
14 cemetery.

15 **ii. Platting of Burial Plots**

16 Burial plots shall be platted in accordance with section 21.03.200[210]D.,
17 *Abbreviated Plat Procedure*.

18 **iii. Density of Burial Plots**

19 Notwithstanding the minimum lot area for any zoning district, there shall
20 be no more than 1,500 burial plots per gross acre.

21 **iv. Interment Below Groundwater Table Prohibited**

22 No burial plots shall be established where interment would occur below
23 the groundwater table.

24 **v. Traffic Access**

25 A cemetery or mausoleum shall have direct access to a street
26 designated as a collector or greater capacity.

27 **vi. Dimensional Standards**

28 Notwithstanding the general dimensional standards in chapter 21.06, the
29 following standards shall apply to all cemeteries and mausoleums.

30 **(A) Minimum Site Area**

31 Five acres.

32 **(B) Minimum Setbacks**

33 **(1)** Front setback: 10 feet.

34 **(2)** Side setback: 10 feet.

35 **(3)** Rear setback: 10 feet.

36 **(C) Maximum Height of Structures**

37 35 feet.

38 **vii. Setbacks**

39 Graves and burial plots shall not be allowed within setback areas.

40 **viii. Parking, Driveways, and Streets**

41 Parking shall be provided according to section 21.07.090, *Off-Street*
42 *Parking and Loading*, except that the traffic engineer may authorize a

1 pavement surface of gravel for drives and streets that provide direct
2 access to graves and burial plots. Internal driveways and streets
3 providing direct access to a public right-of-way or connecting to principal
4 structures shall be paved with asphalt or concrete.

5 **2. Community Center**

6 **a. Definition**

7 A facility that is intended primarily to serve the meeting, cultural, social services,
8 administrative, athletic, or entertainment needs of the community as a whole,
9 operated by the government or as a non-profit facility, and generally open to the
10 public.

11 **b. Use-Specific Standards (also apply to "Religious Assembly")**

12 **i. Applicability**

13 The standards of this subsection shall apply to all community centers
14 and religious assemblies within a residential zoning district.

15 **ii. Minimum Lot Area and Width**

16 Notwithstanding any smaller minimum lot area required by tables 21.06-1
17 and 21.06-2, [THE GENERAL DIMENSIONAL STANDARDS OF
18 CHAPTER 21.06,] community centers and religious assemblies subject
19 to this subsection shall have a minimum lot area of 14,000 square feet
20 and a minimum lot width of 100 feet.

21 **iii. Traffic Access**

22 Community centers and religious assemblies shall have at least one
23 property line of the site that is at least 50 feet in length, and it shall abut a
24 street designated as a collector or greater on the *Official Streets and*
25 *Highways Plan*. All ingress and egress traffic shall be directly onto such
26 street.

27 **iv. Buffering Standards**

28 L3 buffer landscaping is required along all property lines where the
29 community center or religious assembly site abuts a residential use in a
30 residential zone.

31 **v. Vegetated Open Space**

32 In residential and PLI zoning districts a minimum of 25 percent of the lot
33 area shall remain as planted open area, landscaped area, or natural
34 vegetation area, to exclude buildings, driveways, parking lots [AREAS],
35 sidewalks, etc., unless the decision-making body determines that
36 retention of less than 25 percent allows for sufficient buffering of adjacent
37 uses.

38 **vi. Parking and Setbacks**

39 In residential zoning districts, no parking or loading areas shall be placed
40 in any setback, except in approved driveways.

41 **3. Crematorium**

42 **a. Definition**

43 A furnace or establishment for the cremation of corpses, human and animal. A
44 crematorium is never an accessory use.

1 **b. Use-Specific Standards**

- 2 i. All facilities shall be maintained within a completely enclosed building,
3 and shall be sufficiently insulated so that, to the maximum extent
4 feasible, no noise or odor can be detected off-premises.
- 5 ii. Crematoria shall be located at least 200 feet from any residential use or
6 zoning district.

7 **4. Governmental Administration and Civic Buildings**

8 **a. Definition**

9 An office of a governmental agency or foreign government that provides
10 administrative and/or direct services to the public, such as, but not limited to,
11 employment offices, public assistance offices, or motor vehicle licensing and
12 registration services.

13 **b. Use-Specific Standards**

14 i. Unless otherwise indicated in table 21.05-2.g[G]overnment
15 administration and civic buildings or additions to existing government
16 administration and civic buildings shall have the following review
17 process:

- 18 (A) Construction of less than 7,000 square feet is permitted.
- 19 (B) Construction of 7,000 to 25,000 square feet is subject to an
20 administrative site plan review.
- 21 (C) Construction over 25,000 square feet is subject to a major site
22 plan review.
- 23 (D) Lease of existing space is permitted.

24 ii. The priority location for major federal, state, and municipal administrative
25 offices and civic buildings is in the central business district. Satellite
26 government offices and civic functions are intended to be located in other
27 regional centers, mixed-use centers, or town centers designated in the
28 comprehensive plan. When a government administrative and civic
29 building use is proposed at another location, approval is contingent on a
30 finding by the planning and zoning commission, using the approval
31 criteria of a public facility site selection process (21.03.140), that locating
32 the major use in the central business district or a satellite use in a
33 designated center would not be feasible or would not serve the public
34 interest.

35 **5. Homeless and Transient Shelter**

36 **a. Definition**

37 A facility designed to provide minimum necessities of life, including overnight
38 accommodation, on a limited, short-term basis for individuals and families during
39 periods of dislocation or emergency pending formulation of longer-term planning.
40 Facility elements may include providing the physical care required, including
41 shelter, food, and necessary medical and clothing needs, directly or by referral to
42 appropriate agency; and planning for more permanent housing and employment,
43 including contact with community resources.

1 **6. Neighborhood Recreation Center**

2 **a. Definition**

3 A facility providing recreation/pool facilities and/or meeting rooms, and typically
4 oriented to the recreational needs of the residents of a particular subdivision or
5 housing project.

6 **7. Religious Assembly**

7 **a. Definition**

8 A building or structure, or group of buildings or structures, intended primarily for
9 the conducting of organized religious services. Accessory uses may include, but
10 are not limited to, parsonages, meeting rooms, and child care provided for
11 persons while they are attending religious functions. Schools associated with
12 religious assemblies are not an accessory use.

13 **b. Use-Specific Standards**

14 **i. Standards**

15 Religious assembly uses shall comply with the use-specific standards set
16 forth above under "community center."

17 **ii. Columbaria**

18 Columbaria, which are structures having recesses in the walls to receive
19 urns containing ashes of the dead, or columbarium walls, are permitted
20 accessory uses with religious assemblies.

21 **iii. Maximum Height**

22 Except for those elements **excepted** [EXEMPTED] in subsection
23 21.06.030D.6[5], a religious assembly may not exceed the height
24 permitted in the zoning district in which it is located. However, in districts
25 where the maximum height is less than 40 feet, the maximum height for
26 a religious assembly may increase to 40 feet, so long as the building is
27 setback from any point on the property line at least twice the maximum
28 actual height.

29 **D. Cultural Facility**

30 This category includes public or nonprofit facilities open to the public that display or preserve
31 objects of interest or provide facilities for one or more of the arts or sciences or provision of
32 government services. Accessory uses may include parking, offices, storage areas, and gift
33 shops. Specific use types include:

34 **1. Aquarium**

35 **a. Definition**

36 An establishment where collections of living aquatic organisms are kept and
37 exhibited.

38 **2. Botanical Gardens**

39 **a. Definition**

40 A facility for the demonstration and observation of the cultivation of flowers, fruits,
41 vegetables, native, and/or ornamental plants.

42 **3. Library**

43 **a. Definition**

44 A facility for the use of literary, musical, artistic, and/or reference materials.

1 **4. Museum or Cultural Center**

2 **a. Definition**

3 A building or place serving as a repository for a collection of natural, scientific,
4 cultural, historic, or literary curiosities or objects of interest, or works of art, or
5 sites and buildings, and arranged, intended, and designed to be used by
6 members of the public for viewing, and which may include demonstrations and
7 teaching. This use includes planetariums.

8 **5. Zoo**

9 **a. Definition**

10 An area, building, or structures that contain wild animals on exhibition for viewing
11 by the public.

12 **E. Educational Facility**

13 This category includes any public and private school at the elementary, middle, junior high, or
14 high school level. This category also includes colleges and other institutions of higher learning
15 that offer courses of general or specialized study leading to a degree. This category also
16 includes vocational or trade schools. Accessory uses at schools may include play areas, meeting
17 areas, cafeterias, recreational and sport facilities, auditoriums, parking, and before- or after-
18 school day care. Accessory uses at colleges **may** include offices, food service, laboratories,
19 health and sports facilities, theaters, meeting areas, parking, maintenance facilities, and ancillary
20 supporting commercial activities. Specific use types include:

21 **1. Boarding School**

22 **a. Definition**

23 A school where students are provided with on-site meals and lodging.

24 **b. Use-Specific Standard[S]**

25 Boarding schools shall comply with the use-specific standards set forth below for
26 “elementary school.” Any associated dormitories shall comply with the use-
27 specific standards for “dormitory” in section 21.05.070, *Accessory Uses and*
28 *Structures*.

29 **2. College or University**

30 **a. Definition**

31 A degree-granting institution, other than a vocational or trade school, that
32 provides education beyond the high school level. The use includes, but is not
33 limited to, classroom buildings, offices, laboratories, lecture halls, athletic
34 facilities, and dormitories. Colleges tend to be in campus-like settings or on
35 multiple blocks.

36 **b. Use-Specific Standard[S]**

37 In accordance with section 21.03.110, colleges or universities with an approved
38 institutional master plan are exempt from the review and approval procedures
39 required by table 21.05-2 for projects developed under the auspices of the
40 approved institutional master plan.

41 **3. Elementary or Middle School**

42 **a. Definition**

43 A public, private, parochial, or charter school offering academic instruction during
44 the majority of the days of the week for students typically between the
45 kindergarten and eighth grade levels, but not higher than the ninth grade. This
46 classification includes the terms “junior high school” and “intermediate school.”
47 Pre-schools that are associated and co-located with elementary, middle, or high
48 schools are considered to be part of the elementary, middle, or high school. Pre-

1 schools without such association and co-location are categorized in this title as
2 "child care facility."

3 **b. Use-Specific Standards (also apply to "Boarding School" and "High**
4 **School")**

5 **i. Purpose**

6 The standards of this subsection are intended to ensure the compatibility
7 of schools with surrounding neighborhoods and to minimize the impacts
8 of school uses on adjacent properties.

9 **ii. Site Size**

10 Except where established site size criteria are approved by local or state
11 governmental authority, minimum lot size in residential districts for
12 schools with capacity of 100 or more students shall be one acre per 100
13 students.

14 **iii. Setbacks**

15 **(A)** In residential districts, setbacks for schools with capacity for 25
16 or more students shall be as follows:

- 17 **(1)** The front setback of the underlying district shall apply.
- 18 **(2)** Any structure or portion of structure equal to or less than
19 15 feet high and equal to or less than 50 feet in length
20 shall be set back at least 15 feet from any side or rear lot
21 line. Any portion of such structure longer than 50 feet in
22 length shall be set back at least 20 feet from any side or
23 rear lot line.
- 24 **(3)** Any structure or portion of structure that is greater than
25 15 feet in height shall be set back at least 25 feet from
26 any side or rear lot line.

27 **(B)** In nonresidential districts, the setbacks of the underlying district
28 shall apply.

29 **iv. Outdoor Play Space for Elementary and Middle Schools**

30 **(A)** Elementary and middle schools with capacity for 50 or more
31 students, where students remain for more than four consecutive
32 hours, shall provide two square feet of outdoor open space play
33 area for every one square foot of total combined classroom
34 space.

35 **(B)** The minimum dimension of any required outdoor open space
36 play area is 20 feet.

37 **(C)** If the school is in close proximity to a park with usable open
38 space, the park may count as the required outdoor open space
39 play area. The decision-making body shall determine whether
40 the nearby park is appropriate in terms of play space and
41 access, using the following conditions as a guide:

- 42 **(1)** The park is between an eighth and a quarter mile from
43 the school.

(2) The school and park are not separated by a street of arterial classification or greater on the Official Streets and Highways Plan.

v. **Vehicle and Pedestrian Access**

(A) In all residential districts, all middle and high schools, and schools without an Anchorage school district attendance boundary shall have at least 100 feet of frontage on a collector or greater classification street, if such schools have capacity of 100 or more students.

(B) In all districts, all schools with capacity for 100 or more students shall provide adequate on-site student pick-up and drop-off area to the satisfaction of the decision-making body.

(C) Paved pedestrian walkways and trails, exclusive of driveways, shall be provided between the principal buildings and each abutting public right-of-way or trail.

vi. **Temporary Structures for School Expansion Space (Relocatables)**

Temporary structures serving as expansion space for schools are allowed in all districts in which schools are allowed, subject to the following standards:

(A) Temporary structures shall not be placed in traffic circulation routes, in required parking, or in required landscaping areas.

(B) The temporary structures are exempt from the general requirements for all temporary uses contained in section 21.05.080, *Temporary Uses and Structures*.

The decision-making body may grant relief from these standards on a case-by-case basis.

vii. **Landscaping**

L2 visual enhancement landscaping is required along all property lines where the school site abuts a residential use in a residential zone.

4. **High School**

a. **Definition**

A public, private, parochial, or charter school offering academic instruction for students typically in the ninth through twelfth grades, but may include lower grades.

b. **Use-Specific Standards**

High schools shall comply with the applicable use-specific standards set forth for "elementary or middle school" above.

5. **Instructional Services**

a. **Definition**

A specialized instructional establishment that provides on-site training of business, artistic, or commercial skills. Examples include, but are not limited to, driving schools for personal vehicles, fine arts schools, dance, music, and computer instructional services. This use does not include establishments that teach skills that prepare students for jobs in a trade (e.g., carpentry), which are classified under "vocational or trade schools."

6. Vocational or Trade School

a. Definition

A secondary or higher education facility teaching skills that prepare students for jobs in a trade to be pursued as an occupation, such as carpentry, welding, heavy equipment operation, piloting boats or aircraft, repair and service of appliances, motor vehicles, boats, aircraft, light or heavy equipment, [ACCOUNTING, DATA PROCESSING] and computer repair. Incidental instructional services in conjunction with another primary use shall not be considered a vocational or trade school.

b. Use-Specific Standard

This use [INCLUDES BUSINESS SCHOOLS BUT] excludes establishments providing training in an activity that is not otherwise permitted in the zoning district.

F. Health Care Facility

This category includes uses that provide medical or surgical care to patients. Accessory uses may include offices, laboratories, teaching facilities, meeting areas, cafeterias, parking, maintenance facilities, and housing for staff or trainees. Specific uses types include:

1. Health Services

a. Definition

Establishments primarily engaged in furnishing, on an outpatient basis, chiropractic, dental, medical, surgical, or other services to individuals, including the offices of chiropractors, physicians, dentists, and other licensed medical practitioners, medical and dental laboratories, outpatient care and outpatient care facilities, dispensaries, home health care agencies, and blood banks.

b. Use-Specific Standard[S]

Applicable health service establishments shall comply with the medical facility accessible parking requirements; see subsection 21.07.090J.4.

2. Hospital/Health Care Facility

a. Definition

A facility or institution, whether public or private, principally engaged in providing inpatient services for medical, surgical, or psychiatric care, and the treatment and housing of persons under the care of doctors and nurses. Examples include general or specialty hospitals, but exclude habilitative care facilities, assisted living facilities, and nursing facilities. Training, rehabilitation services, and health services may be permitted as accessory uses, if integral to the facility's function. Other accessory uses may include pharmacies and c[C]entral services facilities, such as kitchens and laboratories which serve the health care facility. [ARE PERMITTED ACCESSORY USES TO A HOSPITAL/HEALTH CARE FACILITY.]

b. Use-Specific Standards

i. Minimum Lot Size

Unless otherwise authorized by the planning and zoning commission, the minimum lot size for a hospital/health care facility shall be as follows:

(A) Six to 10 beds: 21,780 square feet.

(B) Eleven to 20 beds: 43,560 square feet.

(C) Every 10 beds (or fraction thereof) over 20 beds: 21,780 square feet.

1 ii. ***Vegetated Open Space***

2 A minimum of 15 percent of the lot shall remain as a planted open area,
3 landscaped area, natural vegetation area, or usable yard, to exclude
4 buildings, driveways, parking lots [AREAS], sidewalks, etc., unless the
5 director determines that retention of less than 15 percent of the lot as
6 open area, etc., allows for sufficient buffering of adjacent uses.

7 iii. ***Landscaping Buffer***

8 L3 buffer landscaping shall be provided along all lot lines adjacent to a
9 residential use or district.

10 iv. ***Institutional Master Plan***

11 In accordance with section 21.03.110, hospitals with an approved
12 institutional master plan are exempt from the review and approval
13 procedures required by table 21.05-2 for projects developed under the
14 auspices of the approved institutional master plan.

15 v. ***Accessible Parking***

16 Hospital/health care facilities shall comply with the medical facility
17 accessible parking requirements of subsection 21.07.090J.4.

18 3. **Nursing Facility**

19 a. ***Definition***

20 A facility providing housing and nursing care for aged or chronically or incurably
21 ill persons who are unable to function independently or with only limited
22 assistance.

23 b. ***Use-Specific Standards***

24 i. Nursing facilities allowed by right or by site plan review shall comply with
25 the use-specific standards set forth for “adult care facilities with nine or
26 more persons” above. Facilities allowed by conditional use shall comply
27 with the additional standards for conditional uses set forth in “adult care
28 facilities” above.

29 ii. Nursing facilities shall be subject to the multi-family building development
30 and design standards in section 21.07.110C[100].

31 iii. Nursing facilities shall comply with the medical facility accessible parking
32 requirements of subsection 21.07.090J.4.

33 G. **Parks and Open Areas**

34 This category includes uses of land focusing on natural areas, large areas consisting mostly of
35 vegetative landscaping or outdoor recreation, community gardens, or public squares. Such
36 lands tend to have few structures. Accessory uses may include clubhouses, playgrounds,
37 maintenance facilities, concessions, caretaker's quarters, and parking. Specific use types
38 include:

39 1. **Community Garden**

40 a. ***Definition***

41 A private or public facility for the cultivation of fruits, flowers, vegetables, or
42 ornamental plants by more than one individual or family, for personal use and not
43 for commercial gain.

1 **2. Park and Open Space, Public or Private**

- 2 **a. Definition**
 3 [RESERVED]

4 **H. Public Safety Facility**

5 This category includes buildings, storage areas, and other facilities for the public safety
 6 operations of local, state, or federal government. Accessory uses may include maintenance,
 7 storage, fueling facilities, satellite offices, holding cells, and parking **lots** [AREAS]. Specific use[S]
 8 **types** include:

9 **1. Community or Police Substation**

- 10 **a. Definition**
 11 A subsidiary community services or police station providing public services
 12 primarily intended for the immediate geographic area in which the station is
 13 located.

14 **b. Use-Specific Standard[S]**

15 In residential districts, community or police substations shall be no larger than
 16 3,500 square feet in gross floor area, and shall be architecturally compatible with
 17 the surrounding residential neighborhood in terms of building and roofing design
 18 and materials and lot placement.

19 **2. Correctional Institution**

- 20 **a. Definition**
 21 A facility, other than a correctional community residential center, providing for the
 22 imprisonment or physical confinement of prisoners under guard or 24-hour
 23 physical supervision, such as prisons, prison farms, jails, reformatories,
 24 penitentiaries, houses of detention, detention centers, honor camps, and similar
 25 facilities.

26 **b. Use-Specific Standards**

- 27 **i. Traffic Access**
 28 A site more than one-half acre in size shall provide for direct access from
 29 a street of collector or greater capacity.

30 **ii. Screening or Buffering**

31 The planning and zoning commission may require fencing and
 32 landscaping.

33 **3. Fire Station**

- 34 **a. Definition**
 35 A station housing fire and rescue personnel including indoor and outdoor space
 36 for administrative offices, storage of equipment, and associated vehicles and
 37 servicing facilities.

38 **4. Public Safety Facility**

- 39 **a. Definition**
 40 A facility operated by a government agency for the purpose of providing public
 41 safety and emergency services, training for public safety and emergency
 42 personnel, and related administrative and support services. Examples include,
 43 but are not limited to, a police station, an emergency operations center, or a fire
 44 or police training center.

I. Transportation Facility

This category includes facilities that receive and discharge passengers and freight. Accessory uses may include freight handling areas, concessions, offices, parking and maintenance, and fueling facilities. Specific use types include:

1. Airport

a. Definition

A publicly owned area of land or water that is used or intended for use for the landing and take-off of aircraft, and includes its buildings and facilities, if any.

2. Airstrip, Private

a. Definition

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

b. Use-Specific Standard

Private airstrips are allowed conditionally in residential districts only if approach and noise buffer areas are provided.

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.

4. Rail Yard

a. Definition

Lands reserved for typical railroad activities including, but not limited to, repair, maintenance, and servicing of rolling stock and railroad support equipment; fueling; inventory of equipment, tools, parts, and supplies in support of railroad activities; loading/unloading and transfer of freight; switching and classifying rail cars in support of train operations and intermodal activities; storage of rail cars and equipment supporting railroad activities; and crew operations, training, and other administrative support functions in support of railroad activities.

5. Railroad Freight Terminal

a. Definition

A rail facility for the loading and unloading of goods, merchandise, substances, materials, and commodities.

6. Railroad Passenger Terminal

a. Definition

A railroad facility for the boarding of passengers, but not including freight terminal operations. Accessory uses may include ticketing sales and offices, restaurants, and stores.

7. Transit Center

a. Definition

Any premises, located at the confluence of multiple established routes (of the same or different types of transit), for the loading and unloading of passengers on public transit. Accessory uses may include ticket purchase facilities, food and beverage kiosks, and convenience stores.

J. Utility Facility

This category includes [BOTH] major utilities, which are infrastructure services providing regional or community-wide service, and minor utilities, which are infrastructure services that need to be

36 and R13 >

R13 >

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

located in or near the neighborhood where the service is provided. Services may be publicly or privately provided. Accessory uses may include parking and control, monitoring, or data transmission equipment. Specific uses types include:

1. Utility Facility

a. Definition

A service of a regional nature that normally entails the construction of new buildings or structures, and that typically has employees at the site. Examples include water works, water or sewage treatment plants, power or heating plants, or steam generating plants.

2. Utility Substation

a. Definition

A service that is necessary to support development within the immediate vicinity, and is typically not staffed. Examples include, but are not limited to, electric transformer stations; gas regulator stations; water reservoirs; telephone exchange facilities; and water and sewage collection or pumping stations.

b. Use-Specific Standard[S]

The facility shall be designed and constructed to ensure visual and aesthetic compatibility with the surrounding neighborhood. Compatibility may be achieved either by using similar architectural design and materials as building(s) in the surrounding neighborhood, or by screening the facility with L3 buffer landscaping.

K. Telecommunication Facilities

Telecommunication facilities transmit signals between or among points using electromagnetic waves. The facilities may include towers, antennas, buildings, transformers, transmitters, receivers, equipment cabinets, and parking lots [AREAS].

1. Definitions

a. Type 1 Tower

A freestanding vertical support structure of cylindrical, conical, or rectangular cross section constructed of composite, wood, concrete, or metal employed primarily for the purpose of supporting an antenna array and commonly called a monopole.

b. Type 2 Tower

A freestanding vertical support structure of open frame skeletal design employed primarily for the purpose of supporting an antenna array and commonly called a lattice tower. This tower type includes lateral arrays.

c. Type 3 Tower

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

d. Type 4 Tower

A support structure, such as an existing building, steeple, spire, or utility pole that is not a type 1, 2, or 3 and is used for supporting a disguised, camouflaged, or hidden antenna array so that its principal or secondary function as an antenna and antenna support structure is imperceptible to an uneducated eye. The antennas are mounted on the support structure so that they are located and designed to minimize visual and aesthetic impacts to surrounding land uses and structures and shall, to the greatest extent practical, blend into the existing environment. This definition shall include any antenna or antenna array

1 complying with the objective of definition whether it is mounted on tower structure
2 or not.

3 **2. Use-Specific Standards**

4 **a. Setbacks**

5 i. The minimum distance from any lot line to the vertical axis of the tower
6 structure shall be as follows:

7 (A) Types 1: equal to or greater than the setbacks of the underlying
8 zoning district.

9 (B) Type 2: equal to or greater than the distance measured from
10 grade to the first taper transition.

11 (C) Type 3: equal to or greater than the distance measured from the
12 tower structure axis to the outermost guy wire anchor. The guy
13 wire levels and anchor radius must match manufacturer's criteria
14 for the proposed application.

15 (D) Type 4: none.

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

18 (A) Guy wire with a nominal diameter of 0.25 inches or less--25 feet,
19 provided the setback may be reduced to 0 feet if the anchor
20 structure is enclosed within a sight obscuring fence.

21 (B) Guy wire with a nominal diameter greater than 0.25 inches but
22 less than 0.625 inches--25 feet, provided the setback may be
23 reduced to five feet if the anchor structure is enclosed within a
24 sight obscuring fence.

25 (C) Guy wire with a nominal diameter equal to or greater than 0.625
26 inches--25 feet.

27 **b. Minimum Separation Distance From Protected Land Uses**

28 i. The minimum separation distance between the base of the tower and
29 any principal structure on PLI or residentially-zoned land, or any school
30 or licensed child care center, shall be two times the allowable tower
31 height.

32 ii. After giving due consideration to the comments of the applicant, the
33 property owner, and the local community council, the director may
34 reduce or eliminate the minimum separation distance set forth in the
35 paragraph b.i. above.

36 **c. Tower Structure Height**

37 i. Height for a tower structure directly fixed to the ground shall be
38 determined by measurement from grade to the highest point on the tower
39 structure, including any installed antennas and lighting and supporting
40 structures.

41 ii. Height for a tower structure not directly affixed to the ground shall be
42 determined by measurement from the grade of the building to the highest
43 point on the tower structure, including any installed antennas and lighting

1 and supporting structures. At no time shall the height of a tower installed
 2 on a building as measured from grade to the highest point on the tower
 3 structure as set forth above exceed the height of the building multiplied
 4 by two or the base height, whichever is greater. Tower structures shall
 5 not exceed the height limits set forth in subsection 21.04.060C. of this
 6 title nor interfere with Federal Aviation Administration Regulations on
 7 airport approaches.

8 **iii.** Base height shall be as set forth below:

9 **(A)** Residential districts--65 feet

10 **(B)** Commercial and Mixed-Use districts--130 feet

11 **(C)** Industrial districts--150 feet

12 **(D)** AF district--200 feet

13 **(E)** All other districts--100 feet

14 **iv.** Co-location shall grant an additional 15 feet above the base height for
 15 each qualifying antenna to a maximum of 30 feet of additional height.
 16 Increases in tower structure height by operation of this paragraph shall
 17 not reclassify a tower structure from a local interest tower to a community
 18 interest tower.

19 **d.** ***Residential Zoning Districts, RO District, and AF District***

20 **i.** In all residential districts and in the RO district, type 1 and 3 towers,
 21 antennas without tower structures, and type 4 tower structures and
 22 antennas are permitted as a secondary and subordinate use with a
 23 permitted nonresidential use.

24 **ii.** In the R-3, R-4, R-4A, R-5, and RO districts, type 1 and 3 towers,
 25 antennas without tower structures, and type 4 tower structures are also
 26 permitted as a secondary and subordinate use with a residential use of
 27 six dwelling units or more.

28 **iii.** In the AF district, three towers per lot are permitted. More than three
 29 towers per lot require conditional use approval.

30 **e.** ***Notice of Site Selection and Site Plan Review***

31 **i.** ***B-1A and Watershed Zoning Districts***

32 **(A)** Prior to issuance of a building or land use permit for a type 1, 2,
 33 and 3 tower structures within B-1A and W zoning districts,
 34 property owners of residential-zoned land within 500 feet of the
 35 selected tower site and the local community council shall be
 36 notified in writing of the issuance of a building or land use permit.
 37 The effective date of the permit shall be no earlier than 30 days
 38 after the date of mailing of the notification.

39 **(B)** A decision to issue a building or land use permit is final unless
 40 appealed within the 30 day notice period to the planning and
 41 zoning commission. An appeal may be filed by the applicant or
 42 by a petition of at least one-third of the owners (excluding rights-
 43 of-way) of the privately owned land within 500 feet of the outer
 44 boundary of the tower site. In the event of appeal, the planning

1 and zoning commission shall hold a public hearing at its next
2 available meeting and apply the standards of this section. An
3 appeal from a decision of the planning and zoning commission
4 may be brought in accordance with section 21.03.050A.

5 **ii. *PLI and Residential Districts***

6 All type 1, 2, and 3 tower structures within a residential district, as
7 allowed by table 21.05-1, or PLI district shall be subject to a site plan
8 review as set forth in this section, except when a conditional use permit
9 is required.

10 **iii. *Other Zoning Districts***

11 All zoning districts not referenced in e.i. or e.ii. above are exempt from
12 the notification requirements, the minimum separation distances from
13 protected land uses, and the site plan review requirements set forth in
14 this chapter.

15 **f. *Co-location***

16 **i.** The co-location tower structure, pole, monopole or any other similar
17 facility, must be designed to accommodate no less than the following
18 communications equipment: 12 antennas with a flat plate wind
19 loading of not less than four square feet per antenna; a standard
20 mounting structure, stand off arms, platform or other similar structure
21 that is sufficient to hold the antennas; cable ports at the base and
22 antenna levels of the tower structure; and, sufficient room within or
23 on the tower structure for 12 runs of 7/8" coaxial cable from the base
24 of the tower structure to the antennas.

25 **ii.** Applicants for co-location shall provide proof in a form found
26 acceptable to the municipal attorney that more than one service
27 provider is using the co-location facility.

28 **iii.** All community and local interest towers shall, for a reasonable
29 compensation, be made available for use by as many other licensed
30 carriers as can be technically co-located thereon when the use will
31 not result in substantial injury to the owner, or in substantial
32 detriment to the service to the customers of the owners. All licensed
33 carriers shall cooperate with each other in co-locating additional
34 facilities upon such towers. All licensed carriers shall exercise good
35 faith in co-locating with other licensed carriers and in the sharing of
36 towers, including the sharing of technical information to evaluate the
37 feasibility of co-location.

38 **g. *General Standards***

39 **i. *Installation***

40 All transmitting antennas shall be installed in a manner as set forth by
41 the manufacturer and by the Federal Communications Commission
42 (FCC) as meeting the current American National Standards Institute
43 (ANSI) standard for nonionizing electromagnetic radiation (NIER).

44 **ii. *Tower Lighting***

45 Tower structures shall not be lighted unless the Federal Aviation
46 Administration requires or recommends that obstruction lighting be
47 installed. To prevent direct light reflection on other property, tower

1 structure lighting shall be shielded to the extent permitted by the Federal
2 Aviation Administration.

3 **iii. Tower Color**

4 The tower structure and any other structure(s) directly related to the
5 operation of any antenna mounted on the tower structure shall be neutral
6 in color and, to the extent possible, shall be compatible with the
7 appearance and character of the neighborhood or location unless
8 obstruction marking is required by the Federal Aviation Administration.

9 **iv. Notice and Interference**

10 An operator proposing to install or modify an antenna shall provide notice
11 to all property owners within 500 feet of the date of activation of the new
12 or modified antenna. Within 90 days of activation the antenna, the
13 operator shall resolve all reported occurrences of interference.

14 **v. Identification Placard**

15 An identification placard shall be attached to the tower structure or the
16 security fencing in a location clearly visible at eye level. The placard shall
17 provide the following information:

- 18 (A) The name and address of the tower structure owner;
- 19 (B) The name and address of the tower structure manager, if
20 different from the owner;
- 21 (C) The date of erection of the tower structure; and
- 22 (D) The owner's name and address of each antenna on the tower
23 structure.

24 **h. Administrative Permit Required**

25 An administrative permit shall be obtained from the director. The application shall
26 identify the antenna(s) on the tower, the legal description of the site, its zoning
27 and its street address, if any. This permit shall certify that, when granted, the
28 antenna, or tower structure was in compliance with this section. This permit shall
29 remain valid so long as that antenna or tower structure remains in continuous
30 operation or is revoked according to this title.

31 **i. Administrative Permit Revocation**

32 **i.** Unless cured, an administrative tower permit shall be revoked after
33 notice and the opportunity to cure, for any of the following:

- 34 (A) Construction, maintenance, and/or operation of a tower at an
35 unauthorized location;
- 36 (B) Construction or operation of a tower in violation of any of the
37 terms and conditions of this chapter or the conditions attached to
38 the permit;
- 39 (C) Material misrepresentation by or on behalf of an applicant or
40 permittee in any application or written statement upon which the
41 administrative official substantially relies in making the decision
42 to grant, review, or amend any permit pursuant to this section
43 and which materially changes the application of the standards of
44 approval of the permit;

-
- 1 (D) Abandonment of a tower as set forth in this section; or
- 2 (E) Failure to relocate or remove facilities as required in this section.
- 3 ii. After having a tower permit revoked, no tower shall be re-permitted for
- 4 that property or by that tower owner on any property within the
- 5 municipality for a period of one year except through a conditional use
- 6 permit. This subsection shall apply only with respect to community and
- 7 local interest tower revocations pursuant to this title after the effective
- 8 date of this ordinance.
- 9 j. **Annual Inventory**
- 10 By January 31 of each year, each tower owner who is regulated by this section
- 11 shall provide the municipality with an inventory of all additions and deletions of
- 12 said provider's existing towers or approved sites for such facilities that are within
- 13 the municipality or within one mile of the border thereof as of December 31 of the
- 14 previous year. The first inventory from each provider shall be a comprehensive
- 15 current list of their existing towers and approved sites.
- 16 k. **Time Period for Construction**
- 17 Construction of a tower shall commence within one year from the date of the
- 18 permit's approval, with opportunity for a six-month extension. If not used within
- 19 one year, or within the extension period, the permit shall become null and void.
- 20 l. **Administrative Site Plan Review**
- 21 i. **Applicability**
- 22 When an administrative site plan is required by tables 21.05-1 or 21.05-
- 23 2, this subsection shall apply. A site plan review is required of all such
- 24 towers since they have aesthetic and visual impacts on their neighbors,
- 25 and the public interest is best served by allowing these neighbors and
- 26 the public at large a chance to comment on and provide input concerning
- 27 the location and design of these towers. All such towers shall conform to
- 28 the requirements of this section and to the requirements of the zoning
- 29 district in which the tower is located.
- 30 ii. **General**
- 31 (A) In approving a site plan, the director may impose conditions to
- 32 the extent that he or she concludes are necessary to minimize
- 33 any adverse effect of the proposed tower structure, including all
- 34 associated structures and landscaping, on adjoining properties.
- 35 (B) Any information of an engineering nature that the applicant
- 36 submits, whether civil, mechanical, or electrical, shall be certified
- 37 by a licensed professional engineer.
- 38 iii. **Submittal Information**
- 39 Applicants for an administrative site plan review for a tower structure
- 40 shall submit the information required in the user's guide.
- 41 iv. **Public Participation Process**
- 42 Notwithstanding table 21.03-1, at least 35 days before acting on a tower
- 43 site plan application under this section, the director shall publish notice of
- 44 the application in a newspaper of general circulation in the municipality.
- 45 The notice shall state the name(s) of the applicant(s), a clear and
- 46 concise description of the project, the street address, if any, and the legal
- 47 description of the land subject to the application. The notice, including a

1 map of the vicinity, shall also be provided to any officially recognized
2 community council whose boundary encompasses the tower site and to
3 owners of property within 500 feet of the proposed site. The applicant
4 shall reimburse the municipality for the expense of advertising and
5 mailing such notice. The applicant shall also post the property with a
6 notice pursuant to subsection 21.03.020H.5. Following notice of the site
7 plan, the community council has 35 days from the date of the letter to
8 respond.

9 **v. Approval Period**

10 The director shall take action on the site plan within 50 days of the site
11 plan application submittal. Upon action, the applicant will mail to all
12 addressees on the original notice list, the written action of the director.
13 The applicant shall document their public process including a list of who
14 was notified, with what, and when as part of their permit application
15 process.

16 **vi. Factors Considered In Granting Site Plan Approval For Tower
17 Structures**

18 In addition to the general standards for site plan approval at subsection
19 21.03.180[190]E., the director shall also consider the factors for
20 conditional uses for tower structures in subsection p.iii. below.

21 **vii. Appeals**

22 Notwithstanding section 21.03.050, a decision of the director under the
23 authority set forth in this subsection is final unless appealed within 15
24 days to the planning and zoning commission. An appeal may be filed by
25 the applicant or by a petition of at least one-third of the owners
26 (excluding rights-of-way) of the privately owned land within 500 feet of
27 the tower site. In the event of appeal, the planning and zoning
28 commission shall hold a public hearing at its next available meeting and
29 apply the standards of this section. An appeal from a decision of the
30 planning and zoning commission may be brought in Superior Court.

31 **m. Qualification of Type 4 Tower Structure and Antenna**

32 Each type 4 tower structure and antenna shall be qualified as meeting the design
33 standard by the planning and zoning commission. A proponent of a type 4 tower
34 structure and antenna design shall provide the commission with evidence in the
35 form of construction drawings, photographs, renderings, or other data sufficient
36 for the commission to find the design standard is satisfied. At completion of the
37 construction of the first tower structure and antenna under a newly qualified
38 design, it shall be reviewed by the commission to confirm the installation
39 complies with the design standards. If the installation fails to comply, subsequent
40 tower structure and antenna design and installation shall be amended or
41 redesigned as directed by the commission.

42 **n. Community Interest and Local Interest Towers**

43 Community interest and local interest towers as a permitted principal use shall be
44 subject to the following:

45 **i. Parking**

46 Off-street parking space is not required, however if it is provided, parking
47 spaces may be shared with other principal uses on the site. The parking
48 spaces shall be paved with concrete or asphalt compound or shall be
49 covered with a layer of crushed rock of no more than one inch in

1 diameter to a minimum depth of three inches. Parking space illumination
 2 shall be provided only to extent that the area is illuminated when the
 3 parking space is in use. The illumination shall be the lowest possible
 4 intensity level to provide parking space lighting for safe working
 5 conditions.

6 **ii. Security**

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

9 **iii. Separation Distance**

10 If any community interest tower on a site exceeds 200 feet in height, the
 11 tower site shall be separated from any other principal or conditional use
 12 community interest or local interest tower site with tower(s) exceeding
 13 200 feet in height by at least 5,280 feet (one mile).

14 **o. Abandonment**

15 Any antenna or tower structure that is not operated for a continuous period of 12
 16 months shall be considered abandoned, and the owner of such antenna or tower
 17 structure shall remove the same within 180 days of receipt of notice from the
 18 director notifying the owner of such abandonment. Failure to remove an
 19 abandoned antenna or tower structure within said 180 days shall be grounds for
 20 the municipality to remove the tower structure or antenna at the owner's
 21 expense. If there are two or more users of a single tower structure, then this
 22 provision shall not become effective until all users cease using the tower
 23 structure.

24 **p. Conditional Use Standards**

25 **i. General and Applicability of Conditional Use Requirement**

26 The following provisions shall govern the issuance of conditional use
 27 permits for tower structures or antennas by the planning and zoning
 28 commission:

29 **(A)** If the community interest or local interest tower or antenna fails
 30 to meet the conditions of subsections 2.a. through 2.c and/or 2.e.
 31 through 2.o. above, then a conditional use permit shall be
 32 required for the construction of a tower structure or the
 33 placement of an antenna.

34 **(B)** Applications for conditional use permits under this section shall
 35 be subject to the conditional use procedures and general
 36 standards, except as modified in this section.

37 **(C)** In granting a conditional use permit, the planning and zoning
 38 commission may impose conditions to the extent the commission
 39 concludes such conditions are necessary to minimize any
 40 adverse effect of the proposed tower structure or antenna on
 41 adjoining properties.

42 **(D)** Any information of an engineering nature that the applicant
 43 submits, whether civil, mechanical, or electrical, shall be certified
 44 by a licensed professional engineer.

- 1
2
3
- 4 (C) Existing tower structures or structures do not have sufficient
5 structural strength to support applicant's proposed antenna and
6 related equipment.
- 7
8 (D) The applicant's proposed antenna would cause electromagnetic
9 interference with the antenna on the existing tower structures or
10 structures, or the antenna on the existing tower structures or
11 structures would cause interference with the applicant's
12 proposed antenna.
- 13 (E) The fees, costs, or contractual provisions required by the owner
14 in order to share an existing tower structure or structure or to
15 adapt an existing tower structure or structure for sharing are
16 unreasonable. Costs exceeding new tower structure
17 development are presumed to be unreasonable.
- 18 (F) The applicant demonstrates that there are other limiting factors
19 that render existing tower structures and structures unsuitable.
- 20
21 (G) The applicant demonstrates that an alternative technology that
22 does not require the use of tower structures or structures, such
23 as a cable microcell network using multiple low-powered
24 transmitters/receivers attached to a wireline system, is
25 unsuitable. Costs of alternative technology that exceed new
26 tower structure or antenna development shall not be presumed
27 to render the technology unsuitable.
- 28
29 v. **Modifications**
30 Standards for modifications to community interest and local interest
31 towers allowed as a conditional use are as follows:
- 32 (A) Repairs and maintenance to the tower structure may be
33 performed consistent with subsection 21.12.040F.
- 34 (B) The replacement, repair or addition of antennas, dishes and
35 other transmitting or receiving devices to a tower shall not be
36 considered a modification of final approval as set forth in
37 subsection 21.03.080D. and shall be considered a use
38 contemplated within the original approved or de facto conditional
39 use where the replacement, repair, or addition of antennas,
40 dishes, and other transmitting or receiving devices:
- 41 (1) Will serve the same user or successor entity under the
42 original conditional use;
- 43 (2) Will serve the same general purpose as was served
44 under the original conditional use;
- 45 (3) Is consistent with the original conditional use.
- 46 q. **Amateur Radio Stations And Receive Only Antennas**
- 47 i. Amateur radio stations are exempt from the location, tower type, and
48 height limitations contained in this title provided:
- 49 (A) The antenna and tower structure are part of a federally-licensed
50 amateur radio station; and

- 1 (B) In residential zoning districts there is no use of the tower
2 structure by a third party commercial antenna operator.
- 3 ii. The following are exempt from this title:
- 4 (A) Installation and use of antenna(s) for use by a dwelling unit
5 occupant for personal, home occupation, or utility telemetry
6 purposes, or by an electric or gas utility on an existing power
7 pole or cabinet to monitor or control equipment thereon; and
- 8 (B) Noncommercial receive only antennas.
- 9 iii. Notwithstanding the above, any antenna or tower structure that is not
10 operated for a continuous period of 12 months shall be considered
11 abandoned, and the owner of such antenna or tower structure shall
12 remove the same within 180 days of receipt of notice from the director
13 notifying the owner of such abandonment. Failure to remove an
14 abandoned antenna or tower structure within said 180 days shall be
15 grounds for the municipality to remove the tower structure or antenna at
16 the owner's expense.
- 17 iv. Any antenna or tower structure erected under this subsection 2.n. shall
18 not exceed the height limits set forth in subsection 21.04.080C. nor
19 interfere with Federal Aviation Administration Regulations on airport
20 approaches.

21 **21.05.050 COMMERCIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

22 This section defines the general commercial use categories and specific commercial use types listed in
23 tables 21.05-1 and 21.05-2. The uses may either be commercial or have impacts common to commercial
24 uses. This section also contains use-specific standards that apply to specific use types. The use-specific
25 standards apply regardless of whether the use type is permitted as a matter of right, subject to a site plan
26 review process, or subject to the conditional use process.

27 **A. Agricultural Uses**

28 This category includes activities that primarily involve producing or keeping plants on a
29 commercial basis. Accessory uses may include dwellings for proprietors and employees, barns,
30 storage, and sales of products produced on-site. Specific use types include:

31 **1. Commercial Horticulture**

32 **a. Definition**

33 An establishment engaged in the growth and sale of vegetables, produce, fruit
34 crops, vines, shrubs, trees (including Christmas trees), sod, and nursery plants,
35 conducted within or outside an enclosed building. This use includes, but is not
36 limited to, crop farms, orchards, groves, tree plantations, commercial
37 greenhouses, nurseries, and a temporary stand for the sale of products grown on
38 the premises.

39 **B. Animal Sales, Service, and Care**

40 This category includes uses that involve the selling, boarding, training, or care of animals on a
41 commercial basis. Accessory uses may include confinement facilities for animals, parking, and
42 storage areas. Specific use types include:

1 **1. Animal Shelter**

2 **a. Definition**

3 A facility used to house or contain stray, homeless, abandoned, or unwanted
4 animals and that is owned, operated, or maintained by a public or nonprofit
5 organization devoted to the welfare, protection, and humane treatment of
6 animals. This term shall not include residences where animals are fostered while
7 awaiting adoption.

8 **b. Use-Specific Standards (also apply to “Retail and Pet Services”, “Kennel,
9 Commercial”, and “Veterinary Clinic”)**

10 **i. General Standards when Use is within 100 Feet of a Residential or
11 Mixed-Use District**

12 All facilities, including all treatment rooms, cages, pens, kennels, and
13 training rooms, shall be maintained within a completely enclosed
14 building. Areas for the care of large animals that are associated with
15 veterinary clinics are exempt from this requirement, but shall meet the
16 setback standards of subsection 21.05.050B.3.b.iv.

17 **ii. Standards When Use is Not within 100 Feet of a Residential or
18 Mixed-Use District**

19 Outdoor runs shall be located on site and shall be screened from the
20 view of all adjacent streets and properties by fencing or vegetation.

21 **iii. Waste Management**

22 Waste shall be managed in accordance with AMC section 15.20.020.

23 **2. Kennel, Commercial**

24 **a. Definition**

25 A commercial establishment where small domestic animals, such as dogs and
26 cats, are boarded. This use includes animal daycare.

27 **b. Use-Specific Standard[S]**

28 Commercial kennels shall comply with the use-specific standards above for
29 “animal shelter.”

30 **3. Large Domestic Animal Facility, Principal Use**

31 **a. Definition**

32 An establishment for keeping, harboring, riding, boarding, stabling, training,
33 exercising, breeding, or related use of four or more large domestic animals, and
34 the associated structure(s) such as a paddock or stable. Includes riding stable
35 facilities for the care and exercise of horses and related equestrian activities.
36 Such establishment may be a commercial establishment or may be in
37 conjunction with a residence but exceed the incidental and subordinate nature of
38 an accessory use.

39 **b. Use-Specific Standards**

40 **i. Access**

41 Traffic access shall be from a street constructed to standards found by
42 the traffic engineer to be appropriate to the intensity of the use proposed.

43 **ii. Lot Coverage**

44 Lot coverage shall be that of the underlying zoning district except that the
45 planning and zoning commission may allow up to 10 percent additional
46 lot coverage above the maximum allowed in the district.

- 1 iii. **Adjacent Lots**
2 Adjacent lots may be used in square footage calculations for site size
3 only. If the adjacent lots are not under single ownership, the lot owners
4 shall submit a recorded joint usage agreement for review and approval
5 by the director. In such cases, setback requirements shall not apply to
6 the common interior lot lines and a primary use need not be located on
7 the adjacent lot.
- 8 iv. **Setbacks**
9 Notwithstanding the setbacks of the underlying zoning district, covered
10 structures associated with a large domestic animal facility, such as a
11 stable or barn, shall be set back at least 25 feet from any abutting lot
12 line, not including interior lot lines between lots in common ownership.
13 Uncovered enclosures shall meet one of the following setback options:
- 14 (A) Seventy-five feet from residences existing on February 28, 2006,
15 not including any residence in common ownership with the large
16 domestic animal facility; or
- 17 (B) Ten feet from any abutting lot line, not including interior lot lines
18 between lots in common ownership, if the separation area is
19 vegetated with L3 buffer landscaping.
- 20 v. **Fences**
21 Barbed wire shall not be used for fencing of any large domestic animal
22 facilities.
- 23 vi. **Other Requirements**
24 Large domestic animal facilities shall:
- 25 (A) Meet the requirements of AMC chapter 15.20 regarding animal
26 waste, AMC subsection 15.55.060B. concerning separation
27 requirements from water supply wells, and section 21.07.020
28 concerning stream protection setbacks;
- 29 (B) Obtain an animal control facility license;
- 30 (C) Obtain certification of compliance with a state of Alaska,
31 Anchorage soil and water conservation district conservation plan,
32 or obtain a letter from the district showing demonstrated intent to
33 come into compliance with a conservation plan within one year;
34 and
- 35 (D) Comply with licensing and other laws concerning the keeping of
36 animals as set forth in AMC titles 15, 17, and 21.
- 37 vii. **Additional Conditions**
38 The planning and zoning commission may impose additional conditions
39 upon a conditional use permit that are found necessary to protect any
40 person or neighboring use from unsanitary conditions or unreasonable
41 noise or odors, or to protect the public health and safety.
- 42 4. **Retail and Pet Services**
43 a. **Definition**
44 An establishment primarily engaged in the sale, bathing, and/or grooming of
45 domestic animals, such as dogs, cats, fish, birds, and reptiles, excluding exotic

1 animals and farm animals such as horses, goats, sheep, and poultry. Accessory
2 uses may include overnight stays incidental to the primary use.

3 **b. Use-Specific Standard[S]**

4 Retail and pet services shall comply with the use-specific standards above for
5 “animal shelter.”

6 **5. Veterinary Clinic**

7 **a. Definition**

8 An establishment for the medical care and treatment of animals by a licensed
9 veterinarian.

10 **b. Use-Specific Standard[S]**

11 Veterinary clinics shall comply with the use-specific standards above for “animal
12 shelter.”

13 **C. Assembly**

14 This use includes buildings and facilities owned or operated by associations, corporations,
15 governments, or other persons for social, educational, or recreational purposes. Facilities are
16 primarily for members and their guests, or members of the public paying a fee. Accessory uses
17 may include offices, meeting areas, food preparation areas, concessions, parking, and
18 maintenance facilities. Specific use types include:

19 **1. Civic/Convention Center**

20 **a. Definition**

21 An establishment designed to accommodate 500 or more persons and used for
22 conventions, conferences, seminars, product displays, and entertainment
23 functions. Accessory uses may include temporary outdoor displays, parking, and
24 food and beverage preparation and service for on-site consumption.

25 **b. Use-Specific Standard**

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

28 **2. Club/Lodge/Meeting Hall**

29 **a. Definition**

30 An establishment owned or operated by a corporation, association, or persons
31 for a social, educational, or recreational purpose, to which membership may be
32 required for participation.

33 **b. Use-Specific Standard**

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

36 **D. Entertainment and Recreation**

37 This category includes uses that provide continuous recreation or entertainment activities,
38 outdoors or indoors. Accessory uses may include concessions, snack bars, parking, and
39 maintenance facilities. Specific use types include:

40 **1. Amusement Establishment**

41 **a. Definition**

42 An establishment offering entertainment, game playing, or similar amusements to
43 the public within a fully enclosed building. This shall include without limitation
44 arcades, bowling alleys, billiard parlors, bingo parlors, laser tag parlors, water
45 parks, miniature golf courses, and indoor shooting ranges.

- 1 **b. Use-Specific Standard**
2 Any use that involves the retail sale of alcohol is subject to the special land use
3 permit for alcohol process; see section 21.05.020A.
- 4 **2. Entertainment Facility, Major**
5 **a. Definition**
6 Major entertainment facilities uses are designed to accommodate activities that
7 generally draw 501 persons or more to specific events or shows. Activities are
8 generally of a spectator nature. Examples include amphitheatres, performing
9 arts centers, stadiums, sports arenas, coliseums, auditoriums, and fairgrounds.
10 Accessory uses may include restaurants, bars, concessions, parking, and
11 maintenance facilities.
- 12 **b. Use-Specific Standard**
13 Any use that involves the retail sale of alcohol is subject to the special land use
14 permit for alcohol process; see section 21.05.020A.
- 15 **3. Fitness and Recreational Sports Center**
16 **a. Definition**
17 A facility primarily featuring equipment for exercise and other active physical
18 fitness conditioning or recreational sports activities, such as swimming, skating,
19 racquet sports, aerobic dance, gymnasium facilities, yoga, and other kinds of
20 sports and fitness facilities.
- 21 **4. General Outdoor Recreation, Commercial**
22 **a. Definition**
23 Developed recreational uses such as amusement parks, miniature golf courses,
24 dog mushing tracks, golf driving ranges, batting cages, skateboard or skate parks
25 or courses, bicycle motocross courses, water parks or slides, drive-in movie
26 theaters, courses for paramilitary games, and archery facilities.
- 27 **b. Use-Specific Standard**
28 L3 buffer landscaping shall be provided wherever this use is adjacent to a
29 residential district.
- 30 **5. Golf Course**
31 **a. Definition**
32 A tract of land laid out with a course having nine or more holes for playing the
33 game of golf, including any accessory clubhouse, driving range, office,
34 restaurant, concession stand, picnic tables, pro shop, maintenance building,
35 restrooms, or similar accessory uses or structures. This term shall not include
36 housing or miniature golf courses as a principal or accessory use, nor shall it
37 include driving ranges that are not accessory to a golf course.
- 38 **6. Motorized Sports Facility**
39 **a. Definition**
40 A facility for the racing of motorcycles, snow machines, race cars, or other
41 motorized vehicles.
- 42 **b. Use-Specific Standards**
43 **i. Special Land Use Permit for Alcohol**
44 Any use that involves the retail sale of alcohol is subject to the special
45 land use permit for alcohol process; see section 21.05.020A.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

- ii. **Hours of Operation**
The maximum hours of operation shall be from 8:00 a.m. to 10:00 p.m. Monday through Saturday, and from 12:00 p.m. to 10:00 p.m. on Sunday.

- iii. **Additional Site Plan Requirements**
In all districts, as part of the site plan application, the applicant shall comply with the following requirements:
 - (A) If the projected or actual noise level exceeds the standards set at AMC section 15.70.080A., a noise analysis shall be prepared identifying noise mitigation measures.
 - (B) The applicant shall prepare an operation plan to monitor and enforce:
 - (1) Prohibition on consumption of alcoholic beverage on the premises; and
 - (2) Mandatory transportation of racing machines to the site.
 - (C) The applicant shall submit a dust and litter control plan and describe the methods to be used to collect trash on the site.
 - (D) The applicant shall identify one or more individuals who shall be responsible for enforcement of the noise, operation, and dust and litter control plans developed pursuant to this subsection.

- iv. **Dimensional Standards**
Notwithstanding the general dimensional standards of chapter 21.06:
 - (A) The planning and zoning commission may designate minimum setback areas around the perimeter of the site as it deems necessary to minimize glare and noise impact on adjacent uses, to separate incompatible uses, and to restrict casual access to the site.
 - (B) The maximum height of structures shall be 35 feet.

- v. **Site Location, Development, and Operation**
 - (A) No motorized facility shall be located within 500 feet of any residential or mixed-use district.
 - (B) In order to prevent casual access to and from the site or to mitigate adverse effects of the motorized sports facility upon adjacent uses, the planning and zoning commission may require the enclosure of the entire site by a screening structure and/or landscaping, as described in section 21.07.080.
 - (C) Public sanitation facilities (restrooms) shall be provided on-site and operated in a manner consistent with AMC section 15.20.020.

1 vi. ***I-1 District Standard[S]***
2 Motorized sports facilities are conditionally allowed in the I-1 district on
3 parcels with a minimum of 20 acres. The maximum engine size allowed
4 is 250 cc's for wheeled vehicles and 550 cc's for snow machines.

5 7. **Movie Theater**

6 a. ***Definition***
7 An indoor theater for showing motion pictures.

8 8. **Nightclub**

9 a. ***Definition***
10 An enterprise, that, for consideration, provides entertainment to its patrons in the
11 form of floorshows; dance revues; live, recorded, or electronically enhanced
12 music; patron dancing; or performances by live or recorded professional or
13 amateur entertainers. Discotheques, nightclubs, bars, lounges, dance halls,
14 bistros, teen clubs, and any facility that meets the terms of this definition are
15 often, but not exclusively, open during one or more of the hours between 11:00
16 p.m. and 3:00 a.m. This definition excludes theaters or auditoriums with fixed
17 seating, religious assemblies, adult-oriented establishments as defined by AMC
18 section 10.40.050, publicly owned and operated recreation centers or parks, and
19 public and private schools. Nightclubs may be licensed or unlicensed.
20 Unlicensed nightclubs do not offer or sell to patrons either alcoholic beverages,
21 as defined by AS 04.21.080, or adult entertainment, as defined by AMC section
22 10.40.050.

23 b. ***Use-Specific Standards for Licensed Nightclubs***

24 i. All facilities adjacent to a residential district shall be maintained within a
25 completely enclosed building, and shall be sufficiently insulated so that
26 the standards of AMC section 15.70.080A. are met.

27 ii. Licensed nightclubs are subject to the special land use permit for alcohol
28 process to allow the retail sale of alcohol; see section 21.05.020A.

29 c. ***Use-Specific Standards for Unlicensed Nightclubs***

30 i. ***Purpose***
31 Certain types of enterprises have been determined to produce secondary
32 impacts on surrounding land uses. The impacts include a perceived
33 decline in property values, and an increase in the level of criminal
34 activity, including unlawful sales and use of drugs and consumption of
35 alcoholic beverages, in the vicinity of these types of enterprises. The
36 purpose of this subsection is to segregate such enterprises from land
37 uses that are likely to be negatively impacted.

38 ii. ***Minimum Distance from Certain Uses***

39 Except for teen nightclubs and underage dances permitted under AMC
40 chapter 10.55, an unlicensed nightclub shall be located so that all
41 portions of the lot on which the unlicensed nightclub is located shall be
42 300 feet or more from the lot line of property on which is located:

43 (A) A school or instructional service serving any combination of
44 grades kindergarten through 12;

45 (B) Property zoned residential; or

46 (C) TA-zoned property designated as residential in the *Turnagain*
47 Arm ***Comprehensive [AREA] Plan.***

1 iii. **Administrative Permit Required**

2 An administrative permit for each unlicensed nightclub shall be obtained
3 from the department and be displayed in a prominent place inside the
4 unlicensed nightclub. This permit shall certify that, when granted, the
5 enterprise was in compliance with paragraph ii. of this subsection. This
6 permit shall be obtained from the director, pursuant to section 21.03.030,
7 *Administrative Permits*. This permit shall remain valid so long as that
8 enterprise remains in continuous operation at that location, and does not
9 physically expand.

10 9. **Shooting Range, Outdoor**

11 a. **Definition**

12 An establishment engaged in the use of land for discharging of firearms for target
13 practice, skeet, and trap shooting.

14 b. **Use-Specific Standards**

15 i. **Intent**

16 The intent of the following standards for shooting ranges is primarily
17 safety and buffering for adjacent neighborhoods.

18 ii. **Setbacks**

19 All shooting areas shall be set back a minimum distance of 100 feet from
20 any public right-of-way. Buildings located behind the firing line are
21 allowed to be located to the normal zone setback.

22 iii. **Site Size**

23 The minimum site size shall be 20 acres.

24 iv. **Shooting Area**

25 The backstop must be an earth mound or dugout of sufficient dimension
26 to stop projectiles. Casual access into the line of fire shall be prevented
27 through fencing or some equally effective equivalent.

28 v. **On-Site Uses**

29 An accessory retail store, snack shop, ammunition storage, and short-
30 term rental of firearms and equipment for use only on the premises are
31 permitted. Sale of alcoholic beverages is prohibited.

32 vi. **Noise Impact Analysis**

33 A noise impact analysis with a noise map based on the types of firing
34 and layout of the range shall be submitted as part of the conditional use
35 application.

36 10. **Skiing Facility, Alpine**

37 a. **Definition**

38 A facility and related terrain utilized for alpine skiing, and uses and facilities
39 typically associated with the use and operation of such facility, including but not
40 limited to: ski and snowboard runs and trails; ski lifts and tows, including towers
41 and structures, related to skiing and snowboarding patrons; snow-making
42 equipment/facilities; ski patrol facilities; ski area administrative and ticketing
43 offices; special events directly associated with ski areas such as ski races,
44 snowboard races, snow machine races, bicycle races, and concerts; alpine slide;
45 nordic ski trails and facilities; tubing hills; ski and equipment rental facilities and
46 ski instruction facilities; ice skating rinks; ski bridges; and supporting accessory
47 structures.

1 **Ski Facility, Alpine** shall not mean such uses as lodges, hotels, dwelling units,
2 restaurants, retail shops, outdoor carts and vending areas, clinics, day care
3 centers, offices, and high impact recreational uses such as go carts, golf courses
4 and driving ranges, paint ball games, rifle ranges, waterslides, and stables.

5 **11. Theater Company or Dinner Theater**

6 **a. Definition**

7 An establishment for live dramatic, operatic, or dance presentations open to the
8 public, without membership requirements, whose seating capacity does not
9 exceed 500 seats and seating area does not exceed 3,000 square feet, or any
10 area for the rehearsal of such live performances. These establishments may
11 also provide food and beverages for consumption on the premises.

12 **b. Use-Specific Standard**

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

15 **E. Food and Beverage Services**

16 This category includes businesses that serve prepared food or beverages for consumption on or
17 off the premises. Accessory uses may include food preparation areas, offices, and parking.
18 Specific use types include:

19 **1. Bar**

20 **a. Definition**

21 An establishment that prepares and retails alcoholic beverages for consumption
22 on the premises. These establishments may also manufacture malt beverages
23 and provide limited food services.

24 **b. Use-Specific Standard**

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

27 **2. Food and Beverage Kiosk**

28 **a. Definition**

29 An establishment in a freestanding building, trailer, or vehicle on an impermanent
30 foundation that sells coffee or other beverages and food from a window to
31 customers who are either pedestrians or seated in their automobiles, for
32 consumption off the premises, and that provides no indoor seating.

33 **b. Use-Specific Standards**

34 Kiosks in all districts shall comply with the following standards:

35 i. [ANY F]Food and beverage kiosks [WITH DRIVE-THROUGH SERVICE]
36 shall comply with the "drive-through service" accessory use standards in
37 subsection 21.05.070D.6[7].

38 ii. Kiosks shall be on wheels to facilitate movement onto and off the site,
39 and may not be located on a permanent foundation. The wheels shall be
40 screened with opaque skirting or screening so as to not be visible.

41 iii. Kiosks may be located on the same lot as another principal use.

42 [KIOSKS SHALL COMPLY WITH THE "DRIVE-THROUGH SERVICE"
43 ACCESSORY USE STANDARDS IN SECTION 21.05.070D.7.]

1 iv. Kiosks that provide outdoor seating shall provide parking for that seating,
2 as required by section 21.07.090, *Off-Street Parking and Loading*.

3 v. All signs shall comply with chapter 21.11, *Signs*.

4 **3. Restaurant**

5 **a. Definition**

6 An establishment primarily engaged in the preparation and sale of food and
7 beverages, normally for consumption on the premises, but including those
8 establishments that provide only take-out or delivery service.

9 **b. Use-Specific Standards**

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

12 ii. Any restaurant with drive-through service shall comply with the “drive-
13 through service” accessory use standards in section 21.05.070D.6[7].

14 **F. Office**

15 This category includes activities that generally focus on providing business or professional
16 services. Accessory uses may include cafeterias, parking, or other amenities primarily for the use
17 of employees in the firm or building. Specific use types include:

18 **1. Broadcasting Facility**

19 **a. Definition**

20 An establishment engaged in the broadcasting of audio, television, or movie
21 productions and associated activities.

22 **2. Financial Institution**

23 **a. Definition**

24 Establishments that provide retail banking, mortgage lending, and financial
25 services to individuals and businesses. Accessory uses may include automatic
26 teller machines, offices, and parking. Financial institutions may or may not have
27 drive-through service depending on the zoning district in which they are located;
28 see section 21.05.070, *Accessory Uses and Structures*.

29 **b. Use-Specific Standards**

30 i. Financial institutions are permitted in the B-1A, NMU, and B-3 districts
31 **only** if they are providing primarily retail services to walk-in customers,
32 rather than primarily office and support services with few walk-in
33 customers.

34 ii. Financial institutions in the B-3 district shall have a maximum gross floor
35 area of 5,000 square feet.

36 iii. Any financial institution with drive-through service shall comply with the
37 “drive-through service” accessory use standards in subsection
38 21.05.070D.6[7].

39 **3. Office, Business or Professional**

40 **a. Definition**

41 An establishment that provides executive, management, administrative, or
42 professional services, but not involving the sale of merchandise, except as
43 incidental to a permitted use. Typical examples include real estate, insurance,
44 property management, investment, employment, travel, advertising, law,

architecture, design, engineering, accounting, call centers, and similar offices. [(Government offices are classified under "governmental administration and civic buildings" above.)]

38 modifies latter part of R14

G. Personal Services, Repair, and Rental

This category includes establishments engaged in the provision of information, instruction, personal improvement, personal care, repair, lease, or rent of new or used products, or similar services. Accessory uses may include offices, storage of goods, manufacture, or repackaging of goods for on-site sale, and parking. Specific use[S] types include:

1. Business Service Establishment

a. Definition

An establishment that, for consideration, provides other businesses with advertising, leased or rented equipment, maintenance, security, management, consulting or technical aid, or copying services.

2. Funeral Services

a. Definition

An establishment providing services involving the display of the deceased, preparation of the deceased for burial, and rituals connected therewith before burial or cremation. Cremation services are a separate use.

3. General Personal Services

a. Definition

An establishment, whether for consideration or not, that provides care, advice, aid, maintenance, repair, treatment, or similar semi-technical, technical, or experienced assistance, other than the practice of a profession and wholesale or retail sale of goods. Examples include, but are not limited to: dry-cleaning drop-off; photography studios; check cashing; shoe repair; beauty and barber shops; locksmith; repair of household appliances; and tanning salons. This use excludes maintenance and repair of vehicles and industrial equipment or machinery.

4. Small Equipment Rental

a. Definition

The commercial rental of supplies and equipment primarily intended for personal or household use, such as furniture, and minor residential gardening and construction projects, but not including car or truck rentals, or rentals of smaller motor vehicles not for home care such as motorcycles or snowmobiles. This use does not include the rental, storage, or maintenance of large construction or other commercial heavy equipment, which are classified under "industrial service."

b. Use-Specific Standard

In mixed-use districts, all maintenance, display, and storage of equipment shall be conducted within an enclosed building, or within an area located in the rear of the building and screened by a sight-obscuring fence at least six feet in height.

H. Retail Sales

This category includes retail establishments involved in the sale of new or used products to the general public. Accessory uses may include offices, parking, storage of goods, assembly, repackaging, and repair of goods for on-site sale. Specific use types include:

R14
38

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

1 **1. Auction House**

2 **a. Definition**

3 A structure or enclosure where goods are sold by auction.

4 **2. Building Materials Store**

5 **a. Definition**

6 An establishment primarily engaged in the sale, distribution, and associated
7 storage of lumber and other building materials such as brick, tile, cement,
8 insulation, floor covering, roofing materials, and other improvement materials and
9 associated tools; and/or the sale and service of plumbing, heating, and/or
10 electrical equipment.

11 **3. Convenience Store**

12 **a. Definition**

13 An establishment engaged primarily in the sale of convenience goods, such as
14 pre-packaged food items, tobacco, over-the-counter drugs, periodicals, and other
15 household goods.

16 **b. Use-Specific Standards**

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

19 ii. In the R-4, R-4A, and B-1A districts, a convenience store shall not sell
20 alcoholic beverages.

21 **4. Farmers Market**

22 **a. Definition**

23 An occasional, periodic, or seasonal market for offering for sale fresh agricultural,
24 fresh food, or arts and crafts products directly to the consumer at an open-air
25 market, covered structure with multiple stalls, or other pre-designated area,
26 where the vendors are generally individuals who have raised the produce or
27 made the product, or have taken the same on consignment for retail sale.

28 **5. Fueling Station**

29 **a. Definition**

30 An establishment engaged in the retail dispensing or sale of gasoline or other
31 vehicular fuel products. This use definition does not include convenience store
32 or vehicle service and repair uses.

33 **6. General Retail**

34 **a. Definition**

35 An establishment engaged primarily in the retail sale of goods or merchandise,
36 and rendering services incidental to the sale of such goods. Examples may
37 include, but are not limited to: general merchandise retailers; warehouse and
38 club retailers; superstores; discount stores; catalog showrooms; pharmacies; and
39 specialty retail stores specializing in such goods as clothing, home furnishings,
40 sporting goods, books, stationary, music, video rentals, or flowers.

41 **b. Use-Specific Standards**

42 Any general retail use, such as a pharmacy, with drive-through service shall
43 comply with the "drive-through service" accessory use standards in subsection
44 21.05.070D.6[7].

39 >

40 [

40 >

7. **Grocery or Food Store**

a. **Definition**

An establishment primarily engaged in the retail sale of food and/or beverages primarily to be consumed outside of the retail establishment's premises. Examples include, but are not limited to: supermarkets, grocery stores, delicatessens, specialty food shops, and bakeries. Take-out and delivery establishments are classified under "restaurant".

b. **Use-Specific Standard[S]**

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

8. **Liquor Store**

a. **Definition**

An establishment that is primarily engaged in selling alcoholic beverages for consumption off the premises.

b. **Use-Specific Standard[S]**

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

9. **Pawnshop**

a. **Definition**

An establishment that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property.

I. **Vehicles and Equipment**

This category includes a broad range of uses for the sale, rental, and/or repair and maintenance of motor vehicles and related equipment. Large parking lots [AREAS] and outdoor storage areas may be included with these uses. Accessory uses may include incidental repair and storage, offices, and sales of parts and/or tires. Specific use types include:

1. **Aircraft and Marine Vessel Sales**

a. **Definition**

An establishment primarily engaged in the display and sale of aircraft and/or marine vessels as well as associated parts and supplies.

2. **Parking Lot, Principal Use**

a. **Definition**

An off-street, surface parking lot where motor vehicles are parked for not more than 72 consecutive hours, and the lot is not required parking for another use.

b. **Use-Specific Standard**

Principal use parking lots shall be designed in accordance with subsection 21.07.090H., *Parking and Loading Facility Design Standards*, and landscaped in accordance with subsection 21.07.080E[F].6., *Parking Lot Landscaping*.

3. **Parking Structure, Principal Use**

a. **Definition**

A parking structure with two or more levels or stories where motor vehicles are parked for not more than 72 consecutive hours, and the spaces are not required parking for another use. The parking structure may be above and/or below

grade, and the levels may be partially or fully enclosed. A parking structure may occupy a portion of a building which also includes commercial space, such as offices or retail on the ground floor.

b. Use-Specific Standard

Parking structures shall comply with the requirements of subsection 21.07.090K.

4. Vehicle Parts and Supplies

a. Definition

The display and sale of new, reconditioned, or rebuilt parts, supplies, or equipment for automobiles, motorcycles, trucks, vans, trailers, recreational vehicles, mobile homes, or snowmobiles.

b. Use-Specific Standard

No dismantling or wrecking of vehicles or machinery may occur on site. Uses that include dismantling and wreckage are classified by this title as "junkyards."

5. Vehicle-Large, Sales and Rental

a. Definition

An establishment engaged in the display, sale, leasing, or rental of new or used motor vehicles. Vehicles include, but are not limited to, automobiles, light trucks, vans, trailers, recreational vehicles, and mobile homes.

b. Use-Specific Standards

i. This use may include the uses "vehicle service and repair, major" and "vehicle service and repair, minor", and repair of the vehicle inventory with a gross vehicular weight rating over 12,000 lbs, in accordance with subsection b.ii. below, is also allowed.

ii. At any given time, no more than five percent of the vehicle inventory on the lot, not including Class A and C recreational vehicles, shall have a gross vehicular weight rating (GVWR) of more than 12,000 lbs.

6. Vehicle-Small, Sales and Rental

a. Definition

An establishment engaged in the display, sale, leasing, or rental of small motor vehicles. Vehicles include, but are not limited to: motorcycles, personal watercraft (jet skis), utility trailers, snowmobiles, and all-terrain vehicles (ATVs).

b. Use-Specific Standard[S]

This use may include the uses "vehicle service and repair, major" and "vehicle service and repair, minor".

7. Vehicle Service and Repair, Major

a. Definition

An establishment engaged in the major repair and maintenance of automobiles, motorcycles, trucks, vans, trailers, recreational vehicles, or snowmobiles. Vehicles served by this type of establishment, except for recreational vehicles, shall have a gross vehicular weight rating (GVWR) of no more than 12,000 lbs. Services include all activities listed in "vehicle service and repair, minor", as well as engine, transmission, or differential repair or replacement; body, fender, or upholstery work; and painting.

b. Use-Specific Standards

i. Vehicle service bays facing a rear or side setback shall be screened from adjacent residential properties by a screening fence of at least six feet in

1 height. Required landscaping shall be between the fence and the
2 property line.

3 ii. Noise generating equipment shall meet the noise control standards of
4 AMC section 15.70.

5 **8. Vehicle Service and Repair, Minor**

6 a. **Definition**

7 An establishment engaged in light maintenance activities such as engine tune-
8 ups; oil change and lubrication; carburetor cleaning; muffler replacement; brake
9 repair; car washing; tire shops; and detailing and polishing. Vehicle parts are
10 sold and are ordinarily installed on the premises. Vehicles served by this type of
11 establishment, except for recreational vehicles, shall have a gross vehicular
12 weight rating (GVWR) of no more than 12,000 lbs.

13 b. **Use-Specific Standards for Carwash Bays and Vehicle Repair Bays**

14 i. Vehicle wash or service bays facing a rear or side setback shall be
15 screened from adjacent residential properties by a screening fence of at
16 least six feet in height. Required landscaping shall be between the fence
17 and the property line.

18 ii. Noise generating equipment shall meet the noise control standards of
19 AMC section 15.70.

20 **J. Visitor Accommodations**

21 This category includes visitor-serving facilities that provide temporary lodging in guest rooms or
22 guest units, for compensation, and with an average length of stay of less than 30 days.
23 Accessory uses may include pools and other recreational facilities for the exclusive use of guests,
24 limited storage, restaurants, bars, meeting facilities, and offices. Specific use types include:

25 **1. Camper Park**

26 a. **Definition**

27 A lot or parcel of land, or portion thereof, temporarily occupied or intended for
28 temporary occupancy by recreational vehicles or tents for travel, recreational, or
29 vacation usage for short periods of stay, and containing a potable water source
30 and washroom facilities. These establishments may provide laundry rooms,
31 recreation halls, and playgrounds. These uses are not intended for vehicle
32 storage.

33 b. **Use-Specific Standards**

34 i. **Location and Access**

35 No entrance to, or exit from, a camper park shall be through a residential
36 district or shall provide access to any street other than a collector or
37 street of greater capacity.

38 ii. **Occupancy and Length of Stay**

39 Spaces in camper parks may be used by campers, recreational vehicles,
40 equivalent facilities constructed on automobiles, tents, or short-term
41 housing or shelter arrangements or devices. The occupants of such
42 space shall remain in that space a period not to exceed 30 days.

43 **2. Extended-Stay Lodgings**

44 a. **Definition**

45 A visitor lodging establishment with six or more guest rooms offering suites with
46 kitchens, business traveler communications conveniences, and intended

1 primarily for periods of stay of one week or more. This does not include bed-and-
2 breakfasts, which are classified as an accessory use under section 21.05.070.

3 **b. Use-Specific Standards**

4 i. A kitchen area shall be provided in all units.

5 ii. The facility shall provide a lobby area with a minimum of 750 square feet.

6 iii. In the R-4 district, extended-stay lodgings shall have a minimum lot size
7 of 14,000 square feet and shall have principal access from a street of
8 collector class or greater.

9 **3. Hostel**

10 **a. Definition**

11 An overnight lodging facility in which beds (pillows), rather than rooms, are
12 rented. Sleeping accommodations are primarily dormitory-style and shared
13 kitchen facilities may be available to the guests.

14 **b. Use-Specific Standards**

15 i. Hostels in the R-2F and R-2M shall contain no more than 20 pillows.
16 Hostels in the R-3, R-4, and R-4A shall contain no more than 40 pillows.

17 ii. Hostels in residential zones require an administrative permit pursuant to
18 subsection 21.03.030.

19 **4. Hotel/Motel**

20 **a. Definition**

21 Any building containing 20 or more guestrooms, rented for compensation by the
22 day or week, and offered for use by the general public in conjunction with
23 subordinate services and facilities, such as restaurants and meeting rooms.
24 Meeting facilities designed to accommodate 1,500 or more persons shall
25 constitute a separate principal use and be classified as "civic/convention center"
26 under this title.

27 **b. Use-Specific Standards**

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

30 ii. Establishments in mixed-use districts shall have all their guestrooms
31 accessible by means of interior corridors.

32 iii. Establishments whose rooms are individually accessible from the
33 outdoors shall have frontage on a major arterial or street of greater
34 classification.

35 iv. In the R-4 district, hotels shall have a minimum lot size of 14,000 square
36 feet and shall have principal access from a street of collector class or
37 greater.

38 **5. Inn**

39 **a. Definition**

40 A building or group of buildings containing between six and 19 guest rooms, or
41 up to 60 pillows, for overnight lodging for compensation, where at least one meal
42 per day may be provided to the guests, there is a central meeting room or lounge
43 available to all of the guests, and there are no shared kitchen facilities.

b. Use-Specific Standards

- i. Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.
- ii. Inns in the R-4A district shall be subject to the [APPLICABLE] multifamily building [DEVELOPMENT AND] design standards in section 21.07.110C[100]., and the multi-family building parking standards in section 21.07.090. In the R-4A district, inns shall adhere to the maximum floor area ratio permitted for multi-family dwellings.

6. Recreational and Vacation Camp

a. Definition

An overnight recreational camp, such as a children's camp, family vacation camp, or outdoor retreat. These establishments provide accommodation facilities, such as cabins and fixed camp sites, and incidental recreational and educational facilities.

21.05.060 INDUSTRIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS

This section defines the general industrial use categories and specific industrial use types listed in tables 21.05-1 and 21.05-2. This section also contains use-specific standards that apply to specific use types. The use-specific standards apply regardless of whether the use type is permitted as a matter of right, subject to a site plan review process, or subject to the conditional use process.

A. Industrial Service

This category includes establishments engaged in the repair or servicing of agricultural, industrial, business, or consumer machinery, equipment, products, or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. Accessory activities may include retail sales, offices, parking, and storage. Specific use types include:

1. Data Processing Facility

a. Definition

An establishment where electronic data is processed by employees, including, without limitation, data entry, storage, conversion, or analysis, and [,] subscription and credit card transaction processing.

2. Dry-Cleaning Establishment

a. Definition

An establishment maintained for on-site laundry and/or dry cleaning, including the use of [USING] a perchlorethylene process or similar nonflammable, non-aqueous solvent, of fabrics, textiles, wearing apparel, or articles of any sort, and also including related maintenance or operation of equipment and machinery.

3. General Industrial Service

a. Definition

Establishments engaged in the repair or servicing of agricultural, industrial, business, or consumer machinery, equipment, products, or by-products. Examples include: welding shops; machine shops; tool repair; electric motor repair; repair of heavy machinery; heavy truck servicing and repair; aircraft servicing and repair; tire retreading or recapping; exterminators; and vending machine sales and service. Accessory activities may include retail sales, offices, parking, and storage.

1 **b. Use-Specific Standard**
2 L4 screening landscaping is required where adjacent to residential zones.

3 **4. Governmental Service**

4 **a. Definition**
5 A facility housing government shops, maintenance, and repair centers, and
6 equipment storage yards.

7 **b. Use-Specific Standard**
8 L4 screening landscaping is required where adjacent to residential zones.

9 **5. Heavy Equipment Sales and Rental**

10 **a. Definition**
11 An establishment engaged in the display, sale, leasing, or rental of construction
12 equipment and other heavy equipment, including all heavy equipment of 12,000
13 or more pounds gross vehicular weight (GVW). This category does not include
14 recreational vehicles or larger trucks that typically are sold at automobile
15 dealerships; such vehicles are covered by "vehicle-large, sales and rental"
16 above.

17 **6. Research Laboratory**

18 **a. Definition**
19 A facility that is designed or equipped for basic or applied research or
20 experimental study, testing, or analysis in the natural sciences or engineering,
21 including any educational activities associated with and accessory to such
22 research, and including research and analysis facilities operated by public
23 agencies and designed to assure public health and safety. The use does not
24 include facilities for the manufacture or sale of products except as incidental to
25 the main purpose of the laboratory.

26 **B. Manufacturing and Production**

27 This category includes industrial establishments involved in the manufacturing, processing,
28 fabrication, packaging, or assembly of goods. Natural, **synthetic [MAN-MADE]**, raw, secondary,
29 or partially completed materials may be used in the manufacturing process. Products may be
30 finished or semi-finished and are generally made for the wholesale market, for transfer to other
31 plants, or to order for firms or consumers. Such uses may include industries furnishing labor in
32 the case of the refinishing of manufactured articles. Goods are generally not displayed or sold on
33 site, but if so, they are a subordinate part of total sales. Accessory activities may include limited
34 retail sales, offices, cafeterias, parking, employee recreational facilities, warehouses, storage
35 yards, repair facilities, truck fleets, and caretaker's quarters. Specific uses types include:

36 **1. Commercial Food Production**

37 **a. Definition**
38 An establishment processing and/or producing food for human consumption,
39 including facilities engaged in providing food and/or food services for institutional,
40 governmental, commercial, industrial, and other locations of other businesses; as
41 well as facilities that process meat, game, and seafood. Examples include airline
42 food services[, **CAFETERIAS,**] and catering companies that prepare food for
43 consumption at an off-premise customer site.

44 **2. Cottage Crafts**

45 **a. Definition**
46 An establishment engaged in small-scale assembly and arts-and-crafts
47 production by hand manufacturing involving the use of hand tools and small-
48 scale equipment. Examples include, but are not limited to: candle making,

1 artisan woodworking, art studio/gallery, artisan pottery, [AND] jewelry production,
2 and the like. Cottage crafts are less intensive than, and do not have the off-site
3 impacts often associated with, general industrial uses.

4 **b. Use-Specific Standards**

5 **i. Production and Sale of Cottage Crafts**

6 Cottage crafts may only be produced within a wholly-enclosed
7 permanent structure. Cottage crafts production may occupy up to 1,500
8 square feet of gross building area, and may include up to an additional
9 300 square feet gross building area on the same lot devoted to the
10 display and retail sale of the crafts produced. The retail/display area
11 shall be located on the ground floor and in the front part of the building
12 facing the primary street on which the lot is located.

13 **ii. Prohibitions**

14 **(A)** The outdoor storage of materials related to the production and
15 sale of cottage crafts is prohibited in non-industrially-zoned
16 districts.

17 **(B)** The use of equipment, materials, or processes that create
18 hazards, noise, vibration, glare, fumes, or odors detectable to the
19 normal senses off-site is prohibited.

20 **3. Manufacturing, Heavy**

21 **a. Definition**

22 An establishment engaged in the manufacture or compounding process of raw
23 materials. Such activities may involve the storage of large volumes of highly
24 flammable, toxic matter or explosive materials needed for the manufacturing
25 process. Examples include, but are not limited to: refining or initial processing of
26 raw materials; rolling, drawing, or extruding of metals; asphalt batching plants,
27 [AND] hot-mix plants, and RAP storage and processing; sawmills; manufacture
28 or packaging of cement products, feed, fertilizer, flour, glue, paint, petroleum
29 products, soap, turpentine, varnish, charcoal, or distilled products, or similar
30 industrial uses; **steel fabrication shops or yards;** and manufacture, service, or
31 repair of railroad equipment.

32 **b. Use-Specific Standard**

33 L4 screening landscaping is required where adjacent to residential zones.

34 **4. Manufacturing, Light**

35 **a. Definition**

36 An establishment engaged in the manufacture, predominantly from previously
37 prepared materials, of finished products or parts, including processing,
38 fabrication, assembly, treatment, and packaging of such products, and incidental
39 storage, sales, and distribution of such products, but excluding basic industrial
40 processing. Examples include, but are not limited to: airplane, automobile, or
41 truck assembly; repair of railroad equipment; beverage manufacture and
42 brewery; boatbuilding; cabinet shops; machine or blacksmith shops;
43 metalworking or welding shops; paint shops; processing and/or dressing of skins;
44 [STEEL FABRICATION SHOPS OR YARDS,] and printing, publishing, and
45 lithography.

46 **b. Use-Specific Standard**

47 L4 screening landscaping is required where adjacent to residential zones.

1 **5. Natural Resource Extraction, Organic and Inorganic**

2 **a. Definition**

3 The development or extraction of organic and/or inorganic material from its
4 natural occurrences on affected land. This use includes placer mining operations
5 in which rock byproduct is removed from the premises. This use [SHALL] also
6 includes commercial or industrial operations involving removal of timber, native
7 vegetation, peat, muck, topsoil, fill, sand, gravel, [OR] rock, or any other mineral,
8 and other operations having similar characteristics. This use includes only
9 operations of a scale involving 50,000 cubic yards or more of material. Site
10 preparation as part of the development of a subdivision under a subdivision
11 agreement is not included.

12 **b. Use-Specific Standards (also apply to "Natural Resource Extraction, Placer
13 Mining")**

14 **i. General Standards**

15 The following general standards apply in all districts:

16 **(A) Limit on Site Size**

17 Except for placer mining, general natural resource extraction is
18 allowed only on sites of five acres or more.

19 **(B) Water Discharge Permit**

20 Placer mining operations are subject to a wastewater discharge
21 permit issued by the state department of environmental
22 conservation.

23 **(C) Use and Handling of Explosives**

24 In addition to the requirements of the fire code, the following
25 shall govern the storage, handling, and use of explosive
26 materials:

27 **(1)** In addition to the submittal requirements for a conditional
28 use approval, a blasting plan and a safety plan shall be
29 submitted.

30 **(2)** Blasting shall be conducted during daylight hours within
31 the operating hours established by the planning and
32 zoning commission.

33 **(3)** The handling and firing of explosives shall be performed
34 only by the individual possessing a valid explosives
35 certificate issued by the fire marshal.

36 **(4)** Whenever a new storage or magazine site is established
37 the Anchorage police department, Anchorage fire
38 department and the emergency operations center shall
39 be notified.

40 **(5)** Quantities of explosives shall be determined by the fire
41 code at AMC title 23.

42 **(6)** Blasting operations shall be performed in accordance
43 with the instructions of the manufacturer of the explosive
44 materials being used.

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
- (7) Rock fall mitigation methods may be required. When blasting is done in close proximity to a structure, railway, highway, or any other installation, precautions shall be taken to minimize earth vibrations and air blast effects. Blasting mats or other protective means shall be used to prevent fragments from being thrown.
 - (8) Property owners within 1,000 feet of the site shall be notified at least 24 hours in advance of blasting. Verbal notices shall be confirmed with written notice.
 - (9) All areas subject to blasting operations shall be fenced in a manner to secure the site and to prevent unauthorized access to the site.
 - (10) Notice of blasting operations shall be posted at all entrances to the site and on security fencing in areas subject to blasting operations. Posting shall occur at least 24 hours in advance of blasting.
 - (11) When blasting is being conducted in the vicinity of utilities (gas, water, electric, fire alarm, or telephone), the blaster shall notify the appropriate representatives of the agencies at least 24 hours in advance of blasting. Verbal notices shall be confirmed with written notice.
 - (12) Before a blast is fired, the individual in charge shall make certain that all surplus explosives are in a safe place, all persons and vehicles are at a safe distance or under sufficient cover and a loud warning signal has been sounded.
 - (13) The operator of the site shall be responsible for all damages to persons or property which arise from, or are caused by the blasting operations.

30 (D) *Required Submittals*
31 In addition to the general submittal requirements applicable to all
32 site plans specified in the title 21 user's guide, additional
33 submittal requirements are specified in that guide for natural
34 resource extraction. The site plan shall be subject to review and
35 approval of the department of **public works** [PROJECT
36 MANAGEMENT AND ENGINEERING] for drainage, erosion, and
37 sedimentation control; for conformance with the requirements of
38 the National Pollutant Discharge Elimination System (NPDES)
39 permit and other applicable EPA guidelines; and for compliance
40 with generally accepted sound engineering principles.

41 (E) *Standards for Approval*
42 In addition to the conditional use standards of approval at
43 21.03.080C., the planning and zoning commission may approve
44 a natural resource extraction conditional use only if the
45 commission finds that the use also meets the following
46 standards:

- 1 (1) Principal access to the site shall minimize the use of
 2 residential streets, and access roads shall be treated in
 3 a manner to make them dust free. Where access roads
 4 intersect collectors or arterials, suitable traffic controls
 5 shall be established.
- 6 (2) The extraction operations will not pose a hazard to the
 7 public health and safety.
- 8 (3) The extraction operations will not generate noise, dust,
 9 surface water runoff or traffic that will unduly interfere
 10 with surrounding land uses.
- 11 (4) The restoration plan for the site ensures that, after
 12 extraction operations cease, the site will be left in a safe,
 13 stable, and aesthetically acceptable condition. The site
 14 shall either be restored generally to its pre-excavation
 15 contours, or as appropriate for the future use of the land.
- 16 (5) The proposed use meets such additional standards for
 17 natural resource extraction conditional uses as the
 18 director may establish by regulation pursuant to AMC
 19 chapter 3.40.

20 **6. Natural Resource Extraction, Placer Mining**

21 **a. Definition**

22 Natural resource extraction by means of the placer mining method that does not
 23 involve the removal of any natural resources other than small quantities of
 24 precious metals, such as gold, silver, and platinum, from the premises. Rock
 25 byproduct is not removed from the premises.

26 **b. Use-Specific Standard[S]**

27 Placer mining shall comply with the use-specific standards set forth above for
 28 "natural resource extraction, organic and inorganic."

29 **C. Marine Facility**

30 This category includes a mix of commercial and light industrial manufacturing, processing,
 31 storage, wholesale, and distribution operations that are water-dependent or water-related. Water-
 32 dependent uses are generally permitted, while water-related uses are generally conditional uses.
 33 Specific use[S] **types** include:

34 **1. Aquaculture**

35 **a. Definition**

36 An establishment engaged in the hatching, raising, and breeding of fish or other
 37 aquatic plants or animals for sale.

38 **2. Facility for Combined Marine and General Construction**

39 **a. Definition**

40 An establishment engaged in the manufacture, construction, and repair of marine
 41 and non-marine related products.

42 **3. Marine Operations**

43 **a. Definition**

44 Establishments engaged in light industrial manufacturing, processing, or storage
 45 operations, that are water-dependent and water-related. Examples include, but

1 are not limited to: cargo handling facilities, including docking, loading, and related
2 storage; fabrication, storage, and repair of fishing equipment; facilities for marine
3 construction and salvage; facilities for marine pollution control, petrochemical
4 cleanup, and servicing of marine sanitation devices; facilities for processing of
5 products harvested from the ocean; facilities for manufacturing ice; marine
6 industrial welding and fabricating; seafood packaging, packing, storage, loading,
7 and distribution facilities; shipbuilding and facilities for construction, maintenance,
8 and repair of vessels; marine repair yards, boat fabrication, boat storage, and
9 marine machine shops; marine transport services, including ferries, public
10 landings and boat launches, commercial vessel berthing, excursion services,
11 hovercraft, and boat rentals; recreational and commercial fishing and boating
12 activities; tugboat, fireboat, pilot boat; coast guard, and similar services; uses that
13 provide pedestrian access to the waterfront; wharves, docks, ramps, and piers;
14 marine police, harbormaster, and other marine enforcement agencies; harbor
15 and marine supplies and services, and ship supply, such as fueling and
16 bunkering of vessels; and aids to navigation.

17 **4. Marine Wholesaling**

18 **a. Definition**

19 Establishments engaged in wholesale and distribution operations of marine-
20 related products.

21 **D. Warehouse and Storage**

22 This category includes uses involved in the storage or movement of goods for themselves or
23 other firms. Goods are generally delivered to other firms or the final consumer, except for some
24 will-call pickups. There is little on-site sales activity with the customer present. Accessory uses
25 may include offices, truck fleet parking, and maintenance areas. Specific use types include:

26 **1. Bulk Storage of Hazardous Materials**

27 **a. Definition**

28 An establishment primarily engaged in the bulk storage and/or distribution of
29 hazardous materials, including liquefied fuel such as petroleum gas, for
30 wholesale sale. "Hazardous materials" is defined at AMC 16.110.020.

31 **b. Use-Specific Standard[S]**

32 Any new facilities for the storage and/or dispersion of hazardous materials, or
33 expansion of existing facilities for the storage and/or dispersing of hazardous
34 materials, shall occur at least 1,000 feet from a residential or mixed-use district,
35 school, hospital, or **park** [PLACE OF PUBLIC ASSEMBLY].

36 **2. Impound Yard**

37 **a. Definition**

38 An area used for the storage of vehicles seized for any reason, including but not
39 limited to traffic accidents, improper parking, and abandonment. No dismantling
40 or disassembly of vehicles is permitted in an impound yard. The vehicle so
41 stored may be sold from the impound yard by auction or otherwise, in
42 accordance with state law.

43 **b. Use-Specific Standard[S]**

44 Impound yards shall comply with the use-specific standards set forth for "storage
45 yard" below.

R15E

1 **3. Motor Freight Terminal**

2 **a. Definition**

3 A facility for freight pick-up, distribution, and storage. This may include
4 intermodal distribution facilities for truck or shipping transport.

5 **b. Use-Specific Standards**

6 i. Loading, parking, and maneuvering space shall be entirely on private
7 property, which includes private leasehold of public property.

8 ii. There shall be a 200 foot buffer zone between the motor freight terminal
9 operations and property zoned residential. No motor freight trucks,
10 trailers (including those with refrigeration or heating units), or other
11 motorized equipment such as fork lifts may be maneuvered, parked, or
12 operated, nor any associated warehouses be located within 200 feet of
13 residentially zoned property. The buffer zone may be used for employee
14 parking, for landscaping, including a required L4 landscape buffer, and
15 similar uses that do not create noise. The buffer zone shall be posted or
16 marked in such a manner so as to clearly delineate the areas where
17 operations are permitted.

18 iii. A motor freight terminal which abuts or is directly across a street or alley
19 from residentially zoned property shall have L4 landscaping on the
20 boundary of the abutting property, street, or alley.

21 iv. A motor freight terminal that is separated from property zoned residential
22 by the Alaska Railroad main line corridor, or a freeway or expressway as
23 classified on the *Official Streets and Highways Plan* is not subject to the
24 provisions of subsections b.ii. and b.iii. above.

25 **4. Self-Storage Facility**

26 **a. Definition**

27 A completely enclosed structure(s) containing three or more areas or rooms
28 available for lease or rent for the purpose of the general storage of household
29 goods and business or personal property, where the lessee of the unit is
30 provided direct access to deposit or store items. Also known as a "ministorage
31 facility." A self-storage facility may have associated outdoor vehicle storage, but
32 a stand-alone vehicle storage establishment is classified under "storage yard".

33 **b. Use-Specific Standards**

34 The standards below are applicable to self-storage facilities in all districts.

35 i. **Size of Site**

36 The self-storage site shall contain no less than one-half acre and no
37 more than ten acres.

38 ii. **Traffic Access and Curb Cuts**

39 The site shall have direct driveway access from a street constructed to
40 appropriate municipal standards as described in chapter 21.08.
41 Location, number, and width of curb cuts shall be subject to the approval
42 of the traffic engineer or the state department of transportation and public
43 facilities.

44 iii. **Dimensional Standards**

45 Notwithstanding the general dimensional standards in chapter 21.06, the
46 following specific standards apply:

- 1 (A) *Maximum Lot Coverage By All Buildings*
2 75 percent in industrial districts; 50 percent in all other districts.
- 3 (B) *Maximum Height of Structures*
4 35 feet. Structures over 35 feet in height shall require
5 conditional use approval.
- 6 iv. *Paving and Drainage*
7 (A) All parking lots [AREAS] and driveways, interior aisles, and
8 walkways shall be paved to municipal standards. In class B
9 areas, the areas may be graveled with D-1.
- 10 (B) Provisions shall be made to prevent any contamination of the
11 domestic water supply or to prevent excessive or contaminated
12 surface runoff from the site onto adjacent lands or streams.
13 Drainage flow patterns shall be shown on the site plan or a
14 separate approved map. [IF PLANS INDICATE THAT
15 SURFACE DRAINAGE WILL BE CARRIED OFF SITE, THE
16 SITE PLAN SHALL BE SUBJECT TO THE APPROVAL OF THE
17 DEPARTMENT OF PROJECT MANAGEMENT AND
18 ENGINEERING.] Drainage shall comply with section 21.07.040.
- 19 v. *Permitted Accessory Uses*
20 The facility may provide two on-site dwelling units for use by an on-site
21 caretaker, manager, or owner of the site.
- 22 vi. *Storage of Hazardous Substances*
23 The storage of explosives, radioactive materials, or any other hazardous
24 chemicals, or flammable materials as defined by municipal code, is
25 prohibited.
- 26 vii. *Prohibited Uses Within Storage Units*
27 Except for work performed ancillary to the operation of the self-storage
28 facility, the following uses are prohibited from occurring within a self-
29 storage facility or vehicle storage rental unit or space:
- 30 (A) The servicing, repair, or fabrication of vehicles, boats, trailers,
31 lawn mowers, appliances, or any other equipment with the
32 exception of battery or tire removal and replacement. These
33 must be conducted in accordance with all federal, state, and
34 local laws. All hazardous materials must be disposed of properly
35 by the owner of the vehicle.
- 36 (B) The operation of power tools, spray-painting equipment, table
37 saws, lathes, compressors, welding equipment, kilns, or other
38 similar equipment.
- 39 (C) Any use that is noxious or offensive because of odors, dust,
40 noise, fumes, or vibrations.
- 41 viii. *Fencing and Landscaping*
42 (A) Except as noted below, all site boundaries shall be fenced with a
43 sight-obscuring fence structure at least eight feet high. No
44 fencing shall be required on the portion of site boundaries where
45 a structure, excluding containerized storage units, abuts either
46 side of the lot line.

1 (B) The fence shall be constructed of concrete, solid wood, or chain
 2 link with a neutral color fabric screening or vinyl covering, and
 3 shall be approved by the department for compatibility with
 4 surrounding properties. The structure shall be maintained in a
 5 safe, sound, and orderly condition, and shall be kept free of any
 6 advertising matter other than signs permitted by this title. Only
 7 one foot of security wire, such as concertina, razor, or barbed
 8 wire, is permitted to be exposed and visible outside the fence.

9 (C) Where a self storage or vehicle storage facility abuts a
 10 commercially zoned district or a street of collector classification
 11 or greater on the Official Streets and Highways Plan, L2 visual
 12 enhancement landscaping shall be required external to the sight-
 13 obscuring fence. Where lot lines for these facilities abut a
 14 residential district, L3 buffer landscaping shall be required. No
 15 landscaping shall be required where a lot line abuts an industrial
 16 district, or on the portion of site boundaries where a structure,
 17 excluding containerized storage units, abuts either side of the lot
 18 line [OR AN INDUSTRIAL DISTRICT], unless otherwise required
 19 by this title.

20 ix. **Vehicle Storage Yards**

21 The yard may not be used to display or advertise any merchandise for
 22 sale, including vehicles. No salvaging, dismantling, or disassembly of
 23 vehicles is permitted in a vehicle storage yard.

24 x. **Financial Guarantees**

25 The department may require a financial guarantee to ensure installation
 26 of required landscaping, fencing, paving, or mitigation of any
 27 environmental impacts or contamination to the site or surrounding land in
 28 accordance with section 21.08.060, *Subdivision Agreements*.

29 xi. **Existing Self Storage and Vehicle Storage Operations**

30 Self-storage and vehicle storage operations existing on or before
 31 October 26, 2004 shall be deemed to have approved site plans and not
 32 be nonconforming uses or structures. Notwithstanding the provisions of
 33 chapter 21.12, *Nonconformities*, where self-storage and vehicle storage
 34 operations exist and have been in continuous existence since October
 35 26, 2004, that use may continue provided the owner thereof complies
 36 with the following:

37 (A) **Site Enhancement Plan Required**

38 Any self-storage or vehicle storage operation existing prior to
 39 October 26, 2004 that does not comply with the requirements of
 40 this section related to sight-obscuring fencing, required
 41 landscaping external to said fencing, and elimination of security
 42 razor or concertina security wire at the top of a fence shall obtain
 43 approval by the director of, and agree to implement, a site
 44 enhancement plan for the property. This site enhancement plan
 45 shall be submitted to the director before April 26, 2014. The plan
 46 shall be fully implemented by October 26, 2014. The intent of
 47 this site enhancement plan is to bring the property as closely as
 48 reasonably possible into compliance with the above noted
 49 subsection without impeding existing operations.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

(B) *Contents of Site Enhancement Plan*

The site enhancement plan shall include:

- (1) A graphic and legal description of the plan area.
- (2) Existing fencing and fencing types on the site.
- (3) Current vegetation external to perimeter fencing, if any.
- (4) Vehicular access points, including ingress and egress points, and queuing lanes.
- (5) Proposed modifications to bring the property into compliance with the intent of the standards of this section, but only for the following items: sight-obscuring fencing; required landscaping external to said fencing on any side of the property abutting a residential zoning district or an arterial, if the side is not otherwise obscured from view by other landscaping, naturally-vegetated areas, natural features, or buildings located on adjoining properties; and in all instances elimination of barbed, razor, [AND] concertina or other security wire, unless the security wire is placed in accordance with other sections of this title.
- (6) It is the intent of this section that owners of existing facilities not be required to move existing fences or change existing operations.

(C) *Narrative Statement Required*

A narrative statement shall also be submitted with the site enhancement plan. The narrative shall be based on existing conditions and shall detail the following information:

- (1) The method of securing the area to prevent casual access.
- (2) A proposed schedule that specifies the date and methods by which the owner shall come into compliance with the intent of this section.
- (3) A description of current operations and uses that take place on the site.

(D) *Implementation of Approved Site Enhancement Plan*

The director shall set a reasonable period of time for implementation of the approved site enhancement plan, but in all cases the implementation shall be complete by October 26, 2014. Adequacy of the site enhancement plan shall be based on evidence presented by the owner, which may include the following:

- (1) The location and size of the property and the self-storage and/or vehicle storage use, including topography and related physical constraints of the site.

- 1
2
3
4
5
6
- (2) History of the use of the property as a self-storage and/or vehicle storage use, including information about the length of time it has existed as that use and any relevant permits or other official regulatory documents related to the use of the property as a self-storage and/or vehicle storage use.
- 7
8
9
10
- (3) A map of the subject property indicating the location of all parcels of real property within a distance of 300 feet from the exterior boundary of the subject property, showing the zoning district boundaries.
- 11
12
13
14
- (4) The compatibility of the operation with surrounding neighborhoods, and with prevention of noise, dust, safety hazards, traffic congestion, aesthetic deterioration, and other adverse environmental effects.
- 15
16
- (5) Any other information the property owner may wish to submit in order to make his or her case.
- 17
18
19
20
21
22
- (E) *Decision by Director*
Upon receipt of a site enhancement plan pursuant to subsection xii.(A). above, the director shall make a determination within 60 days of submittal of the site enhancement plan. The decision of the director shall be in writing and sent by certified mail to the address listed in the owner's application.
- 23
24
25
26
27
28
29
- (F) *Appeals*
A decision of the director is final unless appealed within 30 days of its receipt by the owner of the property. Appeal is to the zoning board of examiners and appeals. Only the applicant may appeal the decision of the director. An appeal from a decision of the zoning board of examiners and appeals may be brought in superior court.
- 30
31
32
33
34
5. **Storage Yard**
- 35
36
37
38
39
40
- a. **Definition**
Any lot or portion of a lot that is used for the sole purpose of the outdoor storage of fully operable motor vehicles; construction equipment; construction materials; sand, gravel, topsoil, or the like; or other tangible materials and equipment.
- 41
42
43
- b. **Use-Specific Standards (also apply to "Impound Yard" and "Junkyard")**
- i. **Location of Site**
- (A) L4 screening landscaping shall be planted along all lot lines where a storage yard or impound yard abuts any academic school, hospital, residential district, or government administration and civic building.
- (B) A junkyard shall not be located within 500 feet of any academic school, hospital, residential district, or government administration and civic building[, OR RESIDENTIAL SUBDIVISION].
- 44
45
46
47
- ii. **Minimum Lot Size and Width for Junkyard**
Notwithstanding the general dimensional standards set forth in chapter 21.06, the minimum lot size for a junkyard shall be two acres. The minimum lot width shall be 150 feet.

- 1 iii. **Limits on Outdoor Storage**
2 Outdoor storage shall not exceed 35 feet in height. No outdoor storage
3 shall occur within the required front or side setback as set forth in
4 chapter 21.06.
- 5 iv. **Containerized Storage Units**
6 The following standards shall apply to the use of containerized storage
7 units:
- 8 (A) A containerized storage unit shall be a factory-built shipping
9 container.
- 10 (B) A containerized storage unit shall be subject to the requirements
11 for any required permitting, as set forth in the Anchorage
12 municipal code of ordinances.
- 13 v. **Screening**
14 L4 screening landscaping is required where adjacent to residential
15 districts.
- 16 vi. **Drainage; Protection of Water Supply**
17 Provisions shall be made to prevent any contamination of the domestic
18 water supply or excessive surface runoff from the property into adjoining
19 lands or streams. [THE DRAINAGE PLAN THAT CARRIES WATER
20 OFF THE SITE SHALL BE SUBJECT TO THE APPROVAL OF THE
21 DEPARTMENT OF PROJECT MANAGEMENT AND ENGINEERING.]
22 Failure to prevent such contamination of the domestic water supply or to
23 prevent excessive surface runoff from the site onto adjoining lands or
24 streams shall be cause for the conditional use to be rescinded and the
25 junkyard to be removed at the cost of the owner of the land upon which it
26 is located.
- 27 vii. **Existing Vehicle Storage Yards**
28 Storage yards in existence on October 26, 2004 and that fall under the
29 definition of “vehicle storage yard”, which means “the outdoor storage of
30 vehicles (under 12,000 lbs. gross vehicle weight rating), boats, and
31 recreational vehicles”, may continue to exist pursuant to the
32 requirements of subsection D.4.b.xii. above.
- 33 6. **Warehouse**
34 a. **Definition**
35 A structure containing an area available for the purpose of storing raw materials,
36 goods, or property.
- 37 b. **Use-Specific Standard**
38 L3 buffer landscaping is required where adjacent to residential districts.
- 39 7. **Wholesale Establishment**
40 a. **Definition**
41 An establishment primarily engaged in the sale or distribution of goods and
42 materials in large quantity to retailers or other businesses for resale to individual
43 or business customers. This shall not include heavy manufacturing, resource
44 extraction, scrap operations, bulk storage of hazardous materials, or salvage
45 operations.

1 **E. Waste and Salvage**

2 This category includes uses that receive solid or liquid wastes from others for disposal on the site
 3 or for transfer to another location; uses that collect sanitary wastes; or uses that manufacture or
 4 produce goods or energy from the composting of organic material or processing of scrap or waste
 5 material. Waste and salvage uses also include uses that receive hazardous wastes from others.
 6 Accessory uses may include recycling of materials, offices, and repackaging and shipment of by-
 7 products. Specific use types include:

8 **1. Composting Facility**

9 **a. Definition**

10 A facility where organic matter, including leaves, grass, manures, and non-meat,
 11 non-biosolids waste, amassed primarily from off-site, is processed by composting
 12 and/or processing for commercial purposes. Activities may include management,
 13 collection, transportation, staging, composting, curing, storage, marketing, or use
 14 of collected compost.

15 **b. Use-Specific Standards**

16 **i.** Any composting storage area of a composting facility shall be set back at
 17 least 200 feet from any lot line abutting a residential district, mixed-use
 18 district, or any residential use (except a residential use occupied by the
 19 owner, operator, or any employee of such composting facility) that exists
 20 at the time of the establishment of the composting facility.

21 **ii.** Composting facilities shall contain and treat on-site, all water run-off that
 22 comes into contact with the feedstocks or compost, in such manner that
 23 the run-off will not contaminate surface or ground water.

24 **iii.** Composting facilities shall not be located in any floodway.

25 **iv.** No composting facility shall commence operation until a nuisance
 26 condition control plan, specifying all measures to be taken to control
 27 nuisance conditions (such as odor, noise, scattered solid waste, dust)
 28 has been approved by the director.

29 **2. Hazardous Waste Treatment Facility**

30 **a. Definition**

31 The processing of hazardous waste by means other than incineration, for the
 32 purposes of rendering the waste non-dangerous or less dangerous, safer for
 33 transport, amenable for storage, and/or able to be reused for energy production.

34 **b. Use-Specific Standard[S]**

35 Hazardous waste treatment facilities shall be located at least 1,000 feet from any
 36 residential or mixed-use district.

37 **3. Incinerator or Thermal Desorption Unit**

38 **a. Definition**

39 **i. Incinerator**

40 An establishment that uses thermal combustion processes to destroy or
 41 alter the character or composition of medical waste, hazardous waste,
 42 sludge, soil, or municipal solid waste (not including animal or human
 43 remains). This definition does not include "rag burners" or oil heaters.

44 **ii. Thermal Desorption Unit**

45 A facility that removes volatile and semi-volatile contaminants from soils,
 46 sediments, slurries, and filter cakes using direct or indirect heat

exchange. This definition does not include short-term (less than six months) on-site remediation operations.

iii. **Not Accessory Uses**

Incinerators and thermal desorption units that are accessory to other principal uses shall meet these use-specific standards.

b. **Use-Specific Standards**

i. **Separation Requirements from Residential Zoning Districts and Academic Schools**

No incinerator facility or thermal desorption unit shall be located less than 1315 feet from a residentially zoned district, a dedicated park, or an elementary, middle, or high school.

ii. **Standards for Incinerators**

(A) **Hazardous Waste Prohibited**

Incinerators covered under this section shall not accept any materials that meet the definition of hazardous waste as defined by the U.S. Environmental Protection Agency (EPA) of the state department of environmental conservation (ADEC).

(B) **Separation Distances between Incinerator Facilities**

Separation distances between incinerator facilities shall be as follows:

TABLE 21.05-3: MINIMUM SEPARATION DISTANCES BETWEEN INCINERATOR FACILITIES				
Rated Capacity (lbs./hour)	Distance from Nearest Emission Source (feet)			
	1315	2300	3280	3940
Under 500	X			
500--1,000		X		
1,001--1,500			X	
1,501--2,000				X
Facilities with unequal capacity: the largest capacity shall determine the minimum distance.				
Facilities with a rated capacity greater than 2,000 pounds per hour shall perform an analysis of the health risk pursuant to subsection iv.(B). below, and shall meet the standards of subsection iv.(A).(2). below.				

iii. **Standards for Thermal Desorption Units (TDUs)**

TDUs with a rated capacity of under 100 tons per hour shall be 1315 feet from the nearest emission source of another TDU. TDUs with a rated capacity of 100 tons per hour or more shall perform an analysis of the health risk pursuant to subsection iv.(B). below, and meet the standards of subsection iv.(A).(2). below.

iv. **Standards for Both Incinerators and Thermal Desorption Units**

(A) **Distance Requirements**

All new incinerator facilities shall be located at least 1315 feet from an existing TDU, and vice versa, unless one of the following two standards is met:

- (1) It can be demonstrated that the combined percentage rated capacity of all incinerator facilities and thermal

desorption units, existing and proposed, does not exceed 100. The combined percentage rated capacity shall be calculated as follows:

$$((I_1 + I_2 + \dots + I_N) / 500) + (T_1 + T_2 + \dots + T_N) / 100 \times 100 = C$$

Where $I_1 + I_2 + \dots + I_N$ is the sum of the rated capacities of all incinerator facilities, in pounds per hour, within 1315 feet of the proposed facility, and $T_1 + T_2 + \dots + T_N$ is the sum of the rated capacities of all thermal desorption units, in tons per hour, within 1315 feet of the proposed facility. The proposed incinerator facility or thermal desorption unit shall be included in the calculation of the combined percentage rated capacity; or

- (2) It can be demonstrated, through an analysis of the health risk described in subsection iv.(B). below, that the combined risk of all incinerators and thermal desorption units operating within 1315 feet of the proposed facility will not pose a lifetime health risk greater than one excess cancer case per 100,000 for individuals living within adjacent residentially zoned areas or attending elementary, middle, or high schools.

(B) Analysis of Health Risk

The intent of the analysis is to provide information regarding the health risks of persons living close to the proposed site. The municipality shall select a contractor to conduct the analysis and the cost will be billed to the petitioner. The analysis shall meet the following requirements:

- (1) The analysis shall utilize an EPA-approved dispersion model appropriate for the type of facility, and the given terrain, to estimate the ambient annual average concentration of contaminants from the facility. The model shall be run according to EPA modeling guidelines;
- (2) Models shall utilize a full year of local meteorological data (e.g., National Weather Service observations taken at the Anchorage International Airport). If several years worth of meteorological data are obtained, the year providing the highest ambient concentrations shall be used;
- (3) All emission factors used in conjunction with the model shall be documented. Acceptable emission factors may be obtained from either a source test conducted by the manufacturer of the same or similar model as the one proposed to be used or must reference a published report (e.g., an article in a peer review scientific journal or EPA publication);
- (4) The report shall describe the modeling results in terms of the annual concentration of each identified toxic

1 compound at the boundary of the adjacent residential
2 zoning districts as well as the location and magnitude of
3 the maximum annual average concentrations found
4 within each adjacent residential district; and

- 5 (5) The report shall also describe the health risks
6 attributable to these concentration levels based on the
7 latest cancer risk values from the EPA's Integrated Risk
8 Information System (IRIS) database. Cancer risks shall
9 be based on the risk of one additional cancer above the
10 background cancer rate per 100,000 individuals.

- 11 (C) *Standards for Facilities Not Meeting Separation Requirements*
12 The planning and zoning commission may approve a conditional
13 use for an incinerator facility or thermal desorption unit that is
14 less than 1315 feet from an existing facility, but meets the
15 standards of either (A).(1). or (A).(2). above, only if the
16 commission finds that the storage plan for the material to be
17 burned and the waste generated by the incineration activity is
18 adequate to prevent any runoff, groundwater contamination,
19 airborne dust, or other means for contaminants to migrate off the
20 site.

- 21 (D) *Additional Submittal Requirements for a Conditional use Permit*
22 In addition to standard materials required for all conditional use
23 applications, all applicants for a conditional use for an incinerator
24 facility or TDU shall submit the following information pertaining to
25 the burning process:

- 26 (1) A description of the operation, including equipment to be
27 used.
- 28 (2) The type and quantity of material that will be processed.
- 29 (3) Operating hours and conditions.
- 30 (4) Plans for storing the material to be burned.
- 31 (5) A disposal plan for waste generated from the process.
- 32 (6) The location of points of vehicular access to the site and
33 projected traffic counts for each.
- 34 (7) A description of the federal or state permitting process
35 required for operation of the incinerator or TDU.
- 36 (8) Such other materials as the director may require by
37 regulation pursuant to AMC chapter 3.40.

- 38 (E) *Additional Conditions of Approval*
39 (1) The planning and zoning commission shall attach such
40 conditions to the approval of a conditional use for an
41 incinerator or TDU as it finds are necessary to conform
42 the use to the standards set forth above.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

(2) All conditional uses granted under this subsection are subject to revocation if the planning and zoning commission determines, based on a recommendation by the municipal department of health and human services, that the operator of the incinerator or TDU failed to operate according to the specifications shown in the plans approved by the planning and zoning commission, or operate in conformance with the state department of environmental conservation or municipal air quality regulations. In order to determine whether or not this condition is met, the director of the municipal department of health and human services shall have authority to require monitoring for compliance with the conditional use permit and to annually obtain copies of the operator's monitoring or testing records.

16
17
18
19

(3) The petitioner shall obtain all applicable permits from the U.S. Environmental Protection Agency, state department of environmental conservation, and municipal department of health and human services.

20
21

4. **Junkyard or Salvage Yard**

22

a. **Definition**

23 Any lot, or portion of a lot, that is used for the purpose of the outdoor storage,
24 handling, dismantling, salvage, wrecking, keeping, or sale of used, discarded,
25 wrecked, or abandoned airplanes, appliances, vehicles, boats, building and
26 building materials, machinery or equipment, or parts thereof, including but not
27 limited to scrap metals, wood, lumber, plastic, fiber, or other tangible materials
28 defined under "junk" (see general definitions in chapter 21.14). Auto wrecking
29 yards and salvage or scrap yards are included in this use. This does not include
a composting facility or "vehicle repair/rebuilding, outdoor, hobby".

30
31

b. **Use-Specific Standard[S]**

32
33

Junkyards and salvage yards shall comply with the use-specific standards applicable to "storage yard" set forth above.

34

5. **Land Reclamation**

35

a. **Definition**

36 An operation engaged primarily in increasing land-use capability by changing the
37 land's character or environment through fill or regrading. Land reclamation shall
38 include only operations at a scale involving 5,000 cubic yards or more of fill
39 material. Site preparation as part of the development of a subdivision under a
subdivision agreement is not included.

40

b. **Use-Specific Standards**

41
42
43
44
45
46
47

i. If the land reclamation operation will be completed within one year, the review and approval procedure shall be an administrative site plan review. If the operation will continue for more than one year, the review and approval procedure shall be the conditional use process. If an operation was approved under the administrative site plan review process but is not completed within one year, the operator must then apply for a conditional use permit.

48
49

ii. In addition to the submittal requirements in the user's guide, an applicant for a land reclamation use shall submit the following:

-
- 1 (A) A site plan showing:
- 2 (1) Drainage.
- 3 (2) Existing and proposed topographical contours (ten-foot
- 4 contour).
- 5 (3) Water table information.
- 6 (4) Points of vehicular access to the site.
- 7 (B) An erosion and sediment control plan.
- 8 (C) A description of the soil types encountered on the site.
- 9 (D) A landscaping plan for the period of land reclamation operations
- 10 and for final restoration of the site.
- 11 (E) A security plan to prevent casual trespass.
- 12 (F) Proposed hours of operation.
- 13 (G) A description of land reclamation and processing operations
- 14 proposed for the site.
- 15 (H) Projected traffic counts for each point of vehicular access to the
- 16 site.
- 17 (I) An estimate of the quantity of materials to be imported to the site
- 18 and timetable, with supporting calculations conforming to
- 19 generally accepted engineering principles.
- 20 (J) A statement of the types of materials that will be accepted at the
- 21 site.
- 22 (K) Such other materials as the director may require by regulation
- 23 pursuant to AMC chapter 3.40.
- 24 iii. The site plan and erosion and sediment control plan required in
- 25 subsection ii. above shall be subject to review and approval for drainage,
- 26 erosion and sedimentation control; for conformance with the *208*
- 27 *Areawide Water Quality Management Plan*; and for compliance with
- 28 generally accepted sound engineering principles.
- 29 iv. A building or land use permit is required for land reclamation.
- 30 v. In addition to the conditional use standards of approval at 21.03.080C.,
- 31 the planning and zoning commission may approve a land reclamation
- 32 use only if the commission finds that the use also meets the following
- 33 standards:
- 34 (A) Principal access to the site shall minimize the use of residential
- 35 streets, and access roads shall be treated in a manner so as to
- 36 make them dust free. Where access roads intersect arterials,
- 37 suitable traffic controls shall be established.

- 1 (B) The site will not accept materials that are hazardous or
- 2 flammable.
- 3 (C) The site will not accept junk as defined in chapter 21.14.
- 4 (D) The site will not accept soils contaminated with petroleum
- 5 products or byproducts.
- 6 (E) The reclamation operations will not pose a hazard to the public
- 7 health and safety.
- 8 (F) The reclamation operations will not generate noise, dust, surface
- 9 water runoff, groundwater pollution, or traffic that will unduly
- 10 impact surrounding land uses.
- 11 (G) The restoration plan for the site ensures that, after reclamation
- 12 operations cease, the site will be left in a safe, stable, and
- 13 aesthetically acceptable condition.
- 14 (H) The proposed use meets such additional standards for land
- 15 reclamation conditional uses as the director may establish by
- 16 regulation pursuant to AMC chapter 3.40.
- 17 vi. The planning and zoning commission may attach such conditions to the
- 18 approval of a land reclamation conditional use as it finds are necessary
- 19 to mitigate potential negative impacts on adjacent uses.

20 **6. Landfill**

21 **a. Definition**

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

26 **b. Use-Specific Standards**

- 27 i. Landfills shall be set back at least 660 feet from any non-industrial use,
- 28 and that required setback shall be planted with L4 screening
- 29 landscaping.
- 30 ii. Landfills shall contain and treat on-site all run-off that comes into contact
- 31 with the waste material, in such manner that the run-off will not
- 32 contaminate surface or ground water.
- 33 iii. Landfills shall not be located in any floodway.
- 34 iv. No landfill shall commence operation until a nuisance control plan,
- 35 specifying all measures to be taken to control nuisance conditions (such
- 36 as odor, noise, scattered solid waste, wildlife) has been approved by the
- 37 director.

38 **7. Recycling Drop-Off**

39 **a. Definition**

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

42

R16

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

R17

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.
- iii. No collection/pick-up of the accumulated materials shall occur between the hours of 10:00 p.m. and 7:00 a.m.
- iv. 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 7:00 a.m.

8. Snow Disposal Site

a. Definition

An area used for the concentrated storage and disposal of snow transported to that site from other locations. For the purposes of this section, an entire Airport Management District is considered a single location.

b. Use-Specific Standards

i. Location

Snow disposal sites shall be located at least 25 feet from a class A or class B wetland, and at least 100 feet from a stream or water body.

ii. Dimensional Standards

Notwithstanding the general dimensional requirements of chapter 21.06, the following specific standards shall apply to this use.

(A) Minimum Lot Size

The minimum lot size shall be 36,000 square feet, unless otherwise established by the planning and zoning commission.

(B) Maximum Height of Snow Piles

The maximum height of snow piles shall be 35 feet.

(C) Minimum Setback Requirement

The minimum setback of snow piles shall be 25 feet if adjacent to a public right-of-way or to an industrial zoning district, and 50 feet if adjacent to a non-industrial zoning district.

iii. Snow Storage Area

The snow storage area shall be well defined on-site in order to prevent storage of snow on adjacent properties or landscaped areas. This may be accomplished through location, landscaping, fencing, and/or signs.

iv. Screening Fence or Berm

An earthen berm or a screening structure, either at least six feet high, shall be constructed within every setback adjacent to a public right-of-way or to a non-industrial zoning district. Site enhancement landscaping, or another ground cover acceptable to the planning and zoning commission, shall be planted on the berm and within the area between the berm and the lot line for the site. The planning and zoning commission may require construction of a berm or fence within other setback areas in order to restrict casual access, to confine the operations

1 within the site, to reduce noise and glare, and to ensure compatibility of
2 the operation with adjacent uses.

3 v. **Drainage and Water Quality Facilities**

4 The on-site and off-site drainage network shall handle water runoff and
5 snow melt without impacting adjacent properties. Drainage and
6 meltwater disposal shall comply with the municipal *Design Criteria*
7 *Manual* sections regarding snow disposal sites and drainage.

8 vi. **Noise, Dust, and Litter**

9 (A) **Noise**

10 If the level of noise from the activity at the snow disposal site,
11 measured at the property line of any residential **zoning district** or
12 noise-sensitive use such as a public building, academic school,
13 or **hospital** [OTHER PLACE OF PUBLIC ASSEMBLY] within one
14 half mile of the snow disposal site, shall exceed the standards
15 stated in AMC subsection 15.70.080A., then the site plan shall
16 identify mitigation measures.

17 (B) **Dust and Litter Control**

18 A dust control and litter plan shall be established and
19 implemented. Trash collection/removal shall be done in a
20 manner so that there are no dust or litter impacts to adjacent
21 properties or public rights-of-way.

22 9. **Solid Waste and/or Recycling Transfer Facility**

23 a. **Definition**

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

26 b. **Use-Specific Standards**

27 All such uses shall comply with the following standards:

28 i. **Location of Site**

29 A solid waste transfer facility shall not be located within 500 feet of any
30 academic school, hospital, governmental facility (except governmental
31 service), residential subdivision, or place of public assembly.

32 ii. **Minimum Lot Size and Width**

33 Notwithstanding the general dimensional standards set forth in chapter
34 21.06, the minimum lot size for a solid waste and/or recycling transfer
35 facility shall be two acres and the minimum lot width shall be 150 feet,
36 unless otherwise established by the planning and zoning commission.

37 iii. **Limits on Outdoor Storage**

38 Outdoor storage shall not exceed 35 feet in height. No outdoor storage,
39 operations, or donations shall occur within the required front or side
40 setback as set forth in chapter 21.06.

41 iv. **Screening**

42 In addition to any landscaping required under section 21.07.080,
43 *Landscaping, Screening, and Fences*, the facility shall be surrounded by
44 a solid, opaque fence that is at least eight feet high, located no less than
45 100 feet from any public right-of-way, and located no less than 50 feet
46 from an adjacent property.

R18

21.05.070 ACCESSORY USES AND STRUCTURES

A. Purpose

This section authorizes the establishment of accessory uses that are incidental and customarily subordinate to principal uses. An accessory use is “incidental and customarily subordinate” to a principal use if it complies with the standards set forth in this section.

B. General Standards

All accessory uses shall comply with the general standards in this subsection B.

1. Approval of Accessory Uses and Structures

a. All principal uses allowed in a zoning district shall be deemed to include the accessory uses, structures, and activities set forth in this section, unless specifically prohibited.

b. See also sections 21.05.030 through 21.05.060 above, in which incidental or accessory uses are sometimes included in the description of a specific principal use category or use type. When a definition does include permitted accessory or incidental uses, such accessory or incidental uses shall be subject to the general standards set forth in this subsection B., the zoning district limitations in subsection C. below, as well as any use-specific standards set forth in subsections D. and E. below.

2. Compliance with Ordinance Requirements

a. All accessory uses and structures shall be subject to the standards set forth in this section and the dimensional standards of chapter 21.06. In the case of any conflict between the standards of this section and any other requirement of this title, the standards of this section shall control.

b. Any use listed in subsections 21.05.030 through 21.05.060 is allowed as an accessory use to a residential use if the accessory use meets the standards of a “home occupation” at subsection 21.05.070D.11[12]. If the use exceeds the standards of a “home occupation”, then the use is no longer considered accessory and shall meet any applicable standards of subsections 21.05.010 through 21.05.060[070], which dictate in which districts the use is allowed, and any use-specific standards.

c. Accessory uses shall comply with all standards of this title applicable to the principal use with which they are associated. Parking requirements shall be met for both the principal use, as specified in section 21.07.090, and any additional requirements for the accessory use, if applicable and specified in this section.

3. Dimensional Standards for Accessory Buildings and Structures

a. Same Lot

The accessory use or structure shall be conducted and/or located on the same lot as the principal use.

b. Location of Accessory Structures

No accessory structure shall be erected or maintained in any required setback, except that:

i. Buildings accessory to a residential use and allowed by this section 21.05.070 may be erected in a required side or rear setback that is adjacent to an alley;

- 1 ii. Two sheds or greenhouses, each 150 square feet or less, a maximum of
- 2 12 feet in height, and not attached to a foundation, may be erected in a
- 3 required side or rear setback; and

- 4 iii. Dog runs and dog houses not attached to a foundation [AND ALLOWED
- 5 BY THIS SECTION 21.05.070] may be erected in a required side or rear
- 6 setback.

7 **4. Same Ownership Required**

8 The principal use and the accessory use shall be under the same ownership.

9 **5. Temporary Accessory Uses and Structures**

10 Temporary accessory uses and structures shall be governed by the temporary use

11 standards set forth in section 21.05.080 of this title.

12 **C. Table of Allowed Accessory Uses**

13 Tables 21.05-4 and 21.05-5 below list the accessory uses allowed within all base zoning districts.

14 Each of the listed uses is defined in subsection D. below.

15 **1. Explanation of Table Abbreviations**

16 **a. Permitted Uses**

17 “P” in a cell indicates that the accessory use is allowed by right in the respective

18 zoning district. Permitted uses are subject to all other applicable regulations of

19 this title, including the use-specific standards in subsection D. below and the

20 development and design standards set forth in chapter 21.07.

21 **b. Administrative Site Plan Review**

22 “S” in a cell indicates that the accessory use requires administrative site plan

23 review in the respective zoning district in accordance with the procedures of

24 section 21.03.180[190]B, *Administrative Site Plan Review*.

25 **c. Conditional Uses**

26 “C” in a cell indicates that, in the respective zoning district, the accessory use is

27 allowed only if reviewed and approved as a conditional use in accordance with

28 the procedures of section 21.03.080, *Conditional Uses*.

29 **d. Prohibited Uses**

30 A blank cell indicates that the accessory use is prohibited in the respective

31 zoning district.

32 **e. Definitions and Use-Specific Standards**

33 Each use listed in tables 21.05-4 and 21.05-5 is defined in this section.

34 Regardless of whether an accessory use is allowed by right or subject to

35 administrative site plan review or conditional use, there may be additional

36 standards that are applicable to the use. The [EXISTENCE OF THESE USE-

37 SPECIFIC STANDARDS IS NOTED THROUGH A SECTION] cross-reference in

38 the last column of the table identifies the code location of the definition and any

39 use-specific standards. [REFERENCES REFER TO SUBSECTION D. BELOW.

40 THESE] Any standards apply in all districts unless otherwise specified.

41 **f. Unlisted Accessory Uses or Structures**

42 An accessory use or structure that is not listed in tables 21.05-4 and 21.05-5

43 shall comply with all standards set forth in subsection B. above.

1

g. Tables of Permitted Accessory Uses and Structures

TABLE 21.05-4: TABLE OF ACCESSORY USES – RESIDENTIAL DISTRICTS

P = Permitted

S = Administrative Site Plan Review

43 [

Accessory Uses	P = Permitted															Definitions and Use-Specific Standards
	R-1	R-1A	R-2A	R-2D	R-2F	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	
Accessory dwelling unit (ADU)	43	43	P	P	P	P	43			P	P	P	P	P	P	21.05.070.D.1.
Bed and breakfast (up to 3 guestrooms)	P	P	P	P	P	P	P			P	P	P	P	P	P	21.05.070.D.2.
Bed and breakfast (4 or 5 guestrooms)	S	S	S	S	S	S	S			S	S	S	S	S	S	21.05.070.D.2.
Beekeeping	P	P	P	P	P	P	P	P		P	P	P	P	P	P	21.05.070.D.3.
Dormitory							S	S	S	S	S	S	S	S	S	21.05.070D.5.
Family self-sufficiency Service							P	P	P							21.05.070D.7.
Farm, hobby										P	P	P	P	P		21.05.070D.8.
Garage or carport, private residential	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070D.9.
Home- and garden-related use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070D.10.
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070D.11.
Intermodal shipping container	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070D.12
Large domestic animal facility										P	P	P	P	P	P	21.05.070D.13.
Outdoor keeping of animals	P	P	P	P	P	P	P			P	P	P	P	P	P	21.05.070D.14.
Parking of business vehicles, outdoors, accessory to a residential use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070D.17.
Private outdoor storage of non-commercial equipment accessory to a residential use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070D.18.
Vehicle repair/rebuilding, outdoor, hobby	P	P	P	P	P	P				P	P	P	P	P	P	21.05.070D.19.

TABLE 21.05-5: TABLE OF ACCESSORY USES – COMMERCIAL, INDUSTRIAL, MIXED-USE, AND OTHER DISTRICTS

P = Permitted S = Administrative Site Plan Review C = Conditional Use Review

Accessory Uses	B-1A	B-3	DT-1	DT-2	DT-3	R-	MC	NMU	CMU	RMU	MT-1	MT-2	I-1	I-2	M1	AF	DR	PR	PLI	W	Definitions and Use-Specific Standards
Bed and breakfast (up to 3 guestrooms)									P	P											21.05.070D.2.
Bed and breakfast (4 or 5 guestrooms)									S	S											21.05.070D.2.
Beekeeping																		P	P		21.05.070D.3.
Caretaker's residence													P	P				P	P		21.05.070D.4
Dormitory										S	S		C						P		21.05.070D.5.
Drive-through service									S	S			P	P	P						21.05.070D.6.
Family self-sufficiency Service								P													21.05.070D.7.
Garage or carport, private residential								P	P	P	P		P		P		P	P			21.05.070D.9.
Home- and garden-related use								P	P	P	P		P		P		P	P			21.05.070D.10.
Home occupation								P	P	P	P		P		P		P	P			21.05.070D.11.
Intermodal shipping container								P	P	P	P		P		P		P	P	P	P	21.05.070D.12
Outdoor keeping of animals																	P	44	44		21.05.070D.14.
Outdoor display accessory to a commercial use													P	P	P						21.05.070D.15.
Outdoor storage accessory to a commercial use								P	P	P	P		P	P	P						21.05.070D.16.
Private outdoor storage of non-commercial equipment accessory to a residential use																	P				21.05.070D.18.
Vehicle repair/rebuilding, outdoor, hobby																	P				21.05.070D.19.

44

D. Definitions and Use-Specific Standards for Allowed Accessory Uses and Structures

This section defines the accessory uses listed in tables 21.05-4 and 21.05-5 and also contains use-specific standards that apply to those uses. Accessory uses shall comply with the applicable use-specific standards in this subsection, in addition to complying with the general standards in subsection B.

1. Accessory Dwelling Unit (ADU)

a. Definition

A subordinate dwelling unit added to, created within, or detached from a detached single-family residence, which provides basic requirements for living, sleeping, cooking, and sanitation.

b. Use-Specific Standards

i. Purpose and Intent

The purpose and intent of this section is to:

- (A) Fulfill housing policy #15 of *Anchorage 2020: Anchorage Bowl Comprehensive Plan*, which provides that accessory housing units shall be allowed in certain residential zones;
- (B) Provide a means for homeowners, particularly the elderly, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services;
- (C) Allow more efficient and flexible use of existing housing stock and infrastructure;
- (D) Respond to changing family needs and smaller households by providing a mix of housing;
- (E) Stabilize homeownership and enhance property values;
- (F) Provide a broader range of accessible and more affordable housing within the municipality; and
- (G) Protect neighborhood stability, property values, and single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the provisions of this title.

ii. Application, Review, and Approval Procedures

- (A) Any landowner operating or seeking to establish an ADU shall obtain a building or land use permit from the building official. The permit shall constitute an ADU permit.
- (B) With the permit application, the landowner shall submit an affidavit on a form provided by the municipality, affirming that at least one landowner will occupy the principal dwelling or the accessory unit, and that the ADU will conform to the requirements of the permit and the requirements of this section.
- (C) The permit and the affidavit shall be filed as a deed restriction with the Anchorage recording district to indicate the presence of the ADU, the requirement of owner-occupancy, and conformity with the requirements of the permit and the requirements of this chapter.

1 (D) The department shall receive a fee from the applicant pursuant
2 to the title 21 user's guide.

3 (E) For purposes of securing financing, potential landowners may
4 request and receive a letter of pre-approval from the municipality
5 indicating the property is eligible for an ADU permit if the
6 potential landowner completes the application process and
7 construction in accordance with this section.

8 iii. **Requirements**
9 All ADUs shall meet the following requirements:

10 (A) *Purpose*
11 Requirements for accessory dwelling units address the following
12 purposes:

13 (1) Ensure that accessory dwelling units maintain and are
14 compatible with the single-family appearance and
15 character of the principal residence, lot, and
16 neighborhood;

17 (2) Ensure that accessory dwelling units are smaller in size
18 than the principal dwelling on the lot, and preserve yards
19 and open space;

20 (3) Provide adequate parking while maintaining the single-
21 family residential character of the neighborhood,
22 avoiding negative impacts to on-street parking, and
23 minimizing the amount of paved surface on a site; and

24 (4) Provide clear and flexible standards that make it
25 practical and economical to develop accessory dwelling
26 units that are in compliance with this code, and offer an
27 accessible, affordable housing option to the community.

28 (B) *Requirements for Developing an ADU*
29 ADUs shall be allowed in all residential zoning districts except R-
30 1, R-1A, R-3, R-4, and R-4A.

31 (1) ***One Principal Structure***
32 One ADU may be added to or created within a detached
33 single family dwelling on a lot, tract, or parcel, but only if
34 the detached single-family dwelling is the sole principal
35 structure on that lot, tract, or parcel.

36 (2) ***Detached ADU***
37 One ADU detached from a single-family dwelling is
38 permitted on a lot, tract, or parcel, but only if:

39 (a) The lot, tract, or parcel is 20,000 square feet or
40 greater and the ADU is attached to or above a
41 garage and the detached single-family dwelling
42 is the only principal structure; or

43 (b) The lot, tract, or parcel abuts an alley; the ADU
44 is above a detached garage, the ADU/garage
45 abuts the alley, and the detached single-family
46 dwelling is the only principal structure.

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
- (3) *Lot Coverage*
The lot coverage of the principal dwelling unit and all accessory structures combined, including but not limited to the ADU, shall be less than or equal to the maximum lot coverage allowed by the zoning district.

 - (4) *Uses*
 - (a) An ADU shall not be permitted on any lot with a child care center.

 - (b) The landowner shall reside in either the principal dwelling unit or the ADU as his or her primary residence for more than six months of each year.

 - (c) No more than two persons may reside in an ADU.

 - (5) *Building Code Requirements*
To ensure that the dwellings meet appropriate health and fire safety standards, the ADU shall be built to the adopted municipal building code standards for two-family dwellings.

 - (6) *Size*
 - (a) The gross floor area of the ADU, not including any related garage, shall be no more than 700 square feet, nor less than 300 square feet, nor have more than two bedrooms;

 - (b) In no case shall the total gross floor area of an ADU be more than 35 percent of the total gross floor area of the principal dwelling unit, excluding the ADU and garages.

 - (7) *Setbacks*
An ADU shall not encroach into any required setback, except that an ADU may encroach into the rear setback abutting an alley.

 - (8) *Parking*
One off-street parking space in addition to the parking spaces required for the principal dwelling unit is required for the accessory dwelling unit; but in no event shall there be fewer than three parking spaces per lot. Notwithstanding the provisions of chapter 21.12, *Nonconformities*, all off-street parking deficiencies shall be corrected.

 - (9) *Design and Appearance*
 - (a) All ADUs shall be designed to maintain the appearance of the primary unit as a single family dwelling. The accessory dwelling unit shall maintain the architectural style and character of the single-family residence. Exterior siding, roofing, and trim shall match the appearance of the materials on the principal dwelling unit. Roof style shall match the predominant style of the

1 principal dwelling unit. Exterior window trim,
2 window proportions (width to height), patterns,
3 and orientation (horizontal to vertical) shall
4 match those of the principal dwelling unit.

5 (b) The construction of an additional entry door on
6 the side of a principal structure facing a street
7 for entrance into an accessory dwelling unit is
8 prohibited, unless no other entry door already
9 exists on that side. Entrances are permitted on
10 non-street-facing sides of the principal structure.

11 (10) *Utilities*
12 To the extent allowed by law and utility tariff, the ADU
13 shall be connected to the water, sewer, gas, and electric
14 utilities of the single family dwelling unit. However, lots
15 with on-site water or septic systems may have a
16 separate water and/or septic system for the ADU.

17 (C) *Additional Requirements for Detached ADUs*

18 (1) The ADU shall be at least 60 feet from the primary front
19 lot line, or at least 10 feet behind the primary façade of
20 the principal dwelling unit.

21 (2) The maximum height of a detached ADU shall be 25
22 feet.

23 (D) *Density*
24 ADUs are not included in the density calculations for a site.

25 (E) *Expiration of Approval of an ADU*
26 Approval of an ADU expires when:

27 (1) The ADU is altered and is no longer in conformance with
28 this code;

29 (2) The property ceases to maintain all required off-street
30 parking spaces;

31 (3) A landowner of the property does not reside in either the
32 principal or the accessory dwelling unit;

33 (4) The ADU is abandoned by the landowner through written
34 notification to the municipality on a form provided by the
35 municipality; or,

36 (5) The property with an ADU changes ownership.

37 (F) *Transfer*

38 An ADU permit is not transferable to any other property or any
39 other person. When a property with an ADU is sold or otherwise
40 transferred, the new landowner shall file an affidavit of owner-
41 occupancy with the department within 30 days of the transfer,
42 and pay a processing fee. Failure to file an affidavit by the due
43 date constitutes failure to have a permit, in violation of this
44 section. Transfers from one landowner to another landowner do
45 not require a new affidavit so long as the recipient landowner
46 signed the original affidavit.

1 (G) *Prior Illegal Use*

2 (1) All structures which meet the definition of accessory
3 dwelling unit which are not recognized as legal
4 nonconforming structures or uses of structures under
5 chapter 21.12 shall comply with this subsection. Such
6 structures may continue in existence provided the
7 following requirements are met:

8 (a) A permit application for an ADU is submitted to
9 the building safety division within six months of
10 [effective date].

11 (b) The unit complies with the requirements of this
12 section.

13 (2) If the unit does not comply with the requirements of this
14 section at the time the permit application is filed, the
15 building official may grant six months to bring the unit
16 into conformance.

17 (3) In addition to any other remedies provided in this code,
18 failure to legalize an existing unit under this subsection
19 shall result in civil penalties as provided at AMC section
20 14.60.030. All landowners of illegal units shall also be
21 required to either legalize the unit or remove it.

22 (4) This subsection does not apply to existing legal
23 nonconforming uses of structures established pursuant
24 to chapter 21.12.

25 (H) *Variances*

26 Nothing in this section guarantees any property landowner the
27 right to create an ADU unless it conforms to all provisions in this
28 section. Limitations due to natural features, lot size, lot
29 dimensions, building layout, or other physical or environmental
30 factors shall not be reasons for granting a variance from the
31 standards and provisions of this section. No variances shall be
32 granted from the standards and provisions of this section.

33 2. **Bed and Breakfast**

34 a. **Definition**

35 A bed and breakfast is a private residence that offers overnight accommodations
36 and limited food service to overnight guests, for which compensation is paid on a
37 daily or weekly basis.

38 b. **Use-Specific Standards**

39 i. **General Standards**

40 (A) Bed and breakfast establishments are allowed only in attached
41 or detached single-family and two-family dwellings, not including
42 mobile homes.

43 (B) The host-operator of the bed and breakfast enterprise shall
44 establish and maintain the single-family or the bed and breakfast
45 unit of a two-family structure as his or her primary domicile at all
46 times while it is operated as a bed and breakfast.

47 (C) A bed and breakfast may have up to five guestrooms, as allowed
48 by tables 21.05-4 and 21.05-5. If an ADU also exists on the

- 1 premises, the ADU shall count as one of the allowed
2 guestrooms. No more than the permitted number of guestrooms
3 shall be offered for use at any one time.
- 4 (D) Only one daily meal shall be offered to guests at any bed and
5 breakfast establishment.
- 6 (E) Individual guests are prohibited from staying at a particular bed
7 and breakfast establishment for more than 30 consecutive days.
- 8 (F) A bed and breakfast shall not be permitted concurrently on any
9 lot with an child or adult care facility, or assisted living facility.
- 10 (G) The accessory use shall protect and maintain the integrity of the
11 residential neighborhood. A bed and breakfast shall not detract
12 from the principal use in the district and shall not place a burden
13 on any private or public infrastructure (i.e., streets or utilities)
14 greater than anticipated from permitted development.
- 15 (H) Every bed and breakfast shall meet the off-street parking
16 requirements stated [IN SECTION 21.07.090 AND] in its
17 administrative permit.
- 18 (I) Every bed and breakfast supported by on-site well and
19 wastewater disposal systems shall conform to the requirements
20 of AMC chapter 15.65, pertaining to wastewater disposal
21 regulations, and shall obtain a one-time only health authority
22 certificate.

23 ii. **Administrative Permit**

24 A bed and breakfast shall require an administrative permit pursuant to
25 section 21.03.030. An application for a bed and breakfast permit shall
26 not be complete unless it is accompanied by proof of a current business
27 license, a certificate of on-site systems approval (for on-site systems
28 only), and a site plan and building floor plans meeting the requirements
29 of this title.

30 3. **Beekeeping**

31 a. **Definition**

32 Keeping honey bees, *Apis mellifera*, for the purpose of education and/or
33 producing honey or other products related to bees.

34 b. **Use-Specific Standards**

35 i. Colonies of *Apis mellifera* shall be managed in such a manner that their
36 flight path to and from the hive will not bring them into contact with
37 people on adjacent property. To accomplish this, colonies shall be:

- 38 (A) At least 25 feet from any lot line not in common ownership; or
39 (B) Oriented with entrances facing away from adjacent property; or
40 (C) Placed behind a fence at least six feet in height and extending at
41 least ten feet beyond the hive in all directions.

42 ii. No more than four hives shall be placed on lots smaller than 10,000
43 square feet.

1 4. **Caretaker's Residence**

2 a. **Definition**

3 A dwelling unit on the site of a non-residential use and occupied only by a guard
4 or the person who oversees the operation of the non-residential facility (and
5 his/her family).

6 5. **Dormitory**

7 a. **Definition**

8 A facility intended or used as group living quarters for students, religious orders,
9 employees, and the like, directly affiliated with a permitted principal use such as
10 a school, college, convent, or similar institutional use.

11 b. **Use-Specific Standards**

12 i. Dormitories in residential and mixed-use districts shall comply with the
13 [APPLICABLE] multifamily residential design standards in subsection
14 21.07.110C[100].

15 ii. L2 visual enhancement landscaping is required when dormitories abut
16 residential lots in a residential district.

17 6. **Drive-Through Service**

18 a. **Definition**

19 The physical facilities of an establishment that encourage or permit customers to
20 receive services or obtain goods while remaining in their motor vehicles. A drive-
21 through facility consists of two parts—the queuing lane and a service station
22 where the service occurs. The queuing and service facilities of motor vehicle-
23 related uses such as fueling stations, car washes, and vehicle service and repair
24 are not included in the definition “drive-through service” as an accessory use,
25 and are addressed elsewhere in this title.

26 b. **Use-Specific Standards**

27 The purpose of these standards is to allow for drive-through facilities by reducing
28 the impacts they may create, such as noise, glare, and fumes from idling cars,
29 noise from voice amplification equipment, or traffic interferences with vehicle and
30 pedestrian circulation. Drive-through services are allowed as accessory uses to
31 the following primary uses: restaurant, pharmacy, financial institution, general
32 personal services and food and beverage kiosk. The following standards apply
33 to all drive-through services:

34 i. **Queuing Spaces**

35 Vehicle queuing spaces shall be provided pursuant to section
36 21.07.090L.

37 ii. **Impact on Adjacent Uses**

38 (A) A drive-through that abuts a residential or NMU zoned property
39 shall be located, sized, and designed to minimize traffic, noise,
40 air emissions, and glare impacts on surrounding properties,
41 based on the findings of an administrative site plan review.

42 (B) No drive-through queuing spaces shall be located directly
43 between the building and an abutting right-of-way unless
44 otherwise allowed by the director.

45 (C) When a drive-through service facility abuts a residential or NMU
46 zoned lot, a six-foot high screening fence or wall shall be
47 provided along that lot line between the drive-through facility and
48 required perimeter landscaping.

1 (D) To the maximum extent feasible, talk boxes shall be located so
2 that the principal structure on the site is between the talk box and
3 any abutting residential zoning district, and shall meet the noise
4 control standards in AMC section 15.70.

47 >
5 7. **Family Self-Sufficiency Service**

6 a. **Definition**

7 A governmentally operated or sponsored social service agency that provides
8 aide to economically disadvantaged families in finding training, employment, and
9 housing and/or access to personal computer equipment for use in self-
10 instruction. The use is accessory to housing facilities run by public or non-profit
11 agencies.

12 b. **Use-Specific Standards**

13 i. **General Standards**

14 The following general standards apply to these uses in all districts:

15 (A) **Building**

16 The structure used to house the facility shall maintain at least
17 twenty residential units and devote at least 85 percent of the
18 building's maximum gross floor area to residential use.

19 (B) **Ownership**

20 The operating agency shall have ownership of the structure. No
21 other entity may rent, lease, buy, or otherwise obtain space in
22 the building for the purposes of operating facilities regulated
23 under this subsection.

24 (C) **Staff**

25 During the **hours of** operation [**HOURS**], there shall be at least
26 one instructor/monitor on-site and responsible to the operating
27 agency.

28 (D) **Clients**

29 Facility users are not required to be residents of the building
30 housing the facility. The facility users shall be restricted to the
31 tenants of the operating agency or beneficiaries of assisted
32 housing from the operating agency.

33 8. **Farm, Hobby**

34 a. **Definition**

35 The production of crops for sale. This may include a temporary stand for sales
36 on the premises.

37 9. **Garage or Carport, Private Residential**

38 a. **Definition**

39 A detached accessory or portion of a principal structure that is used for the
40 parking and storage of vehicles owned and operated by the residents thereof.

41 b. **Use-Specific Standards**

42 i. Garages may encroach into the rear or side setback when that setback
43 abuts an alley.

44 ii. Such accessory uses shall serve only the residents of the property and
45 shall not be used for commercial purposes except as part of a home
46 occupation approved under subsection D. **11**[12]. below.

- 1 iii. In class A improvement areas and in the R-7 district, all garages or
2 carports accessory to a single residential use, whether attached to or
3 detached from the principal structure, shall cumulatively be no larger
4 than 50 percent of the total gross floor area of the principal structure.
- 5 iv. In class B improvement areas, except for the R-7 district, all garages or
6 carports accessory to a single residential use, whether attached to or
7 detached from the principal structure, shall cumulatively be no larger
8 than five percent of the lot area, up to a maximum of 5,000 square feet.

9 **10. Home- and Garden-Related Use**

10 a. **Definition**

11 Accessory uses subordinate to the use of a residential dwelling. Examples
12 include, but are not limited to, greenhouses, gardens, storage sheds, garden
13 sheds, tool sheds, workshops, private barbeque pits, spas, and hot tubs.

14 b. **Use-Specific Standards**

- 15 i. All spas and hot tubs shall be set back a minimum of 10 feet from all
16 property lines, and shall not be counted in calculating lot coverage.
- 17 ii. In class A improvement areas and in the R-7 district, all detached
18 accessory structures under this use shall cumulatively be no larger than
19 50 percent of the total gross floor area of the principal structure.
- 20 iii. In class B improvement areas, except for the R-7 district, all detached
21 accessory structures under this use shall cumulatively be no larger than
22 five percent of the lot area, up to a maximum of 5,000 square feet.

23 **11. Home Occupation**

24 a. **Definition**

25 An activity that results in a product or service, carried out for consideration or not,
26 and conducted as a customary, incidental, and accessory use in a dwelling unit.
27 This use expressly does not include bed and breakfasts, hobby farms, **large**
28 **domestic animal facilities**, small and large assisted living facilities, or adult or
29 child care homes.

30 b. **Use-Specific Standards**

31 A home occupation may be conducted in a dwelling unit or in a building
32 accessory to a dwelling unit provided that:

- 33 i. A permanent resident of the dwelling unit is engaged in the home
34 occupation on the premises;
- 35 ii. Only one nonresident may be engaged in the home occupation on the
36 premises;
- 37 iii. The use of a dwelling unit for a home occupation shall be clearly
38 incidental and subordinate to its residential use. This standard is met by
39 and limited to one of the following in class A areas:
- 40 (A) No more than the lesser of 25 percent or 500 square feet of the
41 floor area of the principal dwelling is devoted to any home
42 occupation; or
- 43 (B) No more than 300 square feet of an accessory building is
44 devoted to any home occupation; or

- 1 (C) No more than 250 square feet of the principal dwelling and 250
2 square feet of the accessory building are devoted to any home
3 occupation.
- 4 iv. The use of a dwelling unit for a home occupation shall be clearly
5 incidental and subordinate to its residential use. This standard is met by
6 and limited to one of the following in class B areas:
- 7 (A) No more than the lesser of 40 percent [%] or 650 square feet of
8 the gross floor area of the primary structure is devoted to the
9 home occupation use; or
- 10 (B) No more than 600 square feet of an accessory structure is
11 devoted to the home occupation; or
- 12 (C) No more than 325 square feet of the principal dwelling and 350
13 square feet of the accessory building are devoted to any home
14 occupation.
- 15 v. Except for as provided [IN B.VII. BELOW AND] in chapter 21.11, *Signs*,
16 there shall be no change to the outside of the building or premises, nor
17 shall there be other visible evidence of the conduct of such home
18 occupation;
- 19 vi. Vehicles making deliveries shall not be parked at the site for a period
20 exceeding one hour;
- 21 vii. No traffic or deliveries shall be generated by such home occupation in
22 greater volume than would normally be expected in a residential
23 neighborhood;
- 24 viii. All vehicles used in connection with the home occupation shall, except
25 for delivery vehicles allowed above, be of the type commonly used for
26 personal non-commercial transportation. Home occupations shall
27 comply with the requirements of subsection D.17. below;
- 28 ix. The peace and quiet of the neighborhood shall not be disturbed. No
29 equipment or process shall be used in such home occupation that
30 creates noise, vibration, glare, fumes, or odors detectable to the normal
31 senses at the property line. No equipment or process shall be used
32 which creates visual or audible interference in any radio or television
33 receivers off the premises, or causes a fluctuation in line voltage off the
34 premises. No hazardous or toxic materials shall be stored on the
35 property as part of the home occupation;
- 36 x. The hours of operation during which an employee or co-worker, clients,
37 or customers are allowed to come to the home in connection with the
38 business activity are limited to between 7:00 a.m. and 10:00 p.m.
39 Monday through Saturday. Care and feeding of animals is exempted
40 from this provision;
- 41 xi. A home occupation shall not be permitted on any lot with an adult or
42 child care facility, or assisted living facility; and
- 43 xii. Any storage of wholesale or retail stock in trade in conjunction with the
44 home occupation shall not exceed 10 [TEN] percent of the area devoted
45 to the home occupation, except on lots 40,000 sf or larger in class B
46 districts as defined in 21.08.050B. On lots meeting this exception,

1 storage of stock in trade may equal the area devoted to the home
2 occupation, if the storage is screened from neighboring lots and
3 separated from the neighboring lot line by at least the established district
4 setback.

5 **c. Uses Prohibited as Home Occupations**

6 A home occupation shall not include, but is not limited to excluding, the following:
7 veterinary or animal hospital; restaurant; and vehicle repair, unless allowed
8 below under "vehicle repair/rebuilding, outdoor, hobby."

9 **12. Intermodal Shipping Container (Connex Unit)**

10 **a. Definition**

11 A pre-fabricated, standardized, reusable, metal container designed and intended
12 for transporting cargo on ocean-going ships, trains, or tractor trailers, also
13 commonly called cargo containers, transport containers, or marine cargo
14 containers. This use includes similar structures, such as railroad cars.

15 **b. Use-Specific Standards**

16 The use of a connex unit is allowed in all zoning districts subject to the following:

17 **i.** Except in the industrial, commercial, and airport districts, connex units
18 shall be screened on all sides by structures, landscaping, and/or fences
19 at least as high as the unit, or alternately, shall be sided and roofed with
20 materials substantially similar to the siding of the primary structure.

21 **ii.** In commercial districts, connex units shall be located to the rear of all
22 principal structures or alternately, meet either the screening or the siding
23 and roofing requirements of section b.i. above.

24 **iii.** In residential districts, connex units are only permitted on lots equal to or
25 greater than 40,000 square feet. Except as restricted in b.vii. below,
26 connex units existing as of [effective date] on any size lot may continue
27 as long as the screening requirements of b.i. above and the number
28 limitations of b.iv. below are met within one year of [effective date], in
29 which case such connex unit(s) shall be deemed conforming. Failure to
30 comply with this provision shall not result in a legal nonconformity, but
31 rather shall result in an illegal structure.

32 **iv.** In residential districts where the primary use of the lot is residential, no
33 more than one unit is allowed per every 40,000 square feet of property
34 up to a maximum of three units. In conjunction with nonresidential uses
35 in residential districts, no more than three units are allowed.

36 **v.** Self-storage establishments in compliance with the development
37 standards of 21.05.060D.4., *Self-Storage Facility*, are exempt from this
38 section.

39 **vi.** Loading or unloading a connex unit, or the use of a connex during
40 construction is exempt from this section.

41 **vii.** In residential districts on lots of less than 40,000 square feet, connex
42 units existing on [effective date] that are located between the front plane
43 of the principal structure and the front property line shall be removed or
44 relocated within one year of [effective date].

48

13. **Large Domestic Animal Facility (4 or more animals)**

a. **Definition**

The keeping, harboring, riding, boarding, stabling, training, exercising, breeding, or related use of four or more large domestic animals regardless of animal ownership, and the associated structure(s) such as a paddock, stable, or barn. Operation of a large domestic animal facility is not a home occupation.

b. **Use-Specific Standards**

i. **Lot Size**

The minimum lot size for a large domestic animal facility of four animals is 40,000 square feet. An additional 10,000 square feet is required for each animal over four. Application for an administrative variance from the minimum lot size may be made to the planning department pursuant to subsection 21.03.240L. [THROUGH THE ADMINISTRATIVE VARIANCE PROCESS, THE DIRECTOR MAY APPROVE A DEVIATION OF NO MORE THAN 10 PERCENT, WITH THE CONCURRENCE OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEVELOPMENT SERVICES DEPARTMENT.]

ii. **Adjacent Lots**

Adjacent lots may be used in square footage calculations for site size only. If the adjacent lots are not under single ownership, the lot owners shall submit a recorded joint usage agreement for review and approval by the director. In such cases, setback requirements shall not apply to the interior lot lines between the applicable lots, and a primary use need not be located on the adjacent lot.

iii. **Setbacks**

Notwithstanding the setbacks of the underlying zoning district, covered structures associated with a large domestic animal facility, such as a stable or barn, shall be set back at least 25 feet from any abutting lot line, not including interior lot lines between lots in common ownership. Uncovered enclosures shall meet one of the following setback options:

(A) Seventy-five feet from residences existing on February 28, 2006, not including any residence in common ownership with the large domestic animal facility; or

(B) Ten feet from any abutting lot line, not including interior lot lines of lots in common ownership, if the separation area is vegetated with L3 buffer landscaping.

iv. **Structures**

The square footage of any single large domestic animal facility structure shall not exceed 10 percent of the lot size, up to a maximum of 8,000 square feet.

v. **Fences**

Barbed wire shall not be used for fencing of any large domestic animal facility.

vi. **Commercial Activity**

Commercial activity associated with large domestic animal facilities, such as boarding or riding lessons, is permitted.

vii. **Other Requirements**

Large domestic animal facilities shall:

- 1 (A) Meet the requirements of AMC chapter 15.20 regarding animal
2 waste, AMC subsection 15.55.060B. concerning separation
3 requirements from water supply wells, and section 21.07.020
4 concerning stream protection setbacks;
- 5 (B) Obtain an animal control facility license;
- 6 (C) Obtain certification of compliance with a state of Alaska,
7 Anchorage soil and water conservation district conservation plan,
8 or obtain a letter from the district showing demonstrated intent to
9 come into compliance with a conservation plan within one year;
10 and
- 11 (D) Comply with licensing and other laws concerning the keeping of
12 animals as set forth in AMC titles 15, 17, and 21.
- 13 c. **Large Domestic Animal Facilities That Do Not Meet These Standards**
14 Large domestic animal facilities that exceed the use-specific standards listed
15 above for site area, structure size, or number of animals, may be allowed by
16 conditional use, pursuant to subsection 21.03.080. In such case, the facility shall
17 be considered a second principal use on the lot and shall comply with subsection
18 21.05.050B.3.
- 19 14. **Outdoor Keeping of Animals**
- 20 a. **Definition**
21 Restraining or restricting the movement of animals outside of a principal
22 structure, by any means not involving the continued presence and/or participation
23 of a human being.
- 24 b. **Use-Specific Standards**
- 25 i. One to three large domestic animals may be kept outdoors on lots of
26 20,000 square feet or greater, but any structures or enclosures for
27 keeping such animals shall meet the setback standards of subsection
28 21.05.070D.13.b.iii.
- 29 ii. The following standards apply to the outdoor keeping of all animals
30 except for dogs, domestic cats, and large domestic animals:
- 31 (A) On lots of 40,000 square feet or greater, structures for the
32 outdoor keeping of animals shall not encroach into the setbacks
33 of the zoning district and shall be at least 10 feet from any lot
34 line.
- 35 (B) On lots smaller than 40,000 square feet, the following shall
36 apply:
- 37 (1) The outdoor keeping of roosters, turkeys, guinea fowl,
38 peacocks, or geese is prohibited.
- 39 (2) Up to five animals may be kept on lots of 6,000 square
40 feet or less, with an additional one animal per additional
41 1,000 square feet of lot area. A facility license may be
42 required pursuant to title 17.
- 43 (3) Structures for the outdoor keeping of animals shall not
44 encroach into the setbacks of the zoning district and
45 shall be at least 10 feet from any lot line.

(4) It shall be unlawful for any owner or custodian of an animal under this section to permit it to make chronic animal noise, as defined in AMC section 17.05.010.

15. **Outdoor Display Accessory to a Commercial Use**

a. **Definition**

Outdoor display of goods and/or materials for sale, accessory to a commercial principal use. Merchandise may be directly available to the consumer for purchase.

b. **Use-Specific Standards**

No materials may be displayed in areas intended for vehicular circulation, required parking, required open space, required unobstructed clear width of pedestrian walkways, or required landscaping.

16. **Outdoor Storage Accessory to a Commercial Use**

a. **Definition**

Outdoor storage, but not display for sale, of goods, equipment, and/or materials accessory to a commercial principal use. Merchandise in outdoor storage shall not be directly available to the consumer without the assistance of an employee.

b. **Use-Specific Standards**

Except in industrial districts and except for outdoor storage associated with a large commercial establishment which is governed by subsection 21.07.130A.5.m.[120E.10.], outdoor storage of goods, equipment, and/or materials accessory to a commercial principal use shall be allowed subject to the following standards:

i. Each outdoor storage area shall not be located closer to the front property line than the front façade of the principal building.

ii. Goods stored in an approved outdoor storage area shall be limited to those sold or used on the premises as part of an associated primary use.

iii. Equipment stored in an approved outdoor storage area shall be limited to equipment used for property maintenance, such as snow removal equipment. The number of pieces of equipment shall not exceed three. Such equipment storage is only allowed on lots of three acres or greater.

iv. Each outdoor storage area shall be screened from view from all property lines and adjacent rights-of-way by an opaque fence or wall between six and eight feet in height that incorporates at least one of the predominant materials used in the principal structure. The fence or wall may exceed eight feet in height where the difference in grade between the right-of-way and the outdoor storage area makes a taller fence or wall necessary to effectively screen the area. Materials may not be stored higher than the height of the principal structure. The outer perimeter of the fence or wall shall be landscaped with L2 visual enhancement landscaping. A landscaped earth berm may be used instead of or in combination with a required fence or wall, provided it meets the same height requirements.

v. If the outdoor storage area is covered, then the covering shall include at least one of the predominant roofing materials and exposed roofing colors on the principal structure.

vi. Flammable liquids or gases in excess of 1,000 gallons shall be stored underground.

1 vii. No goods, equipment, and/or materials may be stored in areas **required**
2 **[INTENDED]** for vehicular or pedestrian circulation or parking.

3 **17. Parking of Business Vehicles, Outdoors, Accessory to a Residential Use**

4 a. **Definition**

5 The outdoor storage or parking of a vehicle used for and/or bearing visible
6 evidence of a commercial/business purpose, but not regulated by subsection
7 21.05.070E.7[8].

8 b. **Use-Specific Standard**

9 Only two vehicles bearing visible evidence of a business/commercial purpose are
10 permitted per residence.

11 **18. Private Outdoor Storage of Noncommercial Equipment Accessory to a Residential**
12 **Use**

13 a. **Definition**

14 The private outdoor storage of noncommercial equipment, including
15 noncommercial trucks, boats, aircraft, off-road vehicles, recreational vehicles
16 (RVs), or travel trailers.

17 b. **Use-Specific Standard**

18 The private outdoor storage of noncommercial equipment is permitted in the front
19 setback only in the driveway, but not within five feet of any property line, and is
20 prohibited in any side or rear setback, except in a side or rear setback abutting
21 an alley. In class B districts, the setback shall be 25 feet from any property line
22 where the adjacent property is not in common ownership.

23 **19. Vehicle Repair/Rebuilding, Outdoor, Hobby**

24 a. **Definition**

25 The repair or rebuilding of an inoperative motor vehicle as an accessory use, not
26 for commercial purposes.

27 b. **Use-Specific Standards**

28 i. Only one inoperative vehicle may stored outdoors on the site at any
29 given time.

30 ii. Any vehicle being rebuilt or repaired shall be the property of the resident
31 of the principal structure.

32 iii. Repair or rebuilding work shall take place to the rear or side of the
33 principal structure and shall be screened from view from all property lines
34 and adjacent rights-of-way by an opaque fence between six and eight
35 feet in height, or by opaque landscaping of an equivalent height.

36 **E. Prohibited Accessory Uses and Structures**

37 **1. Operation of Particle Accelerators, including Cyclotrons**

38 Operation of particle accelerator systems, including cyclotrons, is prohibited in all
39 residential districts, whether or not such system is associated with a home occupation.

40 **2. Fabric Structures**

41 Frame-supported, arch-supported, or inflated tension fabric or membrane structures,
42 fabricated off-site and assembled on-site, and typically used for garages, sheds,
43 warehouses, or temporary or permanent shelters for automobiles, boats, or other items,
44 are prohibited in all class A residential districts. In class B residential districts, setbacks
45 for fabric structures shall be twice that otherwise required.

1 **3. Outdoor Storage of Inoperative Vehicles**

2 In all zoning districts, the outdoor storage of any vehicle that meets the definition of "junk
3 vehicle" at AMC section 15.20.010 is prohibited except as provided in section
4 21.05.070D.19, *Vehicle Repair/Rebuilding, Outdoor, Hobby*; section 21.05.060E.4.,
5 *Junkyard or Salvage Yard*; and section 21.05.050I.7. or I.8., *Vehicle Repair, Major and*
6 *Minor*.

7 **4. Use of Mobile Home, Recreational Vehicle, or Travel Trailer as Residence**

8 Except as allowed by 21.05.080B.3.e., in all zoning districts, mobile homes, recreational
9 vehicles, and travel trailers may not be used as an accessory use for a permanent or
10 temporary residence. However, an RV or travel trailer may be used as visitor
11 accommodation for not more than 90 days in any calendar year.

12 **5. Use of Motor Vehicle for Sales**

13 In all zoning districts, the use of any motor vehicle or trailer as a structure in which, out of
14 which, or from which any goods are sold or stored, any services performed, or other
15 businesses conducted is prohibited. However, the following shall not be prohibited by
16 this subsection:

- 17 **a.** The sale of food products at a municipal-approved or -sponsored event;
- 18 **b.** Use of a motor vehicle in connection with an approved recycling operation;
- 19 **c.** Approved food and beverage kiosks that comply with the use-specific standards
20 in section 21.05.050E.2., *Food and Beverage Kiosk*; and
- 21 **d.** Use of a trailer in connection with an approved vehicle sales use.

22 **6. Commercial Motor Vehicle Repair**

23 Commercial motor vehicle repair, including engine, body, or other repair or repainting of
24 more than one vehicle at any one time or owned by a person not residing at that address,
25 is prohibited in all residential districts.

26 **7. Parking of Commercial Vehicles, Outdoor**

27 The outdoor storage or parking of a vehicle or trailer is prohibited in all residential
28 districts, for a period of one or more nights, if the vehicle or trailer is licensed or regularly
29 used for business purposes, and is either:

- 30 **a.** A vehicle for which a commercial driver's license is required by state law;
- 31 **b.** A vehicle or trailer having more than two axles;
- 32 **c.** Any trailer bearing commercial signage, logo, or carrying commercial or industrial
33 equipment or materials;
- 34 **d.** A vehicle or trailer having a height in excess of 90 inches; or
- 35 **e.** A vehicle with a gross vehicle weight rating (GVWR) of more than 12,000 lbs.

36 **21.05.080 TEMPORARY USES AND STRUCTURES**

37 **B. Purpose**

38 This section allows for the establishment of certain temporary uses of limited duration, provided
39 that such uses do not negatively affect adjacent properties or municipal facilities, and provided
40 that such uses are discontinued upon the expiration of a set time period. The construction or
41 alteration of any permanent building or structure is not considered a temporary use.

1 **C. General Temporary Use Standards**

2 **1. Required Permits**

3 All temporary uses shall obtain any permits required by other municipal departments,
4 such as the clerk's office, the health department, the building safety department, or the
5 police department.

6 **2. Uses Allowed**

7 Except as specified below, any use allowed in a district, pursuant to tables 21.05-1 and
8 21.05-2, is allowed on a temporary basis in that district. Such temporary uses shall
9 comply with the requirements of subsection D. below. Any such temporary use that is
10 established for more than the allowed time limit as determined in subsection
11 21.05.080D.3[4]. shall be considered a permanent use and shall make all improvements
12 required by this title.

13 **3. Other Uses and Structures Allowed**

14 The following temporary uses and structures shall be allowed in any zoning district or as
15 specified below, in accordance with the standards of this section.

16 **a. Licensed Commercial Uses**

17 Temporary licensed commercial uses and associated temporary structures are
18 allowed in any non-residential zoning district, for not more than 90 days total
19 (consecutive or intermittent) within a 12 month period.

20 **b. Real Estate Sales Offices**

21 Sales offices are allowed on residential development sites in any zoning district
22 until all lots or houses are sold. Use of the sales office to market sites outside of
23 the project is prohibited.

24 **c. Special Events**

25 Amusement, athletic, charitable, cultural, entertainment, and/or political events or
26 similar temporary and transitory gatherings are allowed in all zoning districts,
27 subject to the standards of this section.

28 **d. Temporary Parking of Construction Equipment During Construction**

29 Temporary use of non-loading areas for tractor trailers, office trailers,
30 construction equipment or materials, construction worker parking, or intermodal
31 shipping container (connex) trailers, during construction or renovation is allowed
32 in all zoning districts, subject to the standards of this section.

33 **e. Temporary Living in a Mobile Home, Motor Home, or Other Recreational Vehicle**

34 Notwithstanding title 23, one mobile home, motor home, or other recreational
35 vehicle with a fully operable self-contained sanitation system may be used on a
36 lot in the R-5, R-6, R-7, R-8, R-9, R-10, and TA districts as temporary living
37 quarters for not more than 18 months while a permanent dwelling is being
38 constructed or repaired, if the following requirements are met:

- 39
- 40 i. The property owner or person intending to occupy the temporary living
41 quarters during construction or repair of the permanent dwelling shall
42 secure a permit from the building official before a motor home or other
43 recreational vehicle is used on site as temporary living quarters. A
44 permit issued under this subsection shall not be renewed and only one
45 permit shall be issued for the same parcel within any 10 year period.
46 The permit may be granted only upon the applicant's written certification,
47 with attachments, that:

- 1 (A) The self-contained sanitation system is fully operable and shall
2 be used with zero on-site discharge, including no on-site gray
3 water discharge, except through an approved septic system;
- 4 (B) Site access is sufficient and shall be used to transport refuse and
5 excess waste year-round for proper off-site disposal;
- 6 (C) Electrical utility service is on-site for use during the permit period
7 and no generators shall be used;
- 8 (D) The applicant has a current building or land use permit, a copy of
9 which shall be attached to the certification; and
- 10 (E) If temporary connection to an on-site septic system is to be used,
11 proof is attached that an approved septic system is in place.
- 12 ii. Only one motor home or other recreational vehicle shall be permitted for
13 use as temporary living quarters on any parcel of land during the
14 construction or repair of a permanent dwelling.
- 15 iii. The motor home or recreational vehicle placement on the lot shall
16 comply with the setbacks of the underlying zoning district.
- 17 f. **Other Allowed Temporary Uses**
- 18 i. Up to nine one-day garage/yard sales per year per dwelling unit.
- 19 ii. Gatherings of less than 100 people, such as block parties, nonprofit
20 bazaars, and fundraisers; and
- 21 iii. Temporary uses that occur wholly within an enclosed permanent
22 building.
- 23 iv. Frame-supported, arch-supported, or inflated tension fabric or membrane
24 structures, fabricated off-site and assembled on-site, and typically used
25 for garages, sheds, warehouses, or temporary or permanent shelters for
26 automobiles, boats, or other items, shall be allowed for 30 days within a
27 12 month period in all residential districts.

28 **D. Prohibited Temporary Uses and Structures**

29 The following temporary uses and structures are prohibited:

- 30 1. **RESERVED [FABRIC STRUCTURES**
31 **FRAME-SUPPORTED, ARCH-SUPPORTED, OR INFLATED TENSION FABRIC OR**
32 **MEMBRANE STRUCTURES, FABRICATED OFF-SITE AND ASSEMBLED ON-SITE,**
33 **AND TYPICALLY USED FOR GARAGES, SHEDS, WAREHOUSES, OR TEMPORARY**
34 **OR PERMANENT SHELTERS FOR AUTOMOBILES, BOATS, OR OTHER ITEMS,**
35 **SHALL BE ALLOWED FOR 30 DAYS WITHIN A 12 MONTH PERIOD IN ALL**
36 **RESIDENTIAL DISTRICTS.]**

37 **E. General Requirements for All Temporary Uses and Structures**

38 All temporary uses or structures shall meet the following general requirements, unless otherwise
39 specified in this title:

- 40 1. The temporary use or structure shall not have substantial adverse or noise impacts on
41 nearby residential neighborhoods.

