

CHAPTER 21.05: USE REGULATIONS

21.05.010 TABLE OF ALLOWED USES

Table 21.05-1 below lists 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 table 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 table under specific circumstances. For example, many commercial uses are allowed by right (“P” for permitted use) in various zoning districts as indicated in the table, 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 21.07.120A.

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 21.03.180C., *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 21.03.180D., *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 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 table 21.05-1 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 cross-reference in the last column of the table identifies the code location of the definition

1 and any use-specific standards. Any standards apply in all districts unless otherwise
2 specified.

3 **B. Table Organization**

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

12 **C. Unlisted Uses**

13 When application is made for a use type that is not specifically listed in table 21.05-1, the
14 procedure in section 21.03.220, *Use Classification Requests*, shall be followed.

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

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

20

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 For uses allowed in the A, TA, and TR districts, see section 21.04.050.
 All other uses not shown are prohibited.

Use Category	Use Type	RESIDENTIAL													COMMERCIAL					INDUST.			OTHER					Definitions and Use-Specific Standards	
		R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2'	MI	AF	DR	PR	PLI		W
	Habilitative care, small (up to 6 residents)	P	P	P	P	P	P	P	P	P	P					P	P	P									P		21.05.030B.3.
	Habilitative care, medium (7-25 residents)	C	C	C	C	C	C	C	C	C	C					C	C	C									C		
	Habilitative care, large (26+ residents)						C	C	C							C	C	C									C		
	Roominghouse					C	P	P	P	C	C	C	C		P	P	P	P											21.05.030B.4.
	Transitional living facility						P	P	P							P	P										C		21.05.030B.5.
COMMUNITY USES																													
Adult Care	Adult care facility (3 to 8 persons)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									P		21.05.040A.
	Adult care facility (9 or more persons)	C	C	C	C	C	C	C	C							P	P	P											21.05.040A.
Child Care	Child care center (9 or more children)	C	C	C	C	S	S	S	S	S	S	S	S	S	P	P	P	P									P		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	P	P											21.05.040B.2.
Community Service	Cemetery or mausoleum																										P		21.05.040C.1.
	Community center						S	S	S							S	S	S									C	S	21.05.040C.2.
	Crematorium																P				P	P					C		21.05.040C.3.

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	Vocational or trade school																	C		P	P	P	P					M		21.05.040E.6.		
Health Care Facility	Health services															P	P	P	P	C									C		21.05.040F.1.	
	Hospital/Health care facility																	P	P										C		21.05.040F.2.	
	Nursing facility																P/C	P	C										C		21.05.040F.3.	
Parks and Open Area	Community garden					P	P	P	P							P	P	P	P									P	P		21.05.040G.1.	
	Park, public or private	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.040G.2.	
Public Safety Facility	Community or police substation					P	P	P	P							P	P	P	P	P	P	P							P		21.05.040H.1.	
	Correctional institution																					C	C						C		21.05.040H.2.	
	Fire station	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	21.05.040H.3.	
	Public safety facility																		C		P	P	P	P					C		21.05.040H.4.	
Transportation Facility	Airport																												C		21.05.040I.1.	
	Airstrip, private	C	C	C	C	C																							C		21.05.040I.2.	
	Heliport	C	C	C	C	C													C		C	C	C	P				C		21.05.040I.3.		
	Rail yard																															21.05.040I.4.
	Railroad freight terminal																															21.05.040I.5.

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	Railroad passenger terminal																S		C	S	S	S					M		21.05.040I.6.
	Transit center																S		C								S		21.05.040I.7.
Utility Facility	Utility facility																		C	C	P	P					C	C	21.05.040J.1.
	Utility substation	S	S	S	S	S	S	S	S	S	S	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	P	P	P	P	P	P	P	P	P	P	S	S	P		21.05.040K.
	Type 2 tower														C	C	P	C	P	P	P	P	S	C	S	S	S		21.05.040K.
	Type 3 tower	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	S	S	P		21.05.040K.
	Type 4 tower	P	P	P	P	P	P	P	P	P	P	P	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 ²	Animal Boarding ²																P	P											21.05.050B.1.
	Animal shelter ²																S										M		21.05.050B.2.
	Large domestic animal facility, principal use ²																	C									C	C	21.05.050B.3.
	Retail and pet services ²																P	P											21.05.050B.4.

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	Veterinary clinic ²							P		C	C	C	C		P	P	P	P		P	C											21.05.050B.5.	
Assembly	Civic / convention center																			C								C			21.05.050C.1. 21.05.020A.		
	Club / lodge / meeting hall						C	S	S								P	P	P		P						S				21.05.050C.2. 21.05.020A.		
Entertainment and recreation ²	Amusement establishment ²																C	P			P/C										21.05.050D.1. 21.05.020A.		
	Entertainment facility, major ²																	C			C	C				C	C				21.05.050D.2. 21.05.020A.		
	Fitness and recreational sports center ²							S	P						P	P	P	P	C	P/C											21.05.050D.3.		
	General outdoor recreation, commercial ²																	P			P	C					M	C			21.05.050D.4.		
	Golf course ²																										C	C				21.05.050D.5.	
	Motorized sports facility ²																				C	C					C	C				21.05.050D.6. 21.05.020A.	
	Movie theater ²																C	M		C	S	C										21.05.050D.7. 21.05.020A.	
	Nightclub ²																	P			P												21.05.050D.8. 21.05.020A.
	Shooting range, outdoor ²																				C	C						C	C				21.05.050D.9.
Skiing facility, alpine ²																											C	C				21.05.050D.10	

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	Theater company or dinner theater ²															C	P	P	P	C										21.05.050D.11 21.05.020A.
Food and Beverage Service ²	Bar ²																P	P	P	P	P	C								21.05.050E.1. 21.05.020A.
	Food and beverage kiosk ²														P	P	P	P	P	P	P	P			P					21.05.050E.2. 21.05.020A.
	Restaurant ²														P	P	P	P	P	P	C				P	C				21.05.050E.3. 21.05.020A.
Office	Broadcasting facility																P	C		P	C					P				21.05.050F.1.
	Financial institution														P	P	P	P	C	P	C									21.05.050F.2.
	Office, business or professional														P	P	P	P	P	P	P					P				21.05.050F.3.
Personal Services, Repair, and Rental	Business service establishment														C	P	P	P	C	P	C									21.05.050G.1.
	Funeral/mortuary services															C	P	P		P										21.05.050G.2.
	General personal services														P	P	P	P	C	P										21.05.050G.3.
	Small equipment rental															P	P		P	P	C	P								21.05.050G.4.
Retail Sales ²	Auction house ²																P		P	P	P									21.05.050H.1.
	Building materials store ²															P	P			P	C									21.05.050H.2.
	Convenience store ²							C	S	P					P	P	P		C	P	C									21.05.050H.3. 21.05.020A.

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Retail Sales ² (cont.)	Farmers market ²															P	P	P		P	P					P						21.05.050H.4.		
	Fueling station ²																C	P	P		P	P	P										21.05.050H.5. 21.05.020A.	
	Furniture and home appliance store ²																	P	P		C	P	C										21.05.050H.6.	
	General retail ²																P	P	P		P	P											21.05.050H.7.	
	Grocery or food store ²																P	P	P		C	P											21.05.050H.8. 21.05.020A.	
	Liquor store ²																P	P	P		C	P	C											21.05.050H.9. 21.05.020A.
	Pawnshop ²																		P				P											21.05.050H.10
Vehicles and Equipment	Aircraft and marine vessel sales																	P		P	P	P	P										21.05.050I.1.	
	Parking lot or structure (50+ spaces)							C	C	C	C						C	C	P	C	P	P	P	P						C			21.05.050I.2. or I.3.	
	Parking lot or structure (less than 50 spaces)							C	C	C	C						P	P	P	P	P	P	P	P						P			21.05.050I.2. or I.3.	
	Vehicle parts and supplies																		P				P	P										21.05.050I.4.
	Vehicle-large, sales and rental																		P				P	P										21.05.050I.5.
	Vehicle-small, sales and rental																		P		C		P	P										21.05.050I.6.

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	Vehicle service and repair, major																P				P	P											21.05.050I.7.				
	Vehicle service and repair, minor															C	C	P				P	P											21.05.050I.8.			
Visitor Accommodations	Camper park						C	C										C				C								C				21.05.050J.1.			
	Extended-stay lodgings							C	S									P	S			S													21.05.050J.2.		
	Hostel					C	S	S	S									P	S			S													21.05.050J.3.		
	Hotel/motel							C	S									P	M	C		S													21.05.050J.4. 21.05.020A.		
	Inn								S								P	P	S	C		S													21.05.050J.5. 21.05.020A.		
	Recreational and vacation camp										C			C	C	C			P				P									C			21.05.050J.6.		
	INDUSTRIAL USES																																				
Industrial Service	Contractor and special trades, light																	S/C				P	P														
	Data processing facility																	P	P			P	C								P					21.05.060A.1.	
	Dry cleaning establishment																	P				P	P														21.05.060A.2.
	General industrial service																					P	P	P													21.05.060A.3.
	Governmental Service																					P	P	P										C			21.05.060A.4.

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	Heavy equipment sales and rental																				P	P													21.05.060A.5.				
	Research laboratory																					P	P	P												21.05.060A.6.			
Manufacturing and Production	Commercial Food Production																					C		P	P	P										21.05.060B.1.			
	Cottage crafts																					P	P	P													21.05.060B.2.		
	Manufacturing, general																								P	P	P												
	Manufacturing, heavy																									C	P	P									21.05.060B.3.		
	Manufacturing, light																									S/C		C	P	P	P							21.05.060B.4.	
	Natural resource extraction, organic and inorganic		C	C	C	C	C	C																				C	C	C	C							21.05.060B.5.	
	Natural resource extraction, placer mining																																					21.05.060B.6.	
Marine Facility	Aquaculture																																					21.05.060C.1.	
	Facility for combined marine and general construction																																						21.05.060C.2.
	Marine operations																																						21.05.060C.3.

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	Marine wholesaling																		P	P	P	P							21.05.060C.4.			
Warehouse and Storage	Bulk storage of hazardous materials																						C	C	P							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/C	P					P	P	P							21.05.060D.4.
	Storage yard																		P	P	P	P							21.05.060D.5.			
	Warehouse or wholesale establishment, general																						P	P	P				C			21.05.060D.6.
	Warehouse or wholesale establishment, light																	S/C	P	P	P	P				C			21.05.060D.7.			
Waste and Salvage	Composting facility																							P					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	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.

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, *Alcohol—Special Land Use Permit*. That process shall apply to any such use regardless of whether it is listed in table 21.05-1 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 21.05-1 or chapter 21.09. A cross-reference to this section 21.05.020A. in table 21.05-1 or chapter 21.09 is not required for the operator of a use to request approval under section 21.03.040.

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 21.05-1 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 21.05-1 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 Plan*;
- f. A community center;
- g. A neighborhood recreation center;

1 h. Child care centers; or

2 i. Public libraries.

3 **3. Compliance with State Standards**

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

9 **4. Administrative Permit Required**

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

18 **5. Premises Without Permit**

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

21 **21.05.030 RESIDENTIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

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

26 **A. Household Living**

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

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

32 **a. Definition**

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

36 **b. Use-Specific Standards**

37 The residential portion of a mixed-use building or development shall comply with
38 section 21.07.110C., *Standards for Multifamily Residential*. If applicable, the
39 nonresidential portion of a mixed-use building or development shall comply with
40 the large commercial establishment standards of 21.07.120A. In case of overlap
41 and/or conflict, the more stringent standard shall control.

42 **2. Dwelling, Multifamily**

43 **a. Definition**

44 A residential building or multiple residential buildings comprising three or more
45 dwelling units on one lot. The definition includes the terms "apartment" or
46 "apartment building."

- 1 **b. Use-Specific Standards**
- 2 i. Multifamily developments that consist of three or more units in one
- 3 building shall comply with section 21.07.110C., *Standards for Multifamily*
- 4 *Residential*, except as provided in subsection b.iii. below.
- 5 ii. Dwellings with single-family style and two-family style construction in
- 6 multifamily developments shall comply with the residential design
- 7 standards in subsections 21.07.110E.
- 8 iii. Dwellings with townhouse style construction in multifamily developments
- 9 shall comply with section 21.07.110D., *Standards for Townhouse*
- 10 *Residential*.
- 11 **3. Dwelling, Single-Family Attached**
- 12 **a. Definition**
- 13 One dwelling unit in a building on its own lot, with one or more walls abutting the
- 14 wall or walls of one other single-family dwelling unit on an adjacent lot.
- 15 **b. Use-Specific Standards**
- 16 i. *Residential Design Standards*
- 17 Single-family attached dwellings constructed after January 1, 2014 shall
- 18 comply with the applicable residential design standards in section
- 19 21.07.110, *Residential Design Standards*.
- 20 ii. *Common Party Wall Agreement*
- 21 A common party wall agreement shall be recorded. The agreement shall
- 22 provide for maintenance of the structure and other improvements in good
- 23 condition, and for maintenance of the uniformity and common
- 24 appearance of the exterior of all structures and landscaping.
- 25 iii. *Access; No Vertical Stacking*
- 26 Each unit shall have its own access to the outside, and no unit may be
- 27 located over another unit in whole or in part.
- 28 iv. *Side Setback Requirement*
- 29 Detached accessory structures shall comply with the side setback
- 30 requirement of the underlying zoning district on the common lot line
- 31 between attached residential units.
- 32 **4. Dwelling, Single-Family Detached**
- 33 **a. Definition**
- 34 One detached building on its own lot, erected on a permanent foundation,
- 35 designed for long-term human habitation exclusively by one household, having
- 36 complete living facilities, and constituting one dwelling unit.
- 37 **b. Use-Specific Standard**
- 38 Single-family detached dwellings constructed after January 1, 2014 shall comply
- 39 with the applicable residential design standards in section 21.07.110, *Residential*
- 40 *Design Standards*.
- 41 **5. Dwelling, Townhouse**
- 42 **a. Definition**
- 43 A building containing three or more single-family dwelling units erected in a
- 44 single row, with each unit on its own lot and having its own separate entrance.

- 1 **b. Use-Specific Standards**
- 2 i. *Residential Design Standards*
- 3 Townhouse dwellings shall comply with the applicable residential design
- 4 standards in section 21.07.110, *Residential Design Standards*.
- 5 ii. *Common Party Wall Agreement*
- 6 A common party wall agreement shall be recorded. The agreement shall
- 7 provide for maintenance of the structure and other improvements in good
- 8 condition, and for maintenance of the uniformity and common
- 9 appearance of the exterior of all structures and landscaping.
- 10 iii. *Access; No Vertical Stacking*
- 11 Each unit shall have its own access to the outside, and no unit may be
- 12 located over another unit in whole or in part.
- 13 iv. *Side Setback Requirement*
- 14 Detached accessory structures shall comply with the side setback
- 15 requirement of the underlying zoning district on the common lot line
- 16 between attached residential units.
- 17 **6. Dwelling, Two-Family**
- 18 a. **Definition**
- 19 One detached building on one lot designed for and constituting two dwelling
- 20 units. The definition includes the term “duplex.”
- 21 b. **Use-Specific Standard**
- 22 Two-family dwellings constructed after January 1, 2014 shall comply with the
- 23 applicable residential design standards in section 21.07.110, *Residential Design*
- 24 *Standards*.
- 25 **7. Dwelling, Mobile Home**
- 26 a. **Definition**
- 27 A transportable, factory-built dwelling unit designed and intended to be used as a
- 28 year-round dwelling, and built prior to the enactment of the Federal Manufactured
- 29 Home Construction and Safety Standards Act of 1976.
- 30 b. **Use-Specific Standard**
- 31 Only one mobile home is allowed per lot in the R-5 district, unless the lot is
- 32 within a manufactured home community. A mobile home shall be placed on a
- 33 permanent foundation unless it is located within a manufactured home
- 34 community.
- 35 **8. Manufactured Home Community (MHC)**
- 36 a. **Definition**
- 37 Any parcel or adjacent parcels of land in the same ownership that are utilized for
- 38 occupancy by more than two mobile homes or manufactured homes. This term
- 39 shall not be construed to mean tourist facilities for parking of travel trailers or
- 40 campers, which are classified under “camper park.”
- 41 b. **Use-Specific Standards**
- 42 All MHCs within the municipality shall be constructed, operated, and maintained
- 43 in accordance with the general standards listed below.
- 44 i. *Compliance with Applicable Regulations*
- 45 MHCs shall be constructed, operated, and maintained in conformance
- 46 with all applicable state statutes and regulations and local ordinances;

1 provided, however, that the provisions of chapter 21.12,
2 *Nonconformities*, of this title shall not be applied to prohibit the removal
3 and replacement of a mobile home or manufactured home on a space
4 within a MHC subject to that chapter.

5 ii. *Responsibility for Compliance*

6 Complete responsibility for standards established by this subsection and
7 for construction within a MHC shall rest with the owner of such
8 community.

9 iii. *Minimum Site Size*

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

11 iv. *Maximum Site Density*

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

13 v. *Impermanent Foundations*

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

16 vi. *Mobile Home or Manufactured Home Spaces*

17 (A) *Occupancy*

18 No mobile home or manufactured home space shall contain
19 more than one manufactured home, mobile home or duplex
20 mobile home or manufactured home. No other dwelling unit
21 shall occupy a mobile home or manufactured home space.

22 (B) *Minimum Size*

23 In manufactured home communities created after [effective
24 date], all single mobile home or manufactured home spaces shall
25 have a minimum of 3,500 square feet of land area and all duplex
26 mobile home or manufactured home space shall have a
27 minimum of 5,000 square feet of land area.

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

29 (1) No part of any mobile home, manufactured home,
30 accessory building, or its addition shall be placed closer
31 than 15 feet from any other mobile home, manufactured
32 home, or its addition, or no closer than ten feet if that
33 mobile home, manufactured home, accessory building,
34 or its addition being placed meets NFPA (National Fire
35 Protection Act) 501A and HUD #24 CFR 3280
36 standards.

37 (2) The requirements of sections 21.06.030C.2., *Projections*
38 *into Required Setbacks* and 21.05.070, *Accessory Uses*
39 *and Structures*, shall not apply to MHCs. All mobile
40 homes, manufactured homes, and accessory structures
41 shall be placed at least five feet from the front space
42 line. Steps shall not be considered in determining the
43 separations required by this subsection.

44 (D) *Access*

45 Each mobile home or manufactured home space shall have
46 direct access to an internal street. Direct access to exterior
47 public streets is prohibited.

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- ix. *Landscaping*
- (A) L2 buffer landscaping shall be planted along each boundary of the MHC, except for vehicular and pedestrian ingress and egress points. Where two MHCs share a common lot line, the L2 buffer landscaping shall be split, with seven and one half feet (of the total 15 foot requirement) on each lot. Along MHC lot lines abutting a dedicated park, the landscaping requirement shall be halved.
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- (B) All areas not devoted to mobile home or manufactured home spaces, structures, drives, walks, off-street parking facilities, or other required landscaping shall be planted with site enhancement landscaping.
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- x. *Additions to Mobile Homes or Manufactured Homes; Accessory Buildings*
- (A) *Generally*
- All additions and accessory buildings shall be subject to the spacing and setback requirements for mobile homes and manufactured homes. Any addition or accessory building shall be constructed in accordance with building safety code regulations pertaining to temporary structures, provided that additions will not be required to have a permanent foundation.
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- (B) *Height*
- The height of accessory buildings is limited to that of the underlying zoning district. In the case of districts where the height is unrestricted, the maximum height of accessory structures shall be 12 feet. The height of additions to mobile homes or manufactured homes is limited to that of the underlying zoning district. The use of any area created above the original roof line of the mobile home or manufactured home as living space is prohibited.
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- (C) *Exits*
- The number of exterior exits from additions shall be equal to or greater than the number of exits leading from the mobile home or manufactured home to the addition. When two exterior exits are required from additions, they shall be placed a distance apart equal to one-fifth of the total perimeter of the addition.
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- xi. *Refuse Collection*
- A MHC operator shall provide adequate refuse collection facilities. Refuse collection facilities shall be constructed and maintained in accordance with all municipal health regulations and shall be designed to bar animals from access to refuse. Refuse shall be removed from refuse collection sites at least once a week. Refuse facilities shall be screened pursuant to section 21.07.080G., *Screening*.
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- xii. *Fuel Tanks*
- Fuel oil supply tanks shall be placed in compliance with applicable building and fire codes. Liquefied gas containers shall be securely anchored to a permanent and stable holding structure or adequately secured to a mobile home or manufactured home.

- 1 **xiii.** *Campers and Travel Trailers*
2 Occupied campers and travel trailers are not subject to paragraphs
3 8.b.vi., *Mobile Home or Manufactured Home Spaces*, and 8.b.viii., *Water*
4 *and Sewage Systems*, of this subsection. Any permitted spaces
5 intended for occupied campers and travel trailers shall be placed in an
6 area segregated from permanent mobile home or manufactured home
7 spaces. Any area within a MHC that is occupied by campers and travel
8 trailers shall be served by a service building containing public toilet
9 facilities and water supply.
- 10 **xiv.** *Animals in MHCs*
11 Outdoor keeping of animals other than dogs in MHCs shall be regulated
12 by subsection 21.05.070D.14., except that “spaces” within MHCs shall
13 be considered “lots” for the purposes of applying subsection
14 21.05.070D.14.
- 15 **xv.** *Convenience Establishments in MHCs*
16 Convenience establishments of a commercial nature, including stores,
17 coin-operated laundry, beauty shops and barbershops, may be permitted
18 in MHCs subject to the following restrictions. Such establishments and
19 the parking lot primarily related to their operations shall not occupy more
20 than ten percent of the area of the community, shall be subordinate to
21 the residential use and character of the park, shall be located, designed
22 and intended to serve frequent trade or service needs of persons
23 residing in the community, and shall present no visible evidence of their
24 commercial character from any portion of any district outside the
25 community. Such convenience areas shall be considered accessory
26 uses to the principal use of mobile homes or manufactured homes, may
27 be permitted without a zoning change, and shall be discontinued if the
28 MHC is discontinued.
- 29 **xvi.** *Sites in Flood Hazard Area*
30 The following requirements shall apply to all MHCs, any portion of which
31 are within a flood hazard area:
- 32 **(A)** Over-the-top ties shall be provided at each of the four corners of
33 the mobile home or manufactured home and two ties per side at
34 intermediate locations. Mobile homes more than 50 feet long
35 shall require one additional tie per side.
- 36 **(B)** Frame ties shall be provided at each corner of the frame, and
37 five ties per side at intermediate points. Mobile homes or
38 manufactured homes more that 50 feet long shall require four
39 additional ties per side.
- 40 **(C)** All components of the anchorage system shall be capable of
41 carrying a force of 4,800 pounds.
- 42 **(D)** Any additions to the mobile home or manufactured home shall
43 be similarly anchored.
- 44 **(E)** All applications for a conditional use for a MHC shall include an
45 evacuation plan indicating alternate vehicular access and escape
46 routes during times of flooding.

- 1 **xvii. Sites in Floodplain**
2 No mobile homes or manufactured homes shall be placed within the
3 regulatory floodplain, except that MHCs existing before September 25,
4 1979, shall be permitted to place mobile homes or manufactured homes
5 within existing unit spaces.
- 6 **xviii. Nonconforming MHCs**
7 **(A)** Those MHCs situated within the boundaries of the former City of
8 Anchorage which existed prior to August 30, 1977, are not
9 subject to paragraphs 8.b.vi., *Mobile Home or Manufactured*
10 *Home Spaces*, and 8.b.vii., *Streets And Drainage Facilities*, of
11 this subsection, provided that such communities meet the
12 standards set forth in the former City of Anchorage Municipal
13 Code sections 6.60.010 through 6.60.110.
- 14 **(B)** Those MHCs situated in any area of the municipality other than
15 that described in paragraph i. above, which existed prior to 1966,
16 are not subject to the requirements of paragraphs 8.b.vi., *Mobile*
17 *Home or Manufactured Home Spaces*, 8.b.vii., *Streets and*
18 *Drainage Facilities*, and 8.b.x., *Additions to Mobile Homes or*
19 *Manufactured Homes; Accessory Buildings*, of this subsection,
20 within the area and to the extent that it was constructed,
21 operated or maintained prior to that date.
- 22 **(C)** Any MHC exempt from certain requirements of this subsection
23 21.05.030A.8., *Manufactured Home Community*, as provided in
24 paragraphs xviii.(A) and (B) above, shall conform to all
25 provisions of this subsection 21.05.030A.8. within any area first
26 constructed, operated, or maintained after the specified date or
27 within any area that is substantially altered, remodeled,
28 reconstructed, or rebuilt after that date.

29 **B. Group Living**

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

36 **1. Assisted Living Facility**

37 **a. Definition**
38 A facility that provides housing and ancillary care services on a residential basis
39 to three or more adults, and adolescents in appropriate cases as allowed by
40 exception. A small assisted living facility is defined as a group of three to eight
41 residents. A large assisted living facility is defined as a group of nine or more
42 residents.

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

44 **i. Housekeeping Unit**
45 A small assisted living facility serving five or fewer residents shall be
46 considered a single housekeeping unit.

- 1 ii. **Administrative Variance Needed**
2 In the R-1, R-1A, R-2A, and R-2D zones, a small assisted living facility
3 serving five or fewer residents is permitted by right. An administrative
4 variance pursuant to section 21.03.240J. is required to serve six to eight
5 residents.
- 6 c. **Use-Specific Standards for Large Assisted Living Facilities**
7 Large assisted living facilities shall comply with the use-specific standards set
8 forth for “adult care facilities with nine or more persons” below.
- 9 2. **Correctional Community Residential Center**
- 10 a. **Definition**
11 A community residential facility, other than a correctional institution, for the short-
12 term or temporary detention of people in transition from a correctional institution,
13 performing restitution, or undergoing rehabilitation and/or recovery from a legal
14 infirmity. This does not include people who pose a threat or danger to the public
15 for violent or sexual misconduct or who are imprisoned or physically confined
16 under guard or 24-hour physical supervision.
- 17 b. **Use-Specific Standards**
- 18 i. **Standards for Centers Established After January 1, 1995**
19 The following standards apply to all correctional community residential
20 centers established after January 1, 1995:
- 21 (A) No new correctional community residential center may be
22 located within 1,250 feet of an existing center, a public park, or a
23 school or instruction service serving any combination of grades
24 kindergarten through 12, unless the planning and zoning
25 commission determines that a reduction in separation distance is
26 warranted based upon the program proposed and any other
27 circumstances the commission deems appropriate. If the
28 commission reduces the separation distance, it shall adopt
29 findings of the facts upon which such reduction is based.
- 30 (B) Program occupancy limits shall be as determined by the state
31 department of corrections.
- 32 (C) Maximum resident occupancy at a center shall be determined by
33 requiring a minimum of 150 square feet of building area per
34 resident. This measurement shall be calculated by including all
35 bedroom, kitchen, bathroom, living, recreation, and other areas
36 within the facility intended for common use by the residents.
- 37 (D) Each center shall have a minimum of 50 square feet of outdoor
38 recreation area per maximum resident occupancy.
- 39 (E) Centers that house felons are only permitted by conditional use
40 in the I-1 and PLI districts. Centers allowed in other districts may
41 only house residents convicted of misdemeanors.
- 42 (F) No additional correctional community residential centers may be
43 located in the DT zoning districts or in a B-3 zoning district in the
44 area bounded on the north by Ship Creek, on the south by
45 Chester Creek, on the east by Orca Street extended, and on the
46 west by Cook Inlet.

1 (G) CCRCs shall not house sex offenders.

2 ii. *Existing Centers Established Under Quasi-Institutional House Provisions*
3 The three correctional community residential centers that were
4 established under the quasi-institutional house provisions of title 16 and
5 title 21 of this code and that existed as of January 1, 1995, may continue
6 to operate under the terms of their existing conditional use permits and at
7 the occupancy level permitted as of that date. No other beds may be
8 added to these centers.

9 **3. Habilitative Care Facility**

10 a. **Definition**

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

20 b. **Use-Specific Standard**

21 A small habilitative care facility shall provide housing for no more than six
22 residents, including any support staff living at the facility. A medium habilitative
23 care facility shall provide housing for seven to 25 residents, including any support
24 staff living at the facility. A large habilitative care facility shall provide housing for
25 26 or more residents, including any support staff living at the facility.

26 **4. Roominghouse**

27 a. **Definition**

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

34 b. **Use-Specific Standards**

35 i. **Administrative Permit**

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

42 ii. **General Standards**

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

45 (B) L1 visual enhancement landscaping is required when abutting
46 residential lots in a residential zone.

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

12 **5. Transitional Living Facility**

13 **a. Definition**

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

24 **21.05.040 COMMUNITY USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

25 This section defines the general community use categories and specific community use types listed in
26 table 21.05-1. This section also contains use-specific standards that apply to specific use types. The
27 use-specific standards apply regardless of whether the use type is permitted as a matter of right, subject
28 to an administrative or major site plan review process, or subject to the conditional use process.

29 **A. Adult Care**

30 **1. Definition**

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

34 **2. Use-Specific Standards for Adult Care Facilities with Three through Eight Persons**

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

39 **b.** In all residential districts these facilities shall be located only in a single family
40 detached structure, excluding detached condominium units. These facilities shall
41 be prohibited if the only direct street access is from a private street.

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

- 1 **3. Use-Specific Standards for Adult Care Facilities with Nine or More Persons (also**
2 **apply to “Large Assisted Living Facilities” and “Nursing Facility”)**
3 **a. Access**
4 The site shall provide for direct access from a street constructed to class A
5 improvement area standards.
- 6 **b. Minimum Lot Size**
7 i. Unless otherwise authorized by the planning and zoning commission, the
8 minimum lot size for a nursing facility shall be:
9
10 **(A)** Six to 10 beds: 15,000 square feet.
11
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
16 **(A)** Nine to 16 beds: the minimum lot size of the underlying district.
17
18 **(B)** Seventeen or more beds: 20,000 square feet.
- 19 **c. Vegetated Open Space**
20 A minimum of 15 percent (25 percent in the RO district) of the lot shall remain as
21 a planted open area, landscaped area, or natural vegetation area, to exclude
22 buildings, driveways, parking lots, sidewalks, etc., unless the decision-making
23 body determines that retention of less than 15 percent (25 percent in the RO
24 district) allows for sufficient buffering of adjacent uses.
- 25 **d. Parking and Setbacks**
26 In residential zoning districts, no parking or loading areas shall be placed in any
27 setback, except in approved driveways.
- 28 **e. Adjacent Residential**
29 A facility in a non-residential district that is adjacent to a residential use or district
30 shall provide L2 buffer landscaping along the lot line dividing the two.
- 31 **f. Ambulance and Delivery Areas**
32 Ambulance and delivery areas shall be screened from adjacent residential areas
33 by L2 buffer landscaping or a fence no less than six feet high.
- 34 **g. Snow Storage**
35 Snow storage space adjacent to surface parking lots and pathways shall be
36 identified on the site plan. In residential districts, to facilitate snow removal, snow
37 storage areas equal to at least 15 percent of the total area of the site used for
38 parking, access drives, walkways, and other surfaces that need to be kept clear
39 of snow, shall be designated on the site plan. Such areas designated for snow
40 storage shall be landscaped only with grasses and flowers and shall have
41 positive drainage away from structures and pavements. Except for facilities in
42 single-family or two-family structures, storage of snow is not allowed in the front
 setback. Storage of snow may be in 50 percent of the side and rear setbacks, if
 trees and other vegetation designated for preservation will not be damaged. If
 snow is to be hauled off-site, temporary snow storage areas shall be shown on
 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, sidewalks, or similar structures, unless the planning and
13 zoning commission determines retention of less than 25 percent of the lot as
14 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. 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 in Residential Districts**

22 In residential zoning districts where a child care center requires
23 conditional use approval, a minimum of 25 percent of the lot shall remain
24 as planted open area, landscaped area, or natural vegetation area, to
25 exclude buildings, driveways, parking lots, 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 residential zoning districts where a child care center is allowed, a
29 minimum of 15 percent of the lot area shall remain as required above,
30 unless the decision-making body determines that retention of less than
31 15 percent 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 L1 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 L2 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 **2. Child Care Home**

18 **a. Definition**

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

24 **b. Use-Specific Standards**

25 **i. Minor Commercial Activity**

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

30 **ii. Usable Outdoor Space**

31 Licensed child care homes shall provide usable outdoor space as
 32 required by section 16.55.450.

33 **iii. Continuing Conditional Uses**

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

36 **C. Community Service**

37 This category includes uses of a public, non-profit, or charitable nature providing a local service to
 38 people of the community. Generally, such uses provide the service on-site or have employees at
 39 the site on a regular basis. The service is ongoing, not just for special events. The use may
 40 provide special counseling, education, or training. Accessory uses may include offices, meeting,
 41 food preparation, parking, therapy areas, and athletic facilities. Specific use types include:

42 **1. Cemetery or Mausoleum**

43 **a. Definition**

44 A graveyard, burial ground, mausoleum, or other place of interment,
 45 entombment, or sepulture of one or more human bodies or remains. Crematoria

- 1 are not permitted unless specifically allowed under this title as a separate
2 principal use.
- 3 **b. Use-Specific Standards**
- 4 **i. Burial of Human Remains in Other Areas Prohibited**
5 Human remains, other than cremated remains, may not be buried,
6 entombed, or interred, above or below ground, except in an approved
7 cemetery.
- 8 **ii. Platting of Burial Plots**
9 Burial plots shall be platted in accordance with section 21.03.200D.,
10 *Abbreviated Plat Procedure*.
- 11 **iii. Density of Burial Plots**
12 Notwithstanding the minimum lot area for any zoning district, there shall
13 be no more than 1,500 burial plots per gross acre.
- 14 **iv. Interment Below Groundwater Table Prohibited**
15 No burial plots shall be established where interment would occur below
16 the groundwater table.
- 17 **v. Traffic Access**
18 A cemetery or mausoleum shall have direct access to a street
19 designated as a collector or greater capacity.
- 20 **vi. Dimensional Standards**
21 Notwithstanding the general dimensional standards in chapter 21.06, the
22 following standards shall apply to all cemeteries and mausoleums.
- 23 **(A) Minimum Site Area**
24 Five acres.
- 25 **(B) Minimum Setbacks**
26 **(1)** Front setback: 10 feet.
27 **(2)** Side setback: 10 feet.
28 **(3)** Rear setback: 10 feet.
- 29 **(C) Maximum Height of Structures**
30 35 feet.
- 31 **vii. Setbacks**
32 Graves and burial plots shall not be allowed within setback areas.
- 33 **viii. Parking, Driveways, and Streets**
34 Parking shall be provided according to section 21.07.090, *Off-Street*
35 *Parking and Loading*, except that the traffic engineer may authorize a
36 pavement surface of gravel for drives and streets that provide direct
37 access to graves and burial plots. Internal driveways and streets
38 providing direct access to a public right-of-way or connecting to principal
39 structures shall be paved with asphalt or concrete.

- 1 **2. Community Center**
2 **a. Definition**
3 A facility that is intended primarily to serve the meeting, cultural, social services,
4 administrative, athletic, or entertainment needs of the community as a whole,
5 operated by the government or as a non-profit facility, and generally open to the
6 public.
- 7 **b. Use-Specific Standards (also apply to “Religious Assembly”)**
8 **i. Applicability**
9 The standards of this subsection shall apply to all community centers
10 and religious assemblies within a residential zoning district.
- 11 **ii. Minimum Lot Area and Width**
12 Notwithstanding any smaller minimum lot area required by tables 21.06-1
13 and 21.06-2, community centers and religious assemblies subject to this
14 subsection shall have a minimum lot area of 14,000 square feet and a
15 minimum lot width of 100 feet.
- 16 **iii. Traffic Access**
17 Community centers and religious assemblies shall have at least one
18 property line of the site that is at least 50 feet in length, and it shall abut a
19 street designated as a collector or greater on the *Official Streets and*
20 *Highways Plan*. All ingress and egress traffic shall be directly onto such
21 street.
- 22 **iv. Buffering Standards**
23 L2 buffer landscaping is required along all property lines where the
24 community center or religious assembly site abuts a residential use in a
25 residential zone.
- 26 **v. Vegetated Open Space**
27 In residential and PLI zoning districts a minimum of 25 percent of the lot
28 area shall remain as planted open area, landscaped area, or natural
29 vegetation area, to exclude buildings, driveways, parking lots, sidewalks,
30 etc., unless the decision-making body determines that retention of less
31 than 25 percent allows for sufficient buffering of adjacent uses.
- 32 **vi. 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 **3. Crematorium**
36 **a. Definition**
37 A furnace or establishment for the cremation of corpses, human and animal. A
38 crematorium is never an accessory use.
- 39 **b. Use-Specific Standards**
40 **i. All facilities shall be maintained within a completely enclosed building,**
41 and shall be sufficiently insulated so that, to the maximum extent
42 feasible, no noise or odor can be detected off-premises.
- 43 **ii. Crematoria shall be located at least 200 feet from any residential use or**
44 zoning district.

1 **4. Governmental Administration and Civic Facility**

2 **a. Definition**

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

7 **b. Use-Specific Standards**

8 i. Unless otherwise indicated in table 21.05-1, government administration
9 and civic facilities or additions to existing government administration and
10 civic facilities shall have the following review process:

11 **(A)** Construction of less than 7,000 square feet is permitted.

12 **(B)** Construction of 7,000 to 25,000 square feet is subject to an
13 administrative site plan review.

14 **(C)** Construction over 25,000 square feet is subject to a major site
15 plan review.

16 **(D)** Lease of existing space is permitted.

17 ii. The priority location for major federal, state, and municipal administrative
18 offices and civic facilities is in the central business district. Satellite
19 government offices and civic functions are intended to be located in other
20 regional centers, mixed-use centers, or town centers designated in the
21 comprehensive plan. When a government administrative and civic
22 facility use is proposed at another location, approval is contingent on a
23 finding by the planning and zoning commission, using the approval
24 criteria of a public facility site selection process (21.03.140), that locating
25 the major use in the central business district or a satellite use in a
26 designated center would not be feasible, would not be compatible with
27 the urban center, or would not serve the public interest.

28 **5. Homeless and Transient Shelter**

29 **a. Definition**

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

37 **6. Neighborhood Recreation Center**

38 **a. Definition**

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

42 **7. Religious Assembly**

43 **a. Definition**

44 A building or structure, or group of buildings or structures, intended primarily for
45 the conducting of organized religious services. Accessory uses may include, but
46 are not limited to, parsonages, meeting rooms, child care provided for persons
47 while they are attending religious functions, broadcast ministries, bookstores,

1 vehicle service and repair facilities (for bus ministries and staff vehicles), lawn
2 and garden sheds, warehouse and storage buildings, community service centers,
3 gymnasiums, food distribution ministries. Schools associated with religious
4 assemblies are not an accessory use.

5 **b. Use-Specific Standards**

6 **i. Standards**

7 Religious assembly uses shall comply with the use-specific standards set
8 forth above under “community center.”

9 **ii. Columbaria**

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

13 **iii. Maximum Height**

14 Except for those elements excepted in subsection 21.06.030D.6., a
15 religious assembly may not exceed the height permitted in the zoning
16 district in which it is located. However, in districts where the maximum
17 height is less than 40 feet, the maximum height for a religious assembly
18 may increase to 40 feet, so long as the building is setback from any point
19 on the property line at least twice the maximum actual height.

20 **iv. Religious Assembly in Industrial Districts**

21 Religious assembly uses in the I-1 and I-2 districts shall have a
22 maximum gross floor area of 20,000 square feet.

23 **D. Cultural Facility**

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

28 **1. Aquarium**

29 **a. Definition**

30 An establishment where collections of living aquatic organisms are kept and
31 exhibited.

32 **2. Botanical Gardens**

33 **a. Definition**

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

36 **3. Library**

37 **a. Definition**

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

39 **4. Museum or Cultural Center**

40 **a. Definition**

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

1 **5. Zoo**

2 **a. Definition**

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

5 **E. Educational Facility**

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

14 **1. Boarding School**

15 **a. Definition**

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

17 **b. Use-Specific Standard**

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

22 **2. College or University**

23 **a. Definition**

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

29 **b. Use-Specific Standard**

30 In accordance with section 21.03.110, colleges or universities with an approved
31 institutional master plan are exempt from the review and approval procedures
32 required by table 21.05-1 for projects developed under the auspices of the
33 approved institutional master plan.

34 **3. Elementary or Middle School**

35 **a. Definition**

36 A public, private, parochial, or charter school offering academic instruction during
37 the majority of the days of the week for at least two consecutive hours, for
38 students typically between the kindergarten and eighth grade levels, but not
39 higher than the ninth grade. This classification includes the terms “junior high
40 school” and “intermediate school.” Pre-schools that are associated and co-
41 located with elementary, middle, or high schools are considered to be part of the
42 elementary, middle, or high school. Pre-schools without such association and
43 co-location are categorized in this title as “child care facility.”

- 1 **b. Use-Specific Standards (also apply to “Boarding School” and “High**
2 **School”)**
3 **i. Purpose**
4 The standards of this subsection are intended to ensure the compatibility
5 of schools with surrounding neighborhoods and to minimize the impacts
6 of school uses on adjacent properties.
- 7 **ii. Approval Process**
8 Schools with fewer than 10 students are permitted by-right in accordance
9 with table 21.05-1. Schools with 10 or more students are permitted by
10 major site plan review in accordance with table 21.05-1.
- 11 **iii. Site Size**
12 Except where established site size criteria are approved by local or state
13 governmental authority, minimum lot size in residential districts for
14 schools with capacity of 100 or more students shall be one acre per 100
15 students.
- 16 **iv. Setbacks**
17 **(A)** In residential districts, setbacks for schools with capacity for 25
18 or more students shall be as follows:
19 **(1)** The front setback of the underlying district shall apply.
20 **(2)** Any structure or portion of structure equal to or less than
21 15 feet high and equal to or less than 50 feet in length
22 shall be set back at least 15 feet from any side or rear lot
23 line. Any portion of such structure longer than 50 feet in
24 length shall be set back at least 20 feet from any side or
25 rear lot line.
26 **(3)** Any structure or portion of structure that is greater than
27 15 feet in height shall be set back at least 25 feet from
28 any side or rear lot line.
- 29 **(B)** In nonresidential districts, the setbacks of the underlying district
30 shall apply.
- 31 **v. Outdoor Play Space for Elementary and Middle Schools**
32 **(A)** Elementary and middle schools with capacity for 50 or more
33 students, where students remain for more than four consecutive
34 hours, shall provide two square feet of outdoor open space play
35 area for every one square foot of total combined classroom
36 space.
- 37 **(B)** The minimum dimension of any required outdoor open space
38 play area is 20 feet.
- 39 **(C)** If the school is in close proximity to a park with usable open
40 space, the park may count as the required outdoor open space
41 play area. The decision-making body shall determine whether
42 the nearby park is appropriate in terms of play space and
43 access, using the following conditions as a guide:
44 **(1)** The park is between an eighth and a quarter mile from
45 the school.

1 (2) The school and park are not separated by a street of
2 arterial classification or greater on the *Official Streets*
3 *and Highways Plan*, except that in the Downtown area
4 (as defined by the Anchorage Downtown
5 Comprehensive Plan – 2007) but excluding the area
6 north of 2nd Avenue, the school and park may be
7 separated by a street classified as an arterial if a
8 signalized pedestrian crosswalk and adult crossing
9 guard supervision are provided.

10 (D) The decision-making authority may reduce or waive the outdoor
11 play space requirement if the applicant provides sufficient
12 rationale.

13 vi. *Vehicle and Pedestrian Access*

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

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

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

25 vii. *Temporary Structures for School Expansion Space (Relocatables)*

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

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

31 (B) The temporary structures are exempt from the general
32 requirements for all temporary uses contained in section
33 21.05.080, *Temporary Uses and Structures*.

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

36 viii. *Landscaping*

37 L1 visual enhancement landscaping is required along all property lines
38 where the school site abuts a residential use in a residential zone.

39 4. **High School**

40 a. **Definition**

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

1 **b. Use-Specific Standards**

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

4 **5. Instructional Services**

5 **a. Definition**

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

12 **b. Use-Specific Standard**

13 A conditional use **permit** is required for instructional services in the I-1 district that
14 are proposed to occupy more than 20,000 square feet of gross floor area.

15 **6. Vocational or Trade School**

16 **a. Definition**

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

23 **b. Use-Specific Standard**

24 This use excludes establishments providing training in an activity that is not
25 otherwise permitted in the zoning district.

26 **F. Health Care Facility**

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

30 **1. Health Services**

31 **a. Definition**

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

37 **b. Use-Specific Standard**

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

40 **2. Hospital/Health Care Facility**

41 **a. Definition**

42 A facility or institution, whether public or private, principally engaged in providing
43 inpatient services for medical, surgical, or psychiatric care, and the treatment and
44 housing of persons under the care of doctors and nurses. Examples include
45 general or specialty hospitals, but exclude habilitative care facilities, assisted
46 living facilities, and nursing facilities. Training, rehabilitation services, and health
47 services may be permitted as accessory uses, if integral to the facility’s function.

1 Other accessory uses may include pharmacies and central services facilities,
2 such as kitchens and laboratories which serve the health care facility.

3 **b. Use-Specific Standards**

4 **i. Minimum Lot Size**

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

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

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

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

11 **ii. Vegetated Open Space**

12 A minimum of 15 percent of the lot shall remain as a planted open area,
13 landscaped area, natural vegetation area, or usable yard, to exclude
14 buildings, driveways, parking lots, sidewalks, etc., unless the director
15 determines that retention of less than 15 percent of the lot as open area,
16 etc., allows for sufficient buffering of adjacent uses.

17 **iii. Landscaping Buffer**

18 L2 buffer landscaping shall be provided along all lot lines adjacent to a
19 residential use or district.

20 **iv. Institutional Master Plan**

21 In accordance with section 21.03.110, hospitals with an approved
22 institutional master plan are exempt from the review and approval
23 procedures required by table 21.05-1 for projects developed under the
24 auspices of the approved institutional master plan.

25 **v. Accessible Parking**

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

28 **3. Nursing Facility**

29 **a. Definition**

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

33 **b. Use-Specific Standards**

34 **i.** Nursing facilities allowed by right or by site plan review shall comply with
35 the use-specific standards set forth for “adult care facilities with nine or
36 more persons” above. Facilities allowed by conditional use shall comply
37 with the additional standards for conditional uses set forth in “adult care
38 facilities” above.

39 **ii.** Nursing facilities shall be subject to the multi-family building development
40 and design standards in section 21.07.110C.

41 **iii.** Nursing facilities shall comply with the medical facility accessible parking
42 requirements of subsection 21.07.090J.4.

1 **G. Parks and Open Areas**

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

6 **1. Community Garden**

7 **a. Definition**

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

11 **2. Park, Public or Private**

12 **a. Definition**

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

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

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

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

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

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

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

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

36 **(B)** Any minor discrepancies with an approved park master plan
37 shall be described and justified. Significant discrepancies, as
38 determined by the parks and recreation commission, require a
39 change in the master plan.

40 **(C)** All development projects costing more than \$500,000 or
41 disturbing more than one acre of land and in parks classified by
42 the *Anchorage Bowl Park, Natural Resource, and Recreation*
43 *Facility Plan* as community use area, special use area, or natural
44 resource use area (over 30 acres) shall be approved by major
45 site plan review in accordance with 21.03.180C. For the

1 purposes of this subsection, vegetation removal for public safety,
 2 natural resource protection and enhancement (such as invasive
 3 species removal and reforestation), ecosystem health, and
 4 general routine maintenance is not considered land disturbance.

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

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

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

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

24 (B) Master plans for parks classified by the *Anchorage Park,*
 25 *Greenbelt and Recreation Facility Plan Volume 2: "Eagle River-*
 26 *Chugiak-Eklutna"* as community, large urban, or regional parks
 27 shall be approved by the planning and zoning commission.

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

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

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

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

41 (C) All development projects costing more than \$500,000 or
 42 disturbing more than one acre of land and in parks classified by
 43 the *Anchorage Park, Greenbelt and Recreation Facility Plan*
 44 *Volume 2: "Eagle River-Chugiak-Eklutna"* as community, large
 45 urban, or regional parks shall be approved by major site plan
 46 review in accordance with 21.03.180C. For the purposes of this
 47 subsection, vegetation removal for public safety, natural

resource protection and enhancement (such as invasive species removal and reforestation), ecosystem health, and general routine maintenance is not considered land disturbance.

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

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

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

e. **Director's Discretion**

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

- i. The plan or project is likely to generate significant public interest;
- ii. The project is a significant deviation from an approved master plan;
- iii. The project will have a significant impact on neighboring uses; or
- iv. The plan or project significantly increases the intensity of development of the park.

H. **Public Safety Facility**

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

1. **Community or Police Substation**

a. **Definition**

A subsidiary community services or police station providing public services primarily intended for the immediate geographic area in which the station is located.

- 1 **b. Use-Specific Standard**
2 In residential districts, community or police substations shall be no larger than
3 3,500 square feet in gross floor area, and shall be architecturally compatible with
4 the surrounding residential neighborhood in terms of building and roofing design
5 and materials and lot placement.
- 6 **2. Correctional Institution**
7 **a. Definition**
8 A facility, other than a correctional community residential center, providing for the
9 imprisonment or physical confinement of prisoners under guard or 24-hour
10 physical supervision, such as prisons, prison farms, jails, reformatories,
11 penitentiaries, houses of detention, detention centers, honor camps, and similar
12 facilities.
- 13 **b. Use-Specific Standards**
14 **i. Traffic Access**
15 A site more than one-half acre in size shall provide for direct access from
16 a street of collector or greater capacity.
- 17 **ii. Screening or Buffering**
18 The planning and zoning commission may require fencing and
19 landscaping.
- 20 **3. Fire Station**
21 **a. Definition**
22 A station housing fire and rescue personnel including indoor and outdoor space
23 for administrative offices, storage of equipment, and associated vehicles and
24 servicing facilities.
- 25 **4. Public Safety Facility**
26 **a. Definition**
27 A facility operated by a government agency for the purpose of providing public
28 safety and emergency services, training for public safety and emergency
29 personnel, and related administrative and support services. Examples include,
30 but are not limited to, a police station, an emergency operations center, or a fire
31 or police training center.
- 32 **I. Transportation Facility**
33 This category includes facilities that receive and discharge passengers and freight. Accessory
34 uses may include freight handling areas, concessions, offices, parking and maintenance, and
35 fueling facilities. Specific use types include:
- 36 **1. Airport**
37 **a. Definition**
38 A publicly owned area of land or water that is used or intended for use for the
39 landing and take-off of aircraft, and includes its buildings and facilities, if any.
- 40 **2. Airstrip, Private**
41 **a. Definition**
42 Privately owned land or water maintained as a runway for fixed-wing aircraft.
- 43 **b. Use-Specific Standards**
44 **i. Private airstrips are allowed conditionally in residential districts only if**
45 approach and noise buffer areas are provided.

1 ii. Applications for private airstrips shall be accompanied by a determination
2 letter from the Federal Aviation Administration.

3 **3. Heliport**

4 **a. Definition**

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

8 **b. Use-Specific Standards**

9 i. Heliports are not accessory uses unless they are accessory to an airport.
10 A heliport associated with a principal use other than an airport shall be
11 considered an additional principal use on the property and shall meet
12 these use-specific standards.

13 ii. Applications for heliports shall be accompanied by a determination letter
14 from the Federal Aviation Administration (FAA).

15 iii. In addition to the conditional use approval criteria at subsection
16 21.03.080C., the planning and zoning commission shall consider the
17 following issues when reviewing a conditional use application for a
18 heliport, in order to minimize impacts of a heliport on nearby uses:

19 **(A)** Proximity to residential zoning districts, schools, and parks.

20 **(B)** Arrival and departure, as established by the FAA.

21 **(C)** Hours of operation and projected number of takeoffs and
22 landings.

23 **4. Rail Yard**

24 **a. Definition**

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

32 **5. Railroad Freight Terminal**

33 **a. Definition**

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

36 **6. Railroad Passenger Terminal**

37 **a. Definition**

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

41 **7. Transit Center**

42 **a. Definition**

43 Any premises, located at the confluence of multiple established routes (of the
44 same or different types of transit), for the loading and unloading of passengers

1 on public transit. Accessory uses may include ticket purchase facilities, food and
2 beverage kiosks, and convenience stores.

3 **J. Utility Facility**

4 This category includes major utilities, which are infrastructure services providing regional or
5 community-wide service, and minor utilities, which are infrastructure services that need to be
6 located in or near the neighborhood where the service is provided. Services may be publicly or
7 privately provided. Accessory uses may include parking and control, monitoring, or data
8 transmission equipment. Specific uses types include:

9 **1. Utility Facility**

10 **a. Definition**

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

15 **2. Utility Substation**

16 **a. Definition**

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

21 **b. Use-Specific Standard**

22 The facility shall be designed and constructed to ensure visual and aesthetic
23 compatibility with the surrounding neighborhood. Compatibility may be achieved
24 either by using similar architectural design and materials as building(s) in the
25 surrounding neighborhood, or by screening the facility with L2 buffer landscaping.

26 **K. Telecommunication Facilities**

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

30 **1. Definitions**

31 **a. Type 1 Tower**

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

36 **b. Type 2 Tower**

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

40 **c. Type 3 Tower**

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

44 **d. Type 4 Tower**

45 A support structure, such as an existing building, steeple, spire, or utility pole that
46 is not a type 1, 2, or 3 and is used for supporting a disguised, camouflaged, or

1 hidden antenna array so that its principal or secondary function as an antenna
2 and antenna support structure is imperceptible to an uneducated eye. The
3 antennas are mounted on the support structure so that they are located and
4 designed to minimize visual and aesthetic impacts to surrounding land uses and
5 structures and shall, to the greatest extent practical, blend into the existing
6 environment. This definition shall include any antenna or antenna array
7 complying with the objective of definition whether it is mounted on tower structure
8 or not.

9 **2. Use-Specific Standards**

10 **a. Setbacks**

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

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

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

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

21 (D) Type 4: none.

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

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

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

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

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

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

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

42 **c. Tower Structure Height**

43 i. Height for a tower structure directly fixed to the ground shall be
44 determined by measurement from grade to the highest point on the tower

- 1 structure, including any installed antennas and lighting and supporting
2 structures.
- 3 ii. Height for a tower structure not directly affixed to the ground shall be
4 determined by measurement from the grade of the building to the highest
5 point on the tower structure, including any installed antennas and lighting
6 and supporting structures. At no time shall the height of a tower installed
7 on a building as measured from grade to the highest point on the tower
8 structure as set forth above exceed the height of the building multiplied
9 by two or the base height, whichever is greater. Tower structures shall
10 not exceed the height limits set forth in subsection 21.04.060C. of this
11 title nor interfere with Federal Aviation Administration Regulations on
12 airport approaches.
- 13 iii. Base height shall be as set forth below:
- 14 (A) Residential districts--65 feet
- 15 (B) Commercial districts--130 feet
- 16 (C) Industrial districts--150 feet
- 17 (D) AF district--200 feet
- 18 (E) All other districts--100 feet
- 19 iv. Co-location shall grant an additional 15 feet above the base height for
20 each qualifying antenna to a maximum of 30 feet of additional height.
21 Increases in tower structure height by operation of this paragraph shall
22 not reclassify a tower structure from a local interest tower to a community
23 interest tower.
- 24 d. **Residential Zoning Districts, RO District, and AF District**
- 25 i. In all residential districts and in the RO district, type 1 and 3 towers,
26 antennas without tower structures, and type 4 tower structures and
27 antennas are permitted as a secondary and subordinate use with a
28 permitted nonresidential use.
- 29 ii. In the R-3, R-4, R-4A, R-5, and RO districts, type 1 and 3 towers,
30 antennas without tower structures, and type 4 tower structures are also
31 permitted as a secondary and subordinate use with a residential use of
32 six dwelling units or more.
- 33 iii. In the AF district, three towers per lot are permitted. More than three
34 towers per lot require conditional use approval.
- 35 e. **Notice of Site Selection and Site Plan Review**
- 36 i. **B-1A and Watershed Zoning Districts**
- 37 (A) Prior to issuance of a building or land use permit for a type 1, 2,
38 and 3 tower structures within B-1A and W zoning districts,
39 property owners of residential-zoned land within 500 feet of the
40 selected tower site and the local community council shall be
41 notified in writing of the issuance of a building or land use permit.
42 The effective date of the permit shall be no earlier than 30 days
43 after the date of mailing of the notification.

- 1 (B) A decision to issue a building or land use permit is final unless
2 appealed within the 30 day notice period to the planning and
3 zoning commission. An appeal may be filed by the applicant or
4 by a petition of at least one-third of the owners (excluding rights-
5 of-way) of the privately owned land within 500 feet of the outer
6 boundary of the tower site. In the event of appeal, the planning
7 and zoning commission shall hold a public hearing at its next
8 available meeting and apply the standards of this section. An
9 appeal from a decision of the planning and zoning commission
10 may be brought in accordance with section 21.03.050A.
- 11 ii. *PLI and Residential Districts*
12 All type 1, 2, and 3 tower structures within a residential district, as
13 allowed by table 21.05-1, or PLI district shall be subject to a site plan
14 review as set forth in this section, except when a conditional use permit
15 is required.
- 16 iii. *Other Zoning Districts*
17 All zoning districts not referenced in e.i. or e.ii. above are exempt from
18 the notification requirements, the minimum separation distances from
19 protected land uses, and the site plan review requirements set forth in
20 this chapter.
- 21 f. **Co-location**
22 i. The co-location tower structure, pole, monopole or any other similar
23 facility, must be designed to accommodate no less than the following
24 communications equipment: 12 antennas with a flat plate wind loading of
25 not less than four square feet per antenna; a standard mounting
26 structure, stand off arms, platform or other similar structure that is
27 sufficient to hold the antennas; cable ports at the base and antenna
28 levels of the tower structure; and, sufficient room within or on the tower
29 structure for 12 runs of 7/8" coaxial cable from the base of the tower
30 structure to the antennas.
- 31 ii. Applicants for co-location shall provide proof in a form found acceptable
32 to the municipal attorney that more than one service provider is using the
33 co-location facility.
- 34 iii. All community and local interest towers shall, for a reasonable
35 compensation, be made available for use by as many other licensed
36 carriers as can be technically co-located thereon when the use will not
37 result in substantial injury to the owner, or in substantial detriment to the
38 service to the customers of the owners. All licensed carriers shall
39 cooperate with each other in co-locating additional facilities upon such
40 towers. All licensed carriers shall exercise good faith in co-locating with
41 other licensed carriers and in the sharing of towers, including the sharing
42 of technical information to evaluate the feasibility of co-location.
- 43 g. **General Standards**
44 i. *Installation*
45 All transmitting antennas shall be installed in a manner as set forth by
46 the manufacturer and by the Federal Communications Commission
47 (FCC) as meeting the current American National Standards Institute
48 (ANSI) standard for nonionizing electromagnetic radiation (NIER).

- 1 ii. ***Tower Lighting***
2 Tower structures shall not be lighted unless the Federal Aviation
3 Administration requires or recommends that obstruction lighting be
4 installed. To prevent direct light reflection on other property, tower
5 structure lighting shall be shielded to the extent permitted by the Federal
6 Aviation Administration.
- 7 iii. ***Tower Color***
8 The tower structure and any other structure(s) directly related to the
9 operation of any antenna mounted on the tower structure shall be neutral
10 in color and, to the extent possible, shall be compatible with the
11 appearance and character of the neighborhood or location unless
12 obstruction marking is required by the Federal Aviation Administration.
- 13 iv. ***Notice and Interference***
14 An operator proposing to install or modify an antenna shall provide notice
15 to all property owners within 500 feet of the date of activation of the new
16 or modified antenna. Within 90 days of activation the antenna, the
17 operator shall resolve all reported occurrences of interference.
- 18 v. ***Identification Placard***
19 An identification placard shall be attached to the tower structure or the
20 security fencing in a location clearly visible at eye level. The placard shall
21 provide the following information:
- 22 (A) The name and address of the tower structure owner;
- 23 (B) The name and address of the tower structure manager, if
24 different from the owner;
- 25 (C) The date of erection of the tower structure; and
- 26 (D) The owner's name and address of each antenna on the tower
27 structure.
- 28 h. ***Administrative Permit Required***
29 An administrative permit shall be obtained from the director. The application shall
30 identify the antenna(s) on the tower, the legal description of the site, its zoning
31 and its street address, if any. This permit shall certify that, when granted, the
32 antenna, or tower structure was in compliance with this section. This permit shall
33 remain valid so long as that antenna or tower structure remains in continuous
34 operation or is revoked according to this title.
- 35 i. ***Administrative Permit Revocation***
36 i. Unless cured, an administrative tower permit shall be revoked after
37 notice and the opportunity to cure, for any of the following:
- 38 (A) Construction, maintenance, and/or operation of a tower at an
39 unauthorized location;
- 40 (B) Construction or operation of a tower in violation of any of the
41 terms and conditions of this chapter or the conditions attached to
42 the permit;
- 43 (C) Material misrepresentation by or on behalf of an applicant or
44 permittee in any application or written statement upon which the

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

1 **iv. *Public Participation Process***

2 Notwithstanding table 21.03-1, at least 35 days before acting on a tower
3 site plan application under this section, the director shall publish notice of
4 the application in a newspaper of general circulation in the municipality.
5 The notice shall state the name(s) of the applicant(s), a clear and
6 concise description of the project, the street address, if any, and the legal
7 description of the land subject to the application. The notice, including a
8 map of the vicinity, shall also be provided to any officially recognized
9 community council whose boundary encompasses the tower site and to
10 owners of property within 500 feet of the proposed site. The applicant
11 shall reimburse the municipality for the expense of advertising and
12 mailing such notice. The applicant shall also post the property with a
13 notice pursuant to subsection 21.03.020H.5. Following notice of the site
14 plan, the community council has 35 days from the date of the letter to
15 respond.

16 **v. *Approval Period***

17 The director shall take action on the site plan within 50 days of the site
18 plan application submittal. Upon action, the applicant will mail to all
19 addressees on the original notice list, the written action of the director.
20 The applicant shall document their public process including a list of who
21 was notified, with what, and when as part of their permit application
22 process.

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

24 In addition to the general standards for site plan approval at subsection
25 21.03.180E., the director shall also consider the factors for conditional
26 uses for tower structures in subsection p.iii. below.

27 **vii. *Appeals***

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

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

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

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

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

4 i. *Parking*

5 Off-street parking space is not required, however if it is provided, parking
6 spaces may be shared with other principal uses on the site. The parking
7 spaces shall be paved with concrete or asphalt compound or shall be
8 covered with a layer of crushed rock of no more than one inch in
9 diameter to a minimum depth of three inches. Parking space illumination
10 shall be provided only to extent that the area is illuminated when the
11 parking space is in use. The illumination shall be the lowest possible
12 intensity level to provide parking space lighting for safe working
13 conditions.

14 ii. *Security*

15 The tower structure and support structures shall be secured to prevent
16 unauthorized access.

17 iii. *Separation Distance*

18 If any community interest tower on a site exceeds 200 feet in height, the
19 tower site shall be separated from any other principal or conditional use
20 community interest or local interest tower site with tower(s) exceeding
21 200 feet in height by at least 5,280 feet (one mile).

22 o. **Abandonment**

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

32 p. **Conditional Use Standards**

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

34 The following provisions shall govern the issuance of conditional use
35 permits for tower structures or antennas by the planning and zoning
36 commission:

37 (A) If the community interest or local interest tower or antenna fails
38 to meet the conditions of subsections 2.a. through 2.c and/or 2.e.
39 through 2.o. above, then a conditional use permit shall be
40 required for the construction of a tower structure or the
41 placement of an antenna.

42 (B) Applications for conditional use permits under this section shall
43 be subject to the conditional use procedures and general
44 standards, except as modified in this section.

45 (C) In granting a conditional use permit, the planning and zoning
46 commission may impose conditions to the extent the commission
47 concludes such conditions are necessary to minimize any

- 1 adverse effect of the proposed tower structure or antenna on
2 adjoining properties.
- 3 (D) Any information of an engineering nature that the applicant
4 submits, whether civil, mechanical, or electrical, shall be certified
5 by a licensed professional engineer.
- 6 ii. *Submittal Information*
7 Applicants for conditional use for a tower structure shall submit the
8 information required in the user's guide and a non-refundable fee to
9 reimburse the municipality for the costs of reviewing the application.
- 10 iii. *Factors Considered in Granting Conditional Use Permits for Antennas*
11 *and Tower Structures.*
12 In addition to the general standards for a conditional use in subsection
13 21.03.080C., the planning and zoning commission shall consider the
14 following factors in determining whether to issue a conditional use
15 permit, although the commission may waive or reduce the burden on the
16 applicant of one or more of these criteria if the commission concludes
17 that the goals of this ordinance are better served thereby:
- 18 (A) Height of the proposed tower structure;
- 19 (B) Proximity of the tower structure to residential structures and
20 residential district boundaries;
- 21 (C) Nature of uses on adjacent and nearby properties;
- 22 (D) Surrounding topography;
- 23 (E) Surrounding tree coverage and foliage;
- 24 (F) Design of the tower structure, with particular reference to design
25 characteristics that have the effect of reducing or eliminating
26 visual obtrusiveness;
- 27 (G) Proposed ingress and egress; and
- 28 (H) Availability of suitable existing tower structures, other structures,
29 or alternative technologies not requiring the use of tower
30 structures or structures.
- 31 iv. *Availability of Suitable Existing Tower Structures, Other Structures, or*
32 *Alternative Technology*
33 No new tower structure shall be permitted unless the applicant
34 demonstrates to the reasonable satisfaction of the planning and zoning
35 commission that no existing tower structure, structure, or alternative
36 technology that does not require the use of tower structures, or
37 alternative technology can accommodate or replace the applicant's
38 proposed antenna. An applicant shall submit any additional information
39 requested by the planning and zoning commission related to the
40 availability of suitable existing tower structures, other structures, or
41 alternative technology. Evidence submitted to demonstrate that no
42 existing tower structure, structure, or alternative technology can
43 accommodate the applicant's proposed antenna will consist of the
44 following:

- 1 (A) No existing tower structures or structures are located within the
2 geographic area which meet applicant's engineering
3 requirements.
- 4 (B) Existing tower structures or structures are not of sufficient height
5 to meet applicant's engineering requirements.
- 6 (C) Existing tower structures or structures do not have sufficient
7 structural strength to support applicant's proposed antenna and
8 related equipment.
- 9 (D) The applicant's proposed antenna would cause electromagnetic
10 interference with the antenna on the existing tower structures or
11 structures, or the antenna on the existing tower structures or
12 structures would cause interference with the applicant's
13 proposed antenna.
- 14 (E) The fees, costs, or contractual provisions required by the owner
15 in order to share an existing tower structure or structure or to
16 adapt an existing tower structure or structure for sharing are
17 unreasonable. Costs exceeding new tower structure
18 development are presumed to be unreasonable.
- 19 (F) The applicant demonstrates that there are other limiting factors
20 that render existing tower structures and structures unsuitable.
- 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 v. *Modifications*
29 Standards for modifications to community interest and local interest
30 towers allowed as a conditional use are as follows:
- 31 (A) Repairs and maintenance to the tower structure may be
32 performed consistent with subsection 21.12.040F.
- 33 (B) The replacement, repair or addition of antennas, dishes and
34 other transmitting or receiving devices to a tower shall not be
35 considered a modification of final approval as set forth in
36 subsection 21.03.080D. and shall be considered a use
37 contemplated within the original approved or de facto conditional
38 use where the replacement, repair, or addition of antennas,
39 dishes, and other transmitting or receiving devices:
- 40 (1) Will serve the same user or successor entity under the
41 original conditional use;
- 42 (2) Will serve the same general purpose as was served
43 under the original conditional use;
- 44 (3) Is consistent with the original conditional use.

1 q. **Amateur Radio Stations And Receive Only Antennas**

2 i. Amateur radio stations are exempt from the location, tower type, and
3 height limitations contained in this title provided:

4 (A) The antenna and tower structure are part of a federally-licensed
5 amateur radio station; and

6 (B) In residential zoning districts there is no use of the tower
7 structure by a third party commercial antenna operator.

8 ii. The following are exempt from this title:

9 (A) Installation and use of antenna(s) for use by a dwelling unit
10 occupant for personal, home occupation, or utility telemetry
11 purposes, or by an electric or gas utility on an existing power
12 pole or cabinet to monitor or control equipment thereon; and

13 (B) Noncommercial receive only antennas.

14 iii. Notwithstanding the above, any antenna or tower structure that is not
15 operated for a continuous period of 12 months shall be considered
16 abandoned, and the owner of such antenna or tower structure shall
17 remove the same within 180 days of receipt of notice from the director
18 notifying the owner of such abandonment. Failure to remove an
19 abandoned antenna or tower structure within said 180 days shall be
20 grounds for the municipality to remove the tower structure or antenna at
21 the owner's expense.

22 iv. Any antenna or tower structure erected under this subsection 2.n. shall
23 not exceed the height limits set forth in subsection 21.04.080C. nor
24 interfere with Federal Aviation Administration Regulations on airport
25 approaches.

26 **21.05.050 COMMERCIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

27 This section defines the general commercial use categories and specific commercial use types listed in
28 table 21.05-1. The uses may either be commercial or have impacts common to commercial uses. This
29 section also contains use-specific standards that apply to specific use types. The use-specific standards
30 apply regardless of whether the use type is permitted as a matter of right, subject to a site plan review
31 process, or subject to the conditional use process.

32 **A. Agricultural Uses**

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

36 **1. Commercial Horticulture**

37 **a. Definition**

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

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

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

5 **1. Animal Boarding**

6 **a. Definition**

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

9 **b. Use-Specific Standard**

10 Animal boarding establishments shall comply with the use-specific standards
11 below for “animal shelter.”

12 **2. Animal Shelter**

13 **a. Definition**

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

19 **b. Use-Specific Standards (also apply to “Retail and Pet Services”, “Animal
20 Boarding”, and “Veterinary Clinic”)**

21 **i. General Standards when Use is within 100 Feet of a Residential District**

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

27 **ii. Standards When Use is Not within 100 Feet of a Residential District**

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

30 **iii. Waste Management**

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

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

33 **a. Definition**

34 An establishment for keeping, harboring, riding, boarding, stabling, training,
35 exercising, breeding, or related use of four or more large domestic animals, and
36 the associated structure(s) such as a paddock or stable. Includes riding stable
37 facilities for the care and exercise of horses and related equestrian activities.

38 **b. Use-Specific Standards**

39 **i. Access**

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

42 **ii. Lot Coverage**

43 Lot coverage may be 10 percent greater than the maximum lot coverage
44 otherwise allowed in the zoning 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 L2 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**

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**

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 i. Any use that involves the retail sale of alcohol is subject to the special
- 3 land use permit for alcohol process; see section 21.05.020A.
- 4 ii. A conditional use permit is required for amusement establishments in the
- 5 I-1 district that are proposed to occupy more than 20,000 square feet of
- 6 gross floor area.
- 7 **2. Entertainment Facility, Major**
- 8 **a. Definition**
- 9 Major entertainment facilities uses are designed to accommodate activities that
- 10 generally draw 501 persons or more to specific events or shows. Activities are
- 11 generally of a spectator nature. Examples include amphitheaters, performing
- 12 arts centers, stadiums, sports arenas, coliseums, auditoriums, and fairgrounds.
- 13 Accessory uses may include restaurants, bars, concessions, parking, and
- 14 maintenance facilities.
- 15 **b. Use-Specific Standard**
- 16 Any use that involves the retail sale of alcohol is subject to the special land use
- 17 permit for alcohol process; see section 21.05.020A.
- 18 **3. Fitness and Recreational Sports Center**
- 19 **a. Definition**
- 20 A facility primarily featuring equipment for exercise and other active physical
- 21 fitness conditioning or recreational sports activities, such as swimming, skating,
- 22 racquet sports, aerobic dance, gymnasium facilities, yoga, and other kinds of
- 23 sports and fitness facilities.
- 24 **b. Use-Specific Standard**
- 25 A conditional use permit is required for fitness and recreational sports centers in
- 26 the I-1 district that are proposed to occupy more than 20,000 square feet of gross
- 27 floor area.
- 28 **4. General Outdoor Recreation, Commercial**
- 29 **a. Definition**
- 30 Developed recreational uses such as amusement parks, miniature golf courses,
- 31 dog mushing tracks, golf driving ranges, batting cages, skateboard or skate parks
- 32 or courses, bicycle motocross courses, water parks or slides, drive-in movie
- 33 theaters, courses for paramilitary games, and archery facilities.
- 34 **b. Use-Specific Standard**
- 35 L2 buffer landscaping shall be provided wherever this use is adjacent to a
- 36 residential district.
- 37 **5. Golf Course**
- 38 **a. Definition**
- 39 A tract of land laid out with a course having nine or more holes for playing the
- 40 game of golf, including any accessory clubhouse, driving range, office,
- 41 restaurant, concession stand, picnic tables, pro shop, maintenance building,
- 42 restrooms, or similar accessory uses or structures. This term shall not include
- 43 housing or miniature golf courses as a principal or accessory use, nor shall it
- 44 include driving ranges that are not accessory to a golf course.

1 **6. Motorized Sports Facility**

2 **a. Definition**

3 A facility for the racing of motorcycles, snow machines, race cars, or other
4 motorized vehicles.

5 **b. Use-Specific Standards**

6 **i. Special Land Use Permit for Alcohol**

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

9 **ii. Hours of Operation**

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

13 **iii. Additional Site Plan Requirements**

14 In all districts, as part of the site plan application, the applicant shall
15 comply with the following requirements:

16 **(A)** If the projected or actual noise level exceeds the standards set at
17 AMC section 15.70.080A., a noise analysis shall be prepared
18 identifying noise mitigation measures.

19 **(B)** The applicant shall prepare an operation plan to monitor and
20 enforce:

21 **(1)** Prohibition on consumption of alcoholic beverage on the
22 premises; and

23 **(2)** Mandatory transportation of racing machines to the site.

24 **(C)** The applicant shall submit a dust and litter control plan and
25 describe the methods to be used to collect trash on the site.

26 **(D)** The applicant shall identify one or more individuals who shall be
27 responsible for enforcement of the noise, operation, and dust
28 and litter control plans developed pursuant to this subsection.

29 **iv. Dimensional Standards**

30 Notwithstanding the general dimensional standards of chapter 21.06:

31 **(A)** The planning and zoning commission may designate minimum
32 setback areas around the perimeter of the site as it deems
33 necessary to minimize glare and noise impact on adjacent uses,
34 to separate incompatible uses, and to restrict casual access to
35 the site.

36 **(B)** The maximum height of structures shall be 35 feet.

37 **v. Site Location, Development, and Operation**

38 **(A)** No motorized facility shall be located within 500 feet of any
39 residential district.

40 **(B)** In order to prevent casual access to and from the site or to
41 mitigate adverse effects of the motorized sports facility upon
42 adjacent uses, the planning and zoning commission may require

- 1 the enclosure of the entire site by a screening structure and/or
2 landscaping, as described in section 21.07.080.
- 3 (C) Public sanitation facilities (restrooms) shall be provided on-site
4 and operated in a manner consistent with AMC section
5 15.20.020.
- 6 vi. *I-1 District Standard*
7 Motorized sports facilities are conditionally allowed in the I-1 district on
8 parcels with a minimum of 20 acres. The maximum engine size allowed
9 is 250 cc's for wheeled vehicles and 550 cc's for snow machines.
- 10 7. **Movie Theater**
11 a. **Definition**
12 An indoor theater for showing motion pictures.
- 13 8. **Nightclub**
14 a. **Definition**
15 An enterprise, that, for consideration, provides entertainment to its patrons in the
16 form of floorshows; dance revues; live, recorded, or electronically enhanced
17 music; patron dancing; or performances by live or recorded professional or
18 amateur entertainers. Discotheques, nightclubs, bars, lounges, dance halls,
19 bistros, teen clubs, and any facility that meets the terms of this definition are
20 often, but not exclusively, open during one or more of the hours between 11:00
21 p.m. and 3:00 a.m. This definition excludes theaters or auditoriums with fixed
22 seating, religious assemblies, adult-oriented establishments as defined by AMC
23 section 10.40.050, publicly owned and operated recreation centers or parks, and
24 public and private schools. Nightclubs may be licensed or unlicensed.
25 Unlicensed nightclubs do not offer or sell to patrons either alcoholic beverages,
26 as defined by AS 04.21.080, or adult entertainment, as defined by AMC section
27 10.40.050.
- 28 b. **Use-Specific Standards for Licensed Nightclubs**
29 i. All facilities adjacent to a residential district shall be maintained within a
30 completely enclosed building, and shall be sufficiently insulated so that
31 the standards of AMC section 15.70.080A. are met.
- 32 ii. Licensed nightclubs are subject to the special land use permit for alcohol
33 process to allow the retail sale of alcohol; see section 21.05.020A.
- 34 c. **Use-Specific Standards for Unlicensed Nightclubs**
35 i. **Purpose**
36 Certain types of enterprises have been determined to produce secondary
37 impacts on surrounding land uses. The impacts include a perceived
38 decline in property values, and an increase in the level of criminal
39 activity, including unlawful sales and use of drugs and consumption of
40 alcoholic beverages, in the vicinity of these types of enterprises. The
41 purpose of this subsection is to segregate such enterprises from land
42 uses that are likely to be negatively impacted.
- 43 ii. **Minimum Distance from Certain Uses**
44 Except for teen nightclubs and underage dances permitted under AMC
45 chapter 10.55, an unlicensed nightclub shall be located so that all
46 portions of the lot on which the unlicensed nightclub is located shall be
47 300 feet or more from the lot line of property on which is located:

- 1 (A) A school or instructional service serving any combination of
2 grades kindergarten through 12;
- 3 (B) A childcare center;
- 4 (C) Property zoned residential; or
- 5 (D) TA-zoned property designated as residential in the *Turnagain*
6 *Arm Comprehensive Plan*.
- 7 iii. *Administrative Permit Required*
8 An administrative permit for each unlicensed nightclub shall be obtained
9 from the department and be displayed in a prominent place inside the
10 unlicensed nightclub. This permit shall certify that, when granted, the
11 enterprise was in compliance with paragraph ii. of this subsection. This
12 permit shall be obtained from the director, pursuant to section 21.03.030,
13 *Administrative Permits*. This permit shall remain valid so long as that
14 enterprise remains in continuous operation at that location, and does not
15 physically expand.
- 16 9. **Shooting Range, Outdoor**
- 17 a. **Definition**
18 An establishment engaged in the use of land for discharging of firearms for target
19 practice, skeet, and trap shooting.
- 20 b. **Use-Specific Standards**
- 21 i. *Intent*
22 The intent of the following standards for shooting ranges is primarily
23 safety and buffering for adjacent neighborhoods.
- 24 ii. *Setbacks*
25 All shooting areas shall be set back a minimum distance of 100 feet from
26 any public right-of-way. Buildings located behind the firing line are
27 allowed to be located to the normal zone setback.
- 28 iii. *Site Size*
29 The minimum site size shall be 20 acres.
- 30 iv. *Shooting Area*
31 The backstop must be an earth mound or dugout of sufficient dimension
32 to stop projectiles. Casual access into the line of fire shall be prevented
33 through fencing or some equally effective equivalent.
- 34 v. *On-Site Uses*
35 An accessory retail store, snack shop, ammunition storage, and short-
36 term rental of firearms and equipment for use only on the premises are
37 permitted. Sale of alcoholic beverages is prohibited.
- 38 vi. *Noise Impact Analysis*
39 A noise impact analysis with a noise map based on the types of firing
40 and layout of the range shall be submitted as part of the conditional use
41 application.

10. Skiing Facility, Alpine**a. Definition**

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

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

11. Theater Company or Dinner Theater**a. Definition**

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

b. Use-Specific Standard

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.

E. Food and Beverage Services

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

1. Bar**a. Definition**

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

b. Use-Specific Standard

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.

2. Food and Beverage Kiosk**a. Definition**

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

b. Use-Specific Standards

Kiosks in all districts shall comply with the following standards:

- 1 i. Food and beverage kiosks shall comply with the “drive-through service”
2 accessory use standards in subsection 21.05.070D.6.
- 3 ii. Kiosks shall be on wheels to facilitate movement onto and off the site,
4 and may not be located on a permanent foundation. The wheels shall be
5 screened with opaque skirting or screening so as to not be visible.
- 6 iii. Kiosks may be located on the same lot as another principal use.
- 7 iv. Kiosks that provide outdoor seating shall provide parking for that seating,
8 as required by section 21.07.090, *Off-Street Parking and Loading*.
- 9 v. All signs shall comply with chapter 21.11, *Signs*.

10 **3. Restaurant**

11 **a. Definition**

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

15 **b. Use-Specific Standards**

- 16 i. Any use that involves the retail sale of alcohol is subject to the special
17 land use permit for alcohol process; see section 21.05.020A.
- 18 ii. Any restaurant with drive-through service shall comply with the “drive-
19 through service” accessory use standards in section 21.05.070D.6.

20 **F. Office**

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

24 **1. Broadcasting Facility**

25 **a. Definition**

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

28 **2. Financial Institution**

29 **a. Definition**

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

35 **b. Use-Specific Standards**

- 36 i. Financial institutions are permitted in the B-1A, B-1B, I-1 and I-2 districts
37 only if they are providing primarily retail services to walk-in customers,
38 rather than primarily office and support services with few walk-in
39 customers.
- 40 ii. Financial institutions in the I-1 and I-2 districts shall have a maximum
41 gross floor area of 5,000 square feet.

- 1 iii. Any financial institution with drive-through service shall comply with the
2 "drive-through service" accessory use standards in subsection
3 21.05.070D.6.
- 4 3. **Office, Business or Professional**
- 5 a. **Definition**
- 6 An establishment that provides executive, management, administrative, or
7 professional services, but not involving the sale of merchandise, except as
8 incidental to a permitted use. Typical examples include real estate, insurance,
9 property management, investment, employment, travel, advertising, law,
10 architecture, design, engineering, accounting, call centers, and similar offices.
11 Government offices are classified under "governmental administration and civic
12 facility" above.
- 13 b. **Use-Specific Standards**
- 14 i. Business or professional office uses in the PLI district shall comply with
15 one of the following:
- 16 (A) The use shall be an administrative office of a charitable or similar
17 quasi-public organization of a noncommercial nature;
- 18 (B) The use shall be primarily engaged in directly serving the
19 function of a community use permitted in the district; or
- 20 (C) The use shall be accessory to a use permitted in the district, and
21 comprise no more than one-third of the gross floor area on the
22 site, unless a greater percentage is approved by the director.
- 23 ii. Business or professional office uses in the I-1 and I-2 districts shall
24 comply with the limitations that follow, except as provided in ii.(D).:
- 25 (A) The building or portion of the building containing the use shall
26 not exceed 50 feet in height.
- 27 (B) If business or professional office uses occupy more than 20,000
28 sf of gross floor area (gfa), they shall comprise no more than 50
29 percent of the total gfa on the site.
- 30 (C) In the I-2 district, the use shall be directly associated with and
31 support the function of another use permitted in the district.
- 32 (D) The section is not applicable to the following:
- 33 (1) Business or professional office uses existing as of
34 January 1, 2014;
- 35 (2) New business or professional office uses that occupy
36 floor area previously legally occupied by a government
37 administration and civic facility use, or another use in the
38 office or health services category;
- 39 (3) Enlargements of (D).(1). or (D).(2). that increase their
40 gfa by no more than 25 percent; and
- 41 (4) Business or professional office uses in a BIP-PUD.

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 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/Mortuary 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."

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:

1. Auction House**a. Definition**

A structure or enclosure where goods are sold by auction.

2. Building Materials Store**a. Definition**

An establishment primarily engaged in the sale, distribution, and associated storage of lumber and other building materials such as brick, tile, cement, insulation, roofing materials, and other improvement materials and associated

- 1 tools; and/or the sale and service of plumbing, heating, and/or electrical
2 equipment.
- 3 **3. Convenience Store**
- 4 **a. Definition**
- 5 An establishment engaged primarily in the sale of convenience goods, such as
6 pre-packaged food items, tobacco, over-the-counter drugs, periodicals, and other
7 household goods.
- 8 **b. Use-Specific Standards**
- 9 i. Any use that involves the retail sale of alcohol is subject to the *special*
10 land use permit for alcohol process; see section 21.05.020A.
- 11 ii. In the R-4, R-4A, and B-1A districts, a convenience store shall not sell
12 alcoholic beverages.
- 13 **4. Farmers Market**
- 14 **a. Definition**
- 15 An occasional, periodic, or seasonal market for offering for sale fresh agricultural,
16 fresh food, or arts and crafts products directly to the consumer at an open-air
17 market, covered structure with multiple stalls, or other pre-designated area,
18 where the vendors are generally individuals who have raised the produce or
19 made the product, or have taken the same on consignment for retail sale.
- 20 **5. Fueling Station**
- 21 **a. Definition**
- 22 An establishment engaged in the retail dispensing or sale of gasoline or other
23 vehicular fuel products. This use definition does not include convenience store
24 or vehicle service and repair uses.
- 25 **6. Furniture and Home Appliance Store**
- 26 **a. Definition**
- 27 An establishment engaged primarily in the sale of large household items, such as
28 furniture, mattresses, carpets and flooring, and home appliances, in which a
29 majority of the merchandise occupies large amounts of store floor area and is
30 generally too large or heavy for an individual consumer to carry alone.
- 31 **7. General Retail**
- 32 **a. Definition**
- 33 An establishment engaged primarily in the retail sale of goods or merchandise,
34 and rendering services incidental to the sale of such goods. Examples may
35 include, but are not limited to: general merchandise retailers; warehouse and
36 club retailers; superstores; discount stores; catalog showrooms; and specialty
37 retail stores specializing in such goods as clothing, home décor, paint, sporting
38 goods, books, stationary, music, video rentals, or flowers.
- 39 **b. Use-Specific Standards**
- 40 i. Any general retail use with drive-through service shall comply with the
41 “drive-through service” accessory use standards in subsection
42 21.05.070D.6.
- 43 ii. General retail establishments in the I-1 district shall have a maximum
44 gross floor area of 20,000 square feet.

- 1 **8. Grocery or Food Store**
2 **a. Definition**
3 An establishment primarily engaged in the retail sale of food and/or beverages
4 primarily to be consumed outside of the retail establishment's premises.
5 Examples include, but are not limited to: supermarkets, grocery stores,
6 delicatessens, specialty food shops, and bakeries. Take-out and delivery
7 establishments are classified under "restaurant".
- 8 **b. Use-Specific Standards**
9 i. Any use that involves the retail sale of alcohol is subject to the special
10 land use permit for alcohol process; see section 21.05.020A.
11 ii. Grocery or food stores in the I-1 district shall have a maximum gross
12 floor area of 20,000 square feet.
- 13 **9. Liquor Store**
14 **a. Definition**
15 An establishment that is primarily engaged in selling alcoholic beverages for
16 consumption off the premises.
- 17 **b. Use-Specific Standard**
18 Any use that involves the retail sale of alcohol is subject to the special land use
19 permit for alcohol process; see section 21.05.020A.
- 20 **10. Pawnshop**
21 **a. Definition**
22 An establishment that loans money on deposit of personal property or deals in
23 the purchase or possession of personal property on condition of selling the same
24 back again to the pledger or depositor, or loans or advances money on personal
25 property by taking chattel mortgage security thereon, and takes or receives such
26 personal property.
- 27 **I. Vehicles and Equipment**
28 This category includes a broad range of uses for the sale, rental, and/or repair and maintenance
29 of motor vehicles and related equipment. Large parking lots and outdoor storage areas may be
30 included with these uses. Accessory uses may include incidental repair and storage, offices, and
31 sales of parts and/or tires. Specific use types include:
- 32 **1. Aircraft and Marine Vessel Sales**
33 **a. Definition**
34 An establishment primarily engaged in the display and sale of aircraft and/or
35 marine vessels as well as associated parts and supplies.
- 36 **2. Parking Lot, Principal Use**
37 **a. Definition**
38 An off-street, surface parking lot where motor vehicles are parked for not more
39 than 72 consecutive hours, and the lot is not required parking for another use.
- 40 **b. Use-Specific Standard**
41 Principal use parking lots shall be designed in accordance with subsection
42 21.07.090H., *Parking and Loading Facility Design Standards*, and landscaped in
43 accordance with subsection 21.07.080E.2., *Parking Lot Landscaping*
44 *Requirements*.

- 1 **3. Parking Structure, Principal Use**
2 **a. Definition**
3 A parking structure with two or more levels or stories where motor vehicles are
4 parked for not more than 72 consecutive hours, and the spaces are not required
5 parking for another use. The parking structure may be above and/or below
6 grade, and the levels may be partially or fully enclosed. A parking structure may
7 occupy a portion of a building which also includes commercial space, such as
8 offices or retail on the ground floor.
- 9 **b. Use-Specific Standard**
10 Parking structures shall comply with the requirements of subsection 21.07.090M.
- 11 **4. Vehicle Parts and Supplies**
12 **a. Definition**
13 The display and sale of new, reconditioned, or rebuilt parts, supplies, or
14 equipment for automobiles, motorcycles, trucks, vans, trailers, recreational
15 vehicles, mobile homes, or snowmobiles.
- 16 **b. Use-Specific Standard**
17 No dismantling or wrecking of vehicles or machinery may occur on site. Uses
18 that include dismantling and wreckage are classified by this title as “junkyards.”
- 19 **5. Vehicle-Large, Sales and Rental**
20 **a. Definition**
21 An establishment engaged in the display, sale, leasing, or rental of new or used
22 motor vehicles. Vehicles include, but are not limited to, automobiles, light trucks,
23 vans, trailers, recreational vehicles, and mobile homes.
- 24 **b. Use-Specific Standards**
25 i. This use may include the uses “vehicle service and repair, major” and
26 “vehicle service and repair, minor”, and repair of the vehicle inventory
27 with a gross vehicular weight rating over 12,000 lbs, in accordance with
28 subsection b.ii. below, is also allowed.
- 29 ii. At any given time, no more than five percent of the vehicle inventory on
30 the lot, not including Class A and C recreational vehicles, shall have a
31 gross vehicular weight rating (GVWR) of more than 12,000 lbs.
- 32 **6. Vehicle-Small, Sales and Rental**
33 **a. Definition**
34 An establishment engaged in the display, sale, leasing, or rental of small motor
35 vehicles. Vehicles include, but are not limited to: motorcycles, personal
36 watercraft (jet skis), utility trailers, snowmobiles, and all-terrain vehicles (ATVs).
- 37 **b. Use-Specific Standard**
38 This use may include the uses “vehicle service and repair, major” and “vehicle
39 service and repair, minor”.
- 40 **7. Vehicle Service and Repair, Major**
41 **a. Definition**
42 An establishment engaged in the major repair and maintenance of automobiles,
43 motorcycles, trucks, vans, trailers, recreational vehicles, or snowmobiles.
44 Vehicles served by this type of establishment, except for recreational vehicles,
45 shall have a gross vehicular weight rating (GVWR) of no more than 12,000 lbs.
46 Services include all activities listed in “vehicle service and repair, minor”, as well

1 as engine, transmission, or differential repair or replacement; body, fender, or
2 upholstery work; and painting.

3 **b. Use-Specific Standards**

4 i. Vehicle service bays facing a rear or side setback shall be screened
5 from adjacent residential properties by a screening fence of at least
6 six feet in height. Required landscaping shall be between the fence
7 and the property line.

8 ii. Noise generating equipment shall meet the noise control standards
9 of AMC section 15.70.

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

11 **a. Definition**

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

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

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

23 ii. Noise generating equipment shall meet the noise control standards of
24 AMC section 15.70.

25 **J. Visitor Accommodations**

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

30 **1. Camper Park**

31 **a. Definition**

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

38 **b. Use-Specific Standards**

39 **i. Location and Access**

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

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

44 Spaces in camper parks may be used by campers, recreational vehicles,
45 equivalent facilities constructed on automobiles, tents, or short-term

housing or shelter arrangements or devices. The occupants of such space shall remain in that space a period not to exceed 30 days.

2. Extended-Stay Lodgings

a. Definition

A visitor lodging establishment with six or more guest rooms offering suites with kitchens, business traveler communications conveniences, and intended primarily for periods of stay of one week or more. This does not include bed-and-breakfasts, which are classified as an accessory use under section 21.05.070.

b. Use-Specific Standards

- i. A kitchen area shall be provided in all units.
- ii. The facility shall provide a lobby area with a minimum of 750 square feet.
- iii. In the R-4 district, extended-stay lodgings shall have a minimum lot size of 14,000 square feet and shall have principal access from a street of collector class or greater.

3. Hostel

a. Definition

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

b. Use-Specific Standards

- i. Hostels in the R-2M shall contain no more than 20 pillows. Hostels in the R-3, R-4, and R-4A shall contain no more than 40 pillows.
- ii. Hostels in residential zones require an administrative permit pursuant to subsection 21.03.030.

4. Hotel/Motel

a. Definition

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

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. Establishments in the R-4 and R-4A districts shall have all their guestrooms accessible by means of interior corridors.
- iii. Establishments whose rooms are individually accessible from the outdoors shall have frontage on a major arterial or street of greater classification.
- iv. In the R-4 district, hotels shall have a minimum lot size of 14,000 square feet and shall have principal access from a street of collector class or greater.

1 **5. Inn**

2 **a. Definition**

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

7 **b. Use-Specific Standards**

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

10 ii. Inns in the R-4A district shall be subject to the multifamily building design
11 standards in section 21.07.110C., and the multi-family building parking
12 standards in section 21.07.090. In the R-4A district, inns shall adhere to
13 the maximum floor area ratio permitted for multi-family dwellings.

14 **6. Recreational and Vacation Camp**

15 **a. Definition**

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

20 **21.05.060 INDUSTRIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS**

21 This section defines the general industrial use categories and specific industrial use types listed in table
22 21.05-1. This section also contains use-specific standards that apply to specific use types. The use-
23 specific standards apply regardless of whether the use type is permitted as a matter of right, subject to a
24 site plan review process, or subject to the conditional use process.

25 **A. Industrial Service**

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

32 **1. Contractor and Special Trades, Light**

33 **a. Definition**

34 An establishment primarily engaged in providing general contracting and/or
35 building construction services for residential, commercial, or industrial uses, and
36 which typically does not involve outdoor storage of equipment or materials, and
37 services are performed off-site. Examples include: general building contractors;
38 plumbing, HVAC, electrical, masonry, carpentry, flooring, roofing, siding, or glass
39 contractors; installing or repairing building equipment. This use excludes
40 excavation, structural steel, well-drilling, street improvement, and similar heavy
41 construction contractors. Contractors and special trades shall be categorized in
42 the office, business and professional use if equipment and materials are not
43 stored at the site, and fabrication or similar work is not carried on at the site.

44 **b. Use-Specific Standards**

45 This use is subject to the following limitations in the B-3 district, to ensure
46 compatibility with the commercial area, and to limit potential impacts on
47 residential and commercial uses.

- 1 i. The development shall comply with the commercial design standards of
2 section 21.07.120, including the windows and entrances feature for
3 building orientation.
- 4 ii. Individual uses are limited to no more than 5,000 square feet of gross
5 floor area by administrative site plan review. Individual uses of up to
6 20,000 square feet may be proposed through a conditional use review.
7 Conditions of approval shall include a determination by the planning and
8 zoning commission that the proposed size, site plan, and/or location is
9 appropriate relative to designated commercial centers, transit corridors,
10 and similar policy areas identified in the comprehensive plan.
- 11 iii. The use shall be operated within a completely enclosed building, except
12 for parking and loading. Outdoor display or storage of objects or
13 materials is prohibited.
- 14 iv. Vehicles with a GVWR of more than 12,000 lbs shall not remain on the
15 premises except as necessary to load and discharge contents.
- 16 **2. Data Processing Facility**
- 17 a. **Definition**
18 An establishment where electronic data is processed by employees, including,
19 without limitation, data entry, storage, conversion, or analysis; and subscription
20 and credit card transaction processing.
- 21 **3. Dry-Cleaning Establishment**
- 22 a. **Definition**
23 An establishment maintained for on-site laundry and/or dry cleaning, including
24 the use of a perchlorethylene process or similar nonflammable, non-aqueous
25 solvent, of fabrics, textiles, wearing apparel, or articles of any sort, and also
26 including related maintenance or operation of equipment and machinery.
- 27 **4. General Industrial Service**
- 28 a. **Definition**
29 Establishments engaged in the repair or servicing of agricultural, industrial,
30 business, or consumer machinery, equipment, products, or by-products.
31 Examples include: welding shops; machine shops; tool repair; electric motor
32 repair; repair of heavy machinery; heavy truck servicing and repair; aircraft
33 servicing and repair; tire retreading or recapping; exterminators; and vending
34 machine sales and service. Accessory activities may include retail sales, offices,
35 parking, and storage.
- 36 b. **Use-Specific Standard**
37 L2 buffer landscaping is required where adjacent to residential zones.
- 38 **5. Governmental Service**
- 39 a. **Definition**
40 A facility housing government shops, maintenance and repair centers, and/or
41 equipment storage. Accessory activities may include supporting administrative
42 offices.
- 43 b. **Use-Specific Standard**
44 If the specific development is similar to a heavy industrial use, L3 screening
45 landscaping is required where adjacent to residential zones. Otherwise, L2
46 buffer landscaping is required where adjacent to residential zones.

1 **6. Heavy Equipment Sales and Rental**

2 **a. Definition**

3 An establishment engaged in the display, sale, leasing, or rental of construction
4 equipment and other heavy equipment, including all heavy equipment of 12,000
5 or more pounds gross vehicular weight (GVW). This category does not include
6 recreational vehicles or larger trucks that typically are sold at automobile
7 dealerships; such vehicles are covered by “vehicle-large, sales and rental”
8 above.

9 **7. Research Laboratory**

10 **a. Definition**

11 A facility that is designed or equipped for basic or applied research or
12 experimental study, testing, or analysis in the natural sciences or engineering,
13 including any educational activities associated with and accessory to such
14 research, and including research and analysis facilities operated by public
15 agencies and designed to assure public health and safety. The use does not
16 include facilities for the manufacture or sale of products except as incidental to
17 the main purpose of the laboratory.

18 **B. Manufacturing and Production**

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

28 **1. Commercial Food Production**

29 **a. Definition**

30 An establishment processing and/or producing food for human consumption,
31 including facilities engaged in providing food and/or food services for institutional,
32 governmental, commercial, industrial, and other locations of other businesses; as
33 well as facilities that process meat, game, and seafood. Examples include airline
34 food services and catering companies that prepare food for consumption at an
35 off-premise customer site.

36 **2. Cottage Crafts**

37 **a. Definition**

38 An establishment engaged in small-scale assembly of completely hand-
39 fabricated parts, or arts-and-crafts production by hand manufacturing of custom
40 or craft goods. Goods are predominantly manufactured only involving the use of
41 hand tools and domestic-scale mechanical equipment. Examples include, but
42 are not limited to: candle making, artisan woodworking, art studio/gallery, artisan
43 pottery, fabric making, jewelry production, glass work, and the like. Cottage
44 crafts are less intensive than, and do not have the off-site impacts often
45 associated with, general industrial uses.

46 **b. Use-Specific Standards**

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

48 Cottage crafts may only be produced within a wholly-enclosed
49 permanent structure. Cottage crafts production may occupy up to 1,500
50 square feet of gross building area, and may include up to an additional

1 300 square feet gross building area on the same lot devoted to the
 2 display and retail sale of the crafts produced. The retail/display area
 3 shall be located on the ground floor and in the front part of the building
 4 facing the primary street on which the lot is located.

5 ii. *Prohibitions*

6 (A) The outdoor storage of materials related to the production and
 7 sale of cottage crafts is prohibited in non-industrially-zoned
 8 districts.

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

12 3. **Manufacturing, General**

13 a. ***Definition***

14 An establishment engaged in the manufacture, predominantly from previously
 15 prepared materials, of finished products or parts, including processing,
 16 fabrication, assembly, treatment, and packaging of such products, and incidental
 17 storage, sales, and distribution of such products, but excluding basic industrial
 18 processing. This use includes additive (three-dimensional printing)
 19 manufacturing. This use does not produce or utilize toxic, hazardous, or
 20 explosive materials in large quantities as part of the manufacturing process.
 21 Examples include, but are not limited to: airplane, automobile, or truck assembly;
 22 repair of railroad equipment; beverage manufacture and brewery; boatbuilding;
 23 cabinet shops; machine or blacksmith shops; metalworking or welding shops;
 24 paint shops; processing and/or dressing of skins; and printing, publishing, and
 25 lithography.

26 b. ***Use-Specific Standard***

27 L2 buffer landscaping with an 8-foot screening fence is required where adjacent
 28 to residential zones.

29 4. **Manufacturing, Heavy**

30 a. ***Definition***

31 An establishment engaged in the manufacture or compounding process of raw
 32 materials. Such activities may involve the storage of large volumes of highly
 33 flammable, toxic matter or explosive materials needed for the manufacturing
 34 process. Examples include, but are not limited to: refining or initial processing of
 35 raw materials; rolling, drawing, or extruding of metals; asphalt batching plants,
 36 hot-mix plants, and RAP storage and processing; sawmills; manufacture or
 37 packaging of cement products, feed, fertilizer, flour, glue, paint, petroleum
 38 products, soap, turpentine, varnish, charcoal, or distilled products, or similar
 39 industrial uses; steel fabrication shops or yards; and manufacture, service, or
 40 repair of railroad equipment.

41 b. ***Use-Specific Standard***

42 L3 screening landscaping is required where adjacent to residential zones.

43 5. **Manufacturing, Light**

44 a. ***Definition***

45 A general manufacturing establishment that, because of the nature of its
 46 equipment, operations, processes, materials, and products, has little or no
 47 potential of creating noise, vibration, dust, smoke, fumes, odor, glare, or other
 48 environmental impacts on surrounding properties or uses. The scale and

1 intensity of operations are limited by bulk controls and other use-specific
2 standards such that it may be compatible in some commercial areas. This use
3 may include production, assembly, finishing, or packaging of articles from parts
4 made at another location, such as assembly of electrical appliances or medical
5 equipment. It includes additive (three-dimensional printing) manufacturing. It
6 may also include production of finished household and office goods, such as
7 furniture, clothing, or tents, from materials that are already refined, or from raw
8 materials that do not need refining, such as paper, fabric, or pre-milled wood; or
9 wool, clay, fiber, or similar materials.

10 **b. Use-Specific Standards**

11 Light manufacturing is subject to the following limitations in the B-3 district to
12 ensure compatibility and protect commercial and residential property.

13 i. This use shall comply with the use-specific standards set for in
14 subsection 21.05.060A.1. for contractor and special trades, light.

15 ii. Building areas used as part of the manufacturing process or related
16 storage or distribution shall have a building height of no more than 35
17 feet.

18 iii. When a new establishment is proposed, or when an existing
19 establishment is proposed to be expanded, advance documentation that
20 the establishment will conform to the operation standards of section
21 21.07.140 and the regulations of title 15 for noise, odor, and airborne
22 emissions shall be required prior to issuance of the land use permit. The
23 documentation shall include an evaluation and explanation certified by a
24 registered engineer or architect, as appropriate, that the proposed
25 activity can achieve the off-site noise, odor, and airborne emissions
26 standards of the municipality. Such evaluation shall describe the
27 measures to be taken by the applicant to meet the standards. Such
28 measures may include, for example, the provision of buffers, reduction in
29 hours of operation, relocation of mechanical equipment, increased
30 setbacks, and use of specific construction techniques, operations,
31 equipment, or building materials. The decision-making body shall
32 determine the appropriate measures to be taken by the applicant to
33 significantly reduce potential odor, dust, and airborne pollutant
34 emissions. The measures to be taken shall be indicated on the plans as
35 conditions of approval. After a permit has been issued, any measures
36 that were required by the permit to limit noise shall be maintained.

37 **6. Natural Resource Extraction, Organic and Inorganic**

38 **a. Definition**

39 The development or extraction of organic and/or inorganic material from its
40 natural occurrences on affected land. This use includes placer mining operations
41 in which rock byproduct is removed from the premises. This use also includes
42 commercial or industrial operations involving removal of timber, native
43 vegetation, peat, muck, topsoil, fill, sand, gravel, rock, or any other mineral, and
44 other operations having similar characteristics. This use includes only operations
45 of a scale involving 50,000 cubic yards or more of material. Site preparation as
46 part of the development of a subdivision under a subdivision agreement is not
47 included.

b. Use-Specific Standards (also apply to “Natural Resource Extraction, Placer Mining”)

The following general standards apply in all districts:

i. Limit on Site Size

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

ii. Water Discharge Permit

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

iii. Use and Handling of Explosives

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

(A) In addition to the submittal requirements for a conditional use approval, a blasting plan and a safety plan shall be submitted.

(B) Blasting shall be conducted during daylight hours within the operating hours established by the planning and zoning commission.

(C) The handling and firing of explosives shall be performed only by the individual possessing a valid explosives certificate issued by the fire marshal.

(D) Whenever a new storage or magazine site is established the Anchorage police department, Anchorage fire department and the emergency operations center shall be notified.

(E) Quantities of explosives shall be determined by the fire code at AMC title 23.

(F) Blasting operations shall be performed in accordance with the instructions of the manufacturer of the explosive materials being used.

(G) 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.

(H) 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.

(I) All areas subject to blasting operations shall be fenced in a manner to secure the site and to prevent unauthorized access to the site.

(J) 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.

- 1 (K) When blasting is being conducted in the vicinity of utilities (gas,
2 water, electric, fire alarm, or telephone), the blaster shall notify
3 the appropriate representatives of the agencies at least 24 hours
4 in advance of blasting. Verbal notices shall be confirmed with
5 written notice.
- 6 (L) Before a blast is fired, the individual in charge shall make certain
7 that all surplus explosives are in a safe place, all persons and
8 vehicles are at a safe distance or under sufficient cover and a
9 loud warning signal has been sounded.
- 10 (M) The operator of the site shall be responsible for all damages to
11 persons or property which arise from, or are caused by the
12 blasting operations.
- 13 iv. *Screening*
14 At a minimum, L3 screening landscaping is required where adjacent to
15 residential zones. The planning and zoning commission, through the
16 conditional use review, may require additional screening.
- 17 v. *Required Submittals*
18 In addition to the general submittal requirements applicable to all site
19 plans specified in the title 21 user's guide, additional submittal
20 requirements are specified in that guide for natural resource extraction.
21 The site plan shall be subject to review and approval of the department
22 of public works for drainage, erosion, and sedimentation control; for
23 conformance with the requirements of the National Pollutant Discharge
24 Elimination System (NPDES) permit and other applicable EPA
25 guidelines; and for compliance with generally accepted sound
26 engineering principles.
- 27 vi. *Standards for Approval*
28 In addition to the conditional use standards of approval at 21.03.080C.,
29 the planning and zoning commission may approve a natural resource
30 extraction conditional use only if the commission finds that the use also
31 meets the following standards:
- 32 (A) Principal access to the site shall minimize the use of residential
33 streets, and access roads shall be treated in a manner to make
34 them dust free. Where access roads intersect collectors or
35 arterials, suitable traffic controls shall be established.
- 36 (B) The extraction operations will not pose a hazard to the public
37 health and safety.
- 38 (C) The extraction operations will not generate noise, dust, surface
39 water runoff or traffic that will unduly interfere with surrounding
40 land uses.
- 41 (D) The restoration plan for the site ensures that, after extraction
42 operations cease, the site will be left in a safe, stable, and
43 aesthetically acceptable condition. The site shall either be
44 restored generally to its pre-excavation contours, or as
45 appropriate for the future use of the land.

- 1 (E) The proposed use meets such additional standards for natural
 2 resource extraction conditional uses as the director may
 3 establish by regulation pursuant to AMC chapter 3.40.

4 **7. Natural Resource Extraction, Placer Mining**

5 **a. Definition**

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

10 **b. Use-Specific Standard**

11 Placer mining shall comply with the use-specific standards set forth above for
 12 “natural resource extraction, organic and inorganic.”

13 **C. Marine Facility**

14 This category includes a mix of commercial and light industrial manufacturing, processing,
 15 storage, wholesale, and distribution operations that are water-dependent or water-related. Water-
 16 dependent uses are generally permitted, while water-related uses are generally conditional uses.
 17 Specific use types include:

18 **1. Aquaculture**

19 **a. Definition**

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

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

23 **a. Definition**

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

26 **3. Marine Operations**

27 **a. Definition**

28 Establishments engaged in light industrial manufacturing, processing, or storage
 29 operations, that are water-dependent and water-related. Examples include, but
 30 are not limited to: cargo handling facilities, including docking, loading, and related
 31 storage; fabrication, storage, and repair of fishing equipment; facilities for marine
 32 construction and salvage; facilities for marine pollution control, petrochemical
 33 cleanup, and servicing of marine sanitation devices; facilities for processing of
 34 products harvested from the ocean; facilities for manufacturing ice; marine
 35 industrial welding and fabricating; seafood packaging, packing, storage, loading,
 36 and distribution facilities; shipbuilding and facilities for construction, maintenance,
 37 and repair of vessels; marine repair yards, boat fabrication, boat storage, and
 38 marine machine shops; marine transport services, including ferries, public
 39 landings and boat launches, commercial vessel berthing, excursion services,
 40 hovercraft, and boat rentals; recreational and commercial fishing and boating
 41 activities; tugboat, fireboat, pilot boat; coast guard, and similar services; uses that
 42 provide pedestrian access to the waterfront; wharves, docks, ramps, and piers;
 43 marine police, harbormaster, and other marine enforcement agencies; harbor
 44 and marine supplies and services, and ship supply, such as fueling and
 45 bunkering of vessels; and aids to navigation.

1 **4. Marine Wholesaling**

2 **a. Definition**

3 Establishments engaged in wholesale and distribution operations of marine-
4 related products.

5 **D. Warehouse and Storage**

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

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

12 **a. Definition**

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

16 **b. Use-Specific Standard**

17 Any new facilities for the storage and/or dispersion of hazardous materials, or
18 expansion of existing facilities for the storage and/or dispersing of hazardous
19 materials, shall occur at least 1,000 feet from a residential district, school,
20 hospital, or park.

21 **2. Impound Yard**

22 **a. Definition**

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

28 **b. Use-Specific Standard**

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

31 **3. Motor Freight Terminal**

32 **a. Definition**

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

35 **b. Use-Specific Standards**

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

38 ii. There shall be a 200 foot buffer zone between the motor freight terminal
39 operations and property zoned residential. No motor freight trucks,
40 trailers (including those with refrigeration or heating units), or other
41 motorized equipment such as fork lifts may be maneuvered, parked, or
42 operated, nor any associated warehouses be located within 200 feet of
43 residentially zoned property. The buffer zone may be used for employee
44 parking, for landscaping, including a required L3 screening landscape
45 buffer, and similar uses that do not create noise. The buffer zone shall
46 be posted or marked in such a manner so as to clearly delineate the
47 areas where operations are permitted.

- 1 iii. A motor freight terminal which abuts or is directly across a street or alley
2 from residentially zoned property shall have L3 screening landscaping on
3 the boundary of the abutting property, street, or alley.
- 4 iv. A motor freight terminal that is separated from property zoned residential
5 by the Alaska Railroad main line corridor, or a freeway or expressway as
6 classified on the *Official Streets and Highways Plan* is not subject to the
7 provisions of subsections b.ii. and b.iii. above.
- 8 **4. Self-Storage Facility**
- 9 **a. Definition**
- 10 A completely enclosed structure(s) containing three or more areas or rooms
11 available for lease or rent for the purpose of the general storage of household
12 goods and business or personal property, where the lessee of the unit is
13 provided direct access to deposit or store items. Also known as a “ministorage
14 facility.” A self-storage facility may have associated outdoor vehicle storage, but
15 a stand-alone vehicle storage establishment is classified under “storage yard”.
- 16 **b. Use-Specific Standards**
- 17 The standards below are applicable to self-storage facilities in all districts.
- 18 i. *Size of Site*
- 19 The self-storage site shall contain no less than one-half acre and no
20 more than ten acres.
- 21 ii. *Traffic Access and Curb Cuts*
- 22 The site shall have direct driveway access from a street constructed to
23 appropriate municipal standards as described in chapter 21.08.
24 Location, number, and width of curb cuts shall be subject to the approval
25 of the traffic engineer or the state department of transportation and public
26 facilities.
- 27 iii. *Dimensional Standards*
- 28 Notwithstanding the general dimensional standards in chapter 21.06, the
29 following specific standards apply:
- 30 **(A)** *Maximum Lot Coverage By All Buildings*
- 31 75 percent in industrial districts; 50 percent in all other districts.
- 32 **(B)** *Maximum Height of Structures*
- 33 35 feet. Structures over 35 feet in height shall require
34 conditional use approval.
- 35 iv. *Paving and Drainage*
- 36 **(A)** All parking lots and driveways, interior aisles, and walkways shall
37 be paved to municipal standards. In class B areas, the areas
38 may be graveled with D-1.
- 39 **(B)** Provisions shall be made to prevent any contamination of the
40 domestic water supply or to prevent excessive or contaminated
41 surface runoff from the site onto adjacent lands or streams.
42 Drainage flow patterns shall be shown on the site plan or a
43 separate approved map. Drainage shall comply with section
44 21.07.040.

- 1 **ix.** *Vehicle Storage Yards*
2 The yard may not be used to display or advertise any merchandise for
3 sale, including vehicles. No salvaging, dismantling, or disassembly of
4 vehicles is permitted in a vehicle storage yard.
- 5 **x.** *Financial Guarantees*
6 The department may require a financial guarantee to ensure installation
7 of required landscaping, fencing, paving, or mitigation of any
8 environmental impacts or contamination to the site or surrounding land in
9 accordance with section 21.08.060, *Subdivision Agreements*.
- 10 **xi.** *Existing Self Storage and Vehicle Storage Operations*
11 Self-storage and vehicle storage operations existing on or before
12 October 26, 2004 shall be deemed to have approved site plans and not
13 be nonconforming uses or structures. Notwithstanding the provisions of
14 chapter 21.12, *Nonconformities*, where self-storage and vehicle storage
15 operations exist and have been in continuous existence since October
16 26, 2004, that use may continue provided the owner thereof complies
17 with the following:
- 18 **(A)** *Site Enhancement Plan Required*
19 Any self-storage or vehicle storage operation existing prior to
20 October 26, 2004 that does not comply with the requirements of
21 this section related to sight-obscuring fencing, required
22 landscaping external to said fencing, and elimination of security
23 razor or concertina security wire at the top of a fence shall obtain
24 approval by the director of, and agree to implement, a site
25 enhancement plan for the property. This site enhancement plan
26 shall be submitted to the director before April 26, 2014. The plan
27 shall be fully implemented by October 26, 2014. The intent of
28 this site enhancement plan is to bring the property as closely as
29 reasonably possible into compliance with the above noted
30 subsection without impeding existing operations.
- 31 **(B)** *Contents of Site Enhancement Plan*
32 The site enhancement plan shall include:
- 33 **(1)** A graphic and legal description of the plan area.
- 34 **(2)** Existing fencing and fencing types on the site.
- 35 **(3)** Current vegetation external to perimeter fencing, if any.
- 36 **(4)** Vehicular access points, including ingress and egress
37 points, and queuing lanes.
- 38 **(5)** Proposed modifications to bring the property into
39 compliance with the intent of the standards of this
40 section, but only for the following items: sight-obscuring
41 fencing; required landscaping external to said fencing on
42 any side of the property abutting a residential zoning
43 district or an arterial, if the side is not otherwise
44 obscured from view by other landscaping, naturally-
45 vegetated areas, natural features, or buildings located
46 on adjoining properties; and in all instances elimination
47 of barbed, razor, concertina, or other security wire,

1 unless the security wire is placed in accordance with
2 other sections of this title.

- 3 (6) It is the intent of this section that owners of existing
4 facilities not be required to move existing fences or
5 change existing operations.

6 (C) *Narrative Statement Required*

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

- 10 (1) The method of securing the area to prevent casual
11 access.

- 12 (2) A proposed schedule that specifies the date and
13 methods by which the owner shall come into compliance
14 with the intent of this section.

- 15 (3) A description of current operations and uses that take
16 place on the site.

17 (D) *Implementation of Approved Site Enhancement Plan*

18 The director shall set a reasonable period of time for
19 implementation of the approved site enhancement plan, but in all
20 cases the implementation shall be complete by October 26,
21 2014. Adequacy of the site enhancement plan shall be based on
22 evidence presented by the owner, which may include the
23 following:

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

- 27 (2) History of the use of the property as a self-storage
28 and/or vehicle storage use, including information about
29 the length of time it has existed as that use and any
30 relevant permits or other official regulatory documents
31 related to the use of the property as a self- storage
32 and/or vehicle storage use.

- 33 (3) A map of the subject property indicating the location of
34 all parcels of real property within a distance of 300 feet
35 from the exterior boundary of the subject property,
36 showing the zoning district boundaries.

- 37 (4) The compatibility of the operation with surrounding
38 neighborhoods, and with prevention of noise, dust,
39 safety hazards, traffic congestion, aesthetic
40 deterioration, and other adverse environmental effects.

- 41 (5) Any other information the property owner may wish to
42 submit in order to make his or her case.

1 (E) *Decision by Director*
2 Upon receipt of a site enhancement plan pursuant to subsection
3 xii.(A). above, the director shall make a determination within 60
4 days of submittal of the site enhancement plan. The decision of
5 the director shall be in writing and sent by certified mail to the
6 address listed in the owner's application.

7 (F) *Appeals*
8 A decision of the director is final unless appealed within 30 days
9 of its receipt by the owner of the property. Appeal is to the
10 zoning board of examiners and appeals. Only the applicant may
11 appeal the decision of the director. An appeal from a decision of
12 the zoning board of examiners and appeals may be brought in
13 superior court.

14 5. **Storage Yard**

15 a. *Definition*
16 Any lot or portion of a lot that is used for the sole purpose of the outdoor storage
17 of fully operable motor vehicles; construction equipment; construction materials;
18 sand, gravel, topsoil, or the like; or other tangible materials and equipment.

19 b. *Use-Specific Standards (also apply to "Impound Yard" and "Junkyard")*

20 i. *Location of Site*
21 (A) L2 buffer landscaping with an 8-foot screening fence shall be
22 planted along all lot lines where a storage yard or impound yard
23 abuts any academic school, hospital, residential district, or
24 government administration and civic facility.

25 (B) A junkyard shall not be located within 500 feet of any academic
26 school, hospital, residential district, or government administration
27 and civic facility.

28 ii. *Minimum Lot Size and Width for Junkyard*
29 Notwithstanding the general dimensional standards set forth in chapter
30 21.06, the minimum lot size for a junkyard shall be two acres. The
31 minimum lot width shall be 150 feet.

32 iii. *Limits on Outdoor Storage*
33 Outdoor storage shall not exceed 35 feet in height. No outdoor storage
34 shall occur within the required front or side setback as set forth in
35 chapter 21.06.

36 iv. *Containerized Storage Units*
37 The following standards shall apply to the use of containerized storage
38 units:

39 (A) A containerized storage unit shall be a factory-built shipping
40 container.

41 (B) A containerized storage unit shall be subject to the requirements
42 for any required permitting, as set forth in the Anchorage
43 municipal code of ordinances.

44 v. *Screening*
45 L3 screening landscaping is required where a junkyard is adjacent to
46 residential districts.

1 vi. *Drainage; Protection of Water Supply*

2 Provisions shall be made to prevent any contamination of the domestic
3 water supply or excessive surface runoff from the property into adjoining
4 lands or streams. Failure to prevent such contamination of the domestic
5 water supply or to prevent excessive surface runoff from the site onto
6 adjoining lands or streams shall be cause for the conditional use to be
7 rescinded and the junkyard to be removed at the cost of the owner of the
8 land upon which it is located.

9 vii. *Existing Vehicle Storage Yards*

10 Storage yards in existence on October 26, 2004 and that fall under the
11 definition of "vehicle storage yard", which means "the outdoor storage of
12 vehicles (under 12,000 lbs. gross vehicle weight rating), boats, and
13 recreational vehicles", may continue to exist pursuant to the
14 requirements of subsection D.4.b.xii. above.

15 6. **Warehouse or Wholesale Establishment, General**

16 a. ***Definition***

17 An establishment primarily engaged in the sale or distribution of goods and
18 materials in large quantity to retailers or other businesses for resale to individual
19 or business customers. Activities may include assembling, sorting, and grading
20 goods into large lots and breaking bulk for redistribution into smaller lots. This
21 use also includes warehouse storage and distribution of materials, goods, or
22 property with no on-site wholesale business activity. This use shall not include
23 heavy manufacturing, resource extraction, scrap operations, bulk storage of
24 hazardous materials, or salvage operations.

25 b. ***Use-Specific Standards***

- 26 i. L2 buffer landscaping is required where adjacent to residential districts.
- 27 ii. This use shall be limited in the PLI district to warehouse storage.
28 Wholesale operations including the sale or distribution of goods and
29 materials to retailers or other business customers are prohibited in the
30 PLI district.

31 7. **Warehouse or Wholesale Establishment, Light**

32 a. ***Definition***

33 A general warehouse or wholesale establishment whose activities of assembly,
34 sorting, and grading goods into large lots and breaking bulk for redistribution into
35 smaller lots in such a way as to have minimal impact on surrounding properties.
36 Operations with more than 33 percent of sales to retail customers shall be
37 categorized as a retail sales use rather than as a warehouse or wholesale
38 establishment.

39 b. ***Use-Specific Standards***

- 40 i. This use shall be limited in the PLI district to warehouse storage.
41 Wholesale operations including the sale or distribution of goods and
42 materials to retailers or other business customers are prohibited in the
43 PLI district.
- 44 ii. Light warehouse or wholesale establishments are subject to the following
45 limitations in the B-3 district to ensure compatibility and protect
46 commercial and residential property.

- 1 (A) This use shall comply with the use-specific standards set forth in
2 subsection 21.05.060A.1. for contractor and special trades, light.
- 3 (B) Building areas used as part of the storage and distribution
4 process shall have a building height of no more than 35 feet.
- 5 (C) When a new establishment is proposed, or when an existing
6 establishment is proposed to be expanded, advance
7 documentation that the establishment will conform to the
8 operational standards of section 21.07.140 and the noise
9 regulations of title 15 may be required by the decision-making
10 body prior to the issuance of the land use permit. The
11 documentation shall include an evaluation and explanation
12 certified by a registered engineer or architect, as appropriate,
13 that the proposed activity can achieve the off-site noise
14 standards of the municipality. Such evaluation shall describe the
15 measures to be taken by the applicant to meet the standards.
16 Such measures may include, for example, the provision of
17 buffers, reduction in hours of operation, relocation of mechanical
18 equipment, increased setbacks, and use of specialized
19 construction techniques or building materials. The measures to
20 be taken shall be indicated on the plans as conditions of
21 approval. After a permit has been issued, any measures that
22 were required by the permit to limit noise shall be maintained.

23 **E. Waste and Salvage**

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

30 **1. Composting Facility**

31 **a. Definition**

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

37 **b. Use-Specific Standards**

- 38 i. Any composting storage area of a composting facility shall be set back at
39 least 200 feet from any lot line abutting a residential district or any
40 residential use (except a residential use occupied by the owner,
41 operator, or any employee of such composting facility) that exists at the
42 time of the establishment of the composting facility.
- 43 ii. Composting facilities shall contain and treat on-site, all water run-off that
44 comes into contact with the feedstocks or compost, in such manner that
45 the run-off will not contaminate surface or ground water.
- 46 iii. Composting facilities shall not be located in any floodway.

- 1 iv. No composting facility shall commence operation until a nuisance
2 condition control plan, specifying all measures to be taken to control
3 nuisance conditions (such as odor, noise, scattered solid waste, dust)
4 has been approved by the director.
- 5 2. **Hazardous Waste Treatment Facility**
- 6 a. **Definition**
- 7 The processing of hazardous waste by means other than incineration, for the
8 purposes of rendering the waste non-dangerous or less dangerous, safer for
9 transport, amenable for storage, and/or able to be reused for energy production.
- 10 b. **Use-Specific Standard**
- 11 Hazardous waste treatment facilities shall be located at least 1,000 feet from any
12 residential district.
- 13 3. **Incinerator or Thermal Desorption Unit**
- 14 a. **Definition**
- 15 i. *Incinerator*
- 16 An establishment that uses thermal combustion processes to destroy or
17 alter the character or composition of medical waste, hazardous waste,
18 sludge, soil, or municipal solid waste (not including animal or human
19 remains). This definition does not include “rag burners” or oil heaters.
- 20 ii. *Thermal Desorption Unit*
- 21 A facility that removes volatile and semi-volatile contaminants from soils,
22 sediments, slurries, and filter cakes using direct or indirect heat
23 exchange. This definition does not include short-term (less than six
24 months) on-site remediation operations.
- 25 iii. *Not Accessory Uses*
- 26 Incinerators and thermal desorption units that are accessory to other
27 principal uses shall meet these use-specific standards.
- 28 b. **Use-Specific Standards**
- 29 i. *Separation Requirements from Residential Zoning Districts and*
30 *Academic Schools*
- 31 No incinerator facility or thermal desorption unit shall be located less
32 than 1315 feet from a residentially zoned district, a dedicated park, or an
33 elementary, middle, or high school.
- 34 ii. *Standards for Incinerators*
- 35 **(A) Hazardous Waste Prohibited**
- 36 Incinerators covered under this section shall not accept any
37 materials that meet the definition of hazardous waste as defined
38 by the U.S. Environmental Protection Agency (EPA) of the state
39 department of environmental conservation (ADEC).
- 40 **(B) Separation Distances between Incinerator Facilities**
- 41 Separation distances between incinerator facilities shall be as
42 follows:

TABLE 21.05-2: 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.

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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.

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- (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 compound at the boundary of the adjacent residential zoning districts as well as the location and magnitude of the maximum annual average concentrations found within each adjacent residential district; and
 - (5)** The report shall also describe the health risks attributable to these concentration levels based on the latest cancer risk values from the EPA's Integrated Risk Information System (IRIS) database. Cancer risks shall be based on the risk of one additional cancer above the background cancer rate per 100,000 individuals.
- (C) Standards for Facilities Not Meeting Separation Requirements**
The planning and zoning commission may approve a conditional use for an incinerator facility or thermal desorption unit that is less than 1315 feet from an existing facility, but meets the standards of either (A).(1). or (A).(2). above, only if the commission finds that the storage plan for the material to be burned and the waste generated by the incineration activity is adequate to prevent any runoff, groundwater contamination, airborne dust, or other means for contaminants to migrate off the site.

1 **4. Junkyard or Salvage Yard**

2 **a. Definition**

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

11 **b. Use-Specific Standard**

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

14 **5. Land Reclamation**

15 **a. Definition**

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

21 **b. Use-Specific Standards**

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

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

31 **(A)** A site plan showing:

32 **(1)** Drainage.

33 **(2)** Existing and proposed topographical contours (ten-foot
34 contour).

35 **(3)** Water table information.

36 **(4)** Points of vehicular access to the site.

37 **(B)** An erosion and sediment control plan.

38 **(C)** A description of the soil types encountered on the site.

39 **(D)** A landscaping plan for the period of land reclamation operations
40 and for final restoration of the site.

41 **(E)** A security plan to prevent casual trespass.

42 **(F)** Proposed hours of operation.

- 1 (G) A description of land reclamation and processing operations
2 proposed for the site.
- 3 (H) Projected traffic counts for each point of vehicular access to the
4 site.
- 5 (I) An estimate of the quantity of materials to be imported to the site
6 and timetable, with supporting calculations conforming to
7 generally accepted engineering principles.
- 8 (J) A statement of the types of materials that will be accepted at the
9 site.
- 10 (K) Such other materials as the director may require by regulation
11 pursuant to AMC chapter 3.40.
- 12 iii. The site plan and erosion and sediment control plan required in
13 subsection ii. above shall be subject to review and approval for drainage,
14 erosion and sedimentation control; for conformance with the *208*
15 *Areawide Water Quality Management Plan*; and for compliance with
16 generally accepted sound engineering principles.
- 17 iv. A building or land use permit is required for land reclamation.
- 18 v. In addition to the conditional use standards of approval at 21.03.080C.,
19 the planning and zoning commission may approve a land reclamation
20 use only if the commission finds that the use also meets the following
21 standards:
- 22 (A) Principal access to the site shall minimize the use of residential
23 streets, and access roads shall be treated in a manner so as to
24 make them dust free. Where access roads intersect arterials,
25 suitable traffic controls shall be established.
- 26 (B) The site will not accept materials that are hazardous or
27 flammable.
- 28 (C) The site will not accept junk as defined in chapter 21.14.
- 29 (D) The site will not accept soils contaminated with petroleum
30 products or byproducts.
- 31 (E) The reclamation operations will not pose a hazard to the public
32 health and safety.
- 33 (F) The reclamation operations will not generate noise, dust, surface
34 water runoff, groundwater pollution, or traffic that will unduly
35 impact surrounding land uses.
- 36 (G) The restoration plan for the site ensures that, after reclamation
37 operations cease, the site will be left in a safe, stable, and
38 aesthetically acceptable condition.
- 39 (H) The proposed use meets such additional standards for land
40 reclamation conditional uses as the director may establish by
41 regulation pursuant to AMC chapter 3.40.

- 1 vi. The planning and zoning commission may attach such conditions to the
2 approval of a land reclamation conditional use as it finds are necessary
3 to mitigate potential negative impacts on adjacent uses.
- 4 6. **Landfill**
- 5 a. **Definition**
- 6 The burial of hazardous or non-hazardous agricultural, residential, institutional,
7 commercial, or industrial waste, including solid waste processing. This use does
8 not include land reclamation.
- 9 b. **Use-Specific Standards**
- 10 i. Landfills (operational area, excavated or filled area) shall be set back at
11 least 200 feet from the property boundary, and at least 500 feet from the
12 lot line of any academic school, hospital, religious assembly, or
13 residential zoning district. L3 screening landscaping is required along all
14 lot lines.
- 15 ii. Landfills shall contain and treat all run-off that comes into contact with
16 the waste material, in such manner that the run-off will not contaminate
17 surface or ground water.
- 18 iii. Landfills shall comply with the requirements of 18 AAC 60.
- 19 iv. Applications for a conditional use for a landfill shall specify all measures
20 to be taken to control nuisance conditions (such as odor, noise, scattered
21 solid waste, wildlife).
- 22 7. **Recycling Drop-Off**
- 23 a. **Definition**
- 24 A lot or portion of a lot where containers are located to collect various materials
25 for recycling. This use includes drop-off and collection of materials for recycling,
26 but not processing of such materials.
- 27 b. **Use-Specific Standards**
- 28 i. No recycling drop-off area shall be located in required parking for any
29 other uses on the same lot, required landscaping, or pedestrian facilities.
- 30 ii. Recycling drop-off areas that are on a lot with another principal use such
31 as a school or retail store shall, to the extent reasonably feasible, be
32 placed to the side of the principal structure and/or site, and not abutting
33 the street that provides primary access to the site.
- 34 iii. Recycling drop-offs that are the sole or principal use on a lot, and are not
35 placed on a lot with another principal use such as a school or retail store,
36 shall be fenced. The fencing shall be interior to any landscaping
37 required by section 21.07.080. Recycling drop-offs adjacent to
38 residential districts shall have a screening fence.
- 39 iv. If a recycling drop-off area is within 200 feet of a residential district, no
40 collection/pick-up of the accumulated materials shall occur between the
41 hours of 10:00 p.m. and 6:00 a.m.
- 42 v. If a recycling drop-off area is within 200 feet of a residential district, and
43 the drop-off includes containers for collecting glass, the area shall be
44 closed between the hours of 10:00 p.m. and 6:00 a.m.

- 1 **8. Snow Disposal Site**
2 **a. Definition**
3 An area used for the concentrated storage and disposal of snow transported to
4 that site from other locations. For the purposes of this section, an entire Airport
5 District is considered a single location.
- 6 **b. Use-Specific Standards**
7 **i. Location**
8 Snow disposal sites shall be located at least 25 feet from a class A or
9 class B wetland, and at least 100 feet from a stream or water body.
- 10 **ii. Dimensional Standards**
11 Notwithstanding the general dimensional requirements of chapter 21.06,
12 the following specific standards shall apply to this use.
- 13 **(A) Minimum Lot Size**
14 The minimum lot size shall be 36,000 square feet, unless
15 otherwise established by the planning and zoning commission.
16 Abutting smaller lots in common ownership may be considered in
17 aggregate to achieve the minimum lot size. With a recorded joint
18 use agreement, abutting smaller lots with multiple owners may
19 be considered in aggregate to achieve the minimum lot size.
- 20 A motor freight terminal that is separated from property zoned
21 residential by the Alaska Railroad main line corridor, or a
22 freeway or expressway as classified on the *Official Streets and*
23 *Highways Plan* is not subject to the provisions of subsections b.ii.
24 and b.iii. above.
- 25 **(B) Maximum Height of Snow Piles**
26 The maximum height of snow piles shall be 35 feet where the
27 snow storage operations area is within 500 feet of a residential
28 district, unless the snow pile and the residential district are
29 separated by the Alaska Railroad main line corridor, or a freeway
30 or expressway as classified on the *Official Streets and Highways*
31 *Plan*. In that case, and in all other areas, the maximum height of
32 snow piles shall be the height limit of the zoning district.
- 33 **(C) Minimum Setback Requirement**
34 The minimum setback of snow piles shall be 25 feet if adjacent
35 to a public right-of-way or to an industrial zoning district, and 50
36 feet if adjacent to a non-industrial zoning district.
- 37 **iii. Snow Storage Area**
38 The snow storage area shall be well defined on-site in order to prevent
39 storage of snow on adjacent properties or landscaped areas. This may
40 be accomplished through location, landscaping, fencing, and/or signs.
- 41 **iv. Screening Fence or Berm**
42 An earthen berm or a screening structure, either at least six feet high,
43 shall be constructed within every setback adjacent to a public right-of-
44 way or to a non-industrial zoning district. Site enhancement landscaping,
45 or another ground cover acceptable to the planning and zoning
46 commission, shall be planted on the berm and within the area between
47 the berm and the lot line for the site. The planning and zoning

1 commission may require construction of a berm or fence within other
2 setback areas in order to restrict casual access, to confine the operations
3 within the site, to reduce noise and glare, and to ensure compatibility of
4 the operation with adjacent uses.

5 v. *Drainage and Water Quality Facilities*

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

10 vi. *Noise, Dust, and Litter*

11 (A) *Noise*

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

18 (B) *Dust and Litter Control*

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

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

24 a. ***Definition***

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

27 b. ***Use-Specific Standards***

28 i. A solid waste transfer facility (structures, operations, outdoor storage)
29 shall not be located within 500 feet of any academic school, hospital, or
30 residential zoning district.

31 ii. Notwithstanding the general dimensional standards set forth in chapter
32 21.06, the minimum lot size for a solid waste and/or recycling transfer
33 facility shall be two acres and the minimum lot width shall be 150 feet,
34 unless otherwise established by the planning and zoning commission.

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

38 iv. In addition to any landscaping required under section 21.07.080,
39 *Landscaping, Screening, and Fences*, the facility shall be surrounded by
40 a fence that is at least eight feet high, except that public drop-off areas
41 need not be fenced unless they are adjacent to a residential district.
42 Such fencing that is adjacent to a residential district shall be screening
43 fencing; such fencing that is adjacent to other non-industrial districts or to
44 streets shall be sight-obscuring fencing.

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. 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, 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 may be erected in
5 a required side or rear setback.

6 **4. Same Ownership Required**

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

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

9 Temporary accessory uses and structures shall be governed by the temporary use
10 standards set forth in section 21.05.080 of this title.

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

12 Table 21.05-3 below lists the accessory uses allowed within all base zoning districts. Each of the
13 listed uses is defined in subsection D. below.

14 **1. Explanation of Table Abbreviations**

15 **a. Permitted Uses**

16 “P” in a cell indicates that the accessory use is allowed by right in the respective
17 zoning district. Permitted uses are subject to all other applicable regulations of
18 this title, including the use-specific standards in subsection D. below and the
19 development and design standards set forth in chapter 21.07.

20 **b. Administrative Site Plan Review**

21 “S” in a cell indicates that the accessory use requires administrative site plan
22 review in the respective zoning district in accordance with the procedures of
23 section 21.03.180C., *Administrative Site Plan Review*.

24 **c. Conditional Uses**

25 “C” in a cell indicates that, in the respective zoning district, the accessory use is
26 allowed only if reviewed and approved as a conditional use in accordance with
27 the procedures of section 21.03.080, *Conditional Uses*.

28 **d. Prohibited Uses**

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

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

32 Each use listed in table 21.05-3 is defined in this section. Regardless of whether
33 an accessory use is allowed by right or subject to administrative site plan review
34 or conditional use, there may be additional standards that are applicable to the
35 use. The cross-reference in the last column of the table identifies the code
36 location of the definition and any use-specific standards. Any standards apply in
37 all districts unless otherwise specified.

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

39 An accessory use or structure that is not listed in table 21.05-3 shall comply with
40 all standards set forth in subsection B. above.

g. Table of Permitted Accessory Uses and Structures

TABLE 21.05-3: TABLE OF ACCESSORY USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS

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

Accessory Uses	RESIDENTIAL														COMMERCIAL					INDUST.			OTHER					Definitions and Use-Specific Standards	
	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2	MI	AF	DR	PR	PLI	W		
Accessory dwelling unit (ADU)	P ³	P ³	P	P	P	P	P ⁴	P ⁴	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	P	P	P											21.05.070D.2.
Bed and breakfast (4 or 5 guestrooms)	S	S	S	S	S	S			S	S	S	S	S	S	P	P	P	P											21.05.070D.2.
Beekeeping	P	P	P	P	P	P	P		P	P	P	P	P	P												P	P		21.05.070D.3.
Caretaker's residence															P	P	P	P	P	P	P					P	P		21.05.070D.4.
Dormitory						S	S	S	S	S	S	S	S	S			P			C	P						P		21.05.070D.5.
Drive-through service															P	P	P	P	P	P	P	P							21.05.070D.6.
Family self-sufficiency Service						P	P	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	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	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	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	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070D.12.
Large domestic animal facility									P/C	P/C	P/C	P/C	P/C	P/C															21.05.070D.13.
Outdoor keeping of animals	P	P	P	P	P	P			P	P	P	P	P	P												P	P	P	21.05.070D.14.

TABLE 21.05-3: TABLE OF ACCESSORY USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS

P = Permitted

S = Administrative Site Plan Review

C = Conditional Use Review

Accessory Uses	RESIDENTIAL														COMMERCIAL					INDUST.			OTHER					Definitions and Use-Specific Standards
	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2	MI	AF	DR	PR	PLI	W	
Outdoor display accessory to a commercial use															P	P	P		P	P	P	P						21.05.070D.15.
Outdoor storage accessory to a commercial use																	P		P	P	P	P						21.05.070D.16.
Parking of business vehicles, outdoors, accessory to a residential use	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.

³ Accessory dwelling units in the R-1 and R-1A and CE-R-1 and CE-R-1A districts are limited to attached ADUs, which are added to or created within single-family dwellings.

⁴ In the R-4 and R-4A districts, ADUs are allowed only on lots already improved with detached single-family dwellings as of January 1, 2014.

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

This section defines the accessory uses listed in table 21.05-3 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.
- (D)** The department shall receive a fee from the applicant pursuant to the title 21 user's guide.

- 1 (E) For purposes of securing financing, potential landowners may
2 request and receive a letter of pre-approval from the municipality
3 indicating the property is eligible for an ADU permit if the
4 potential landowner completes the application process and
5 construction in accordance with this section.
- 6 iii. *Requirements*
7 All ADUs shall meet the following requirements:
8 (A) *Purpose*
9 Requirements for accessory dwelling units address the following
10 purposes:
11 (1) Ensure that accessory dwelling units maintain and are
12 compatible with the single-family appearance and
13 character of the principal residence, lot, and
14 neighborhood;
15 (2) Ensure that accessory dwelling units are smaller in size
16 than the principal dwelling on the lot, and preserve yards
17 and open space;
18 (3) Provide adequate parking while maintaining the single-
19 family residential character of the neighborhood,
20 avoiding negative impacts to on-street parking, and
21 minimizing the amount of paved surface on a site; and
22 (4) Provide clear and flexible standards that make it
23 practical and economical to develop accessory dwelling
24 units that are in compliance with this code, and offer an
25 accessible, affordable housing option to the community.
- 26 (B) *Allowed Zoning Districts*
27 (1) Except as restricted by subsections (B).(2). and (B).(3).
28 below, ADUs are allowed in all residential zoning
29 districts.
30 (2) In the R-1 and R-1A districts, ADUs are allowed only if
31 added to or created within a detached single-family
32 dwelling.
33 (3) In the R-4 and R-4A districts, ADUs area allowed only on
34 lots already improved with detached single-family
35 dwellings as of January 1, 2014.
- 36 (C) *Requirements for Developing an ADU*
37 (1) *One Principal Structure*
38 One ADU may be added to or created within a detached
39 single family dwelling on a lot, tract, or parcel, but only if
40 the detached single-family dwelling is the sole principal
41 structure on that lot, tract, or parcel.
42 (2) *Detached ADU*
43 One ADU detached from a single-family dwelling is
44 permitted on a lot, tract, or parcel in all zoning districts
45 except for the R-1 and R-1A, but only if:

- 1 (a) The lot, tract, or parcel is 10,000 square feet or
2 greater and the detached single-family dwelling
3 is the only principal structure; or
- 4 (b) The lot, tract, or parcel abuts an alley; the ADU
5 is above a detached garage, the ADU/garage
6 abuts the alley, and the detached single-family
7 dwelling is the only principal structure.
- 8 (3) *Lot Coverage*
9 The lot coverage of the principal dwelling unit and all
10 accessory structures combined, including but not limited
11 to the ADU, shall be less than or equal to the maximum
12 lot coverage allowed by the zoning district.
- 13 (4) *Uses*
- 14 (a) An ADU shall not be permitted on any lot with a
15 child care center.
- 16 (b) The landowner shall reside in either the principal
17 dwelling unit or the ADU as his or her primary
18 residence for more than six months of each
19 year.
- 20 (5) *Building Code Requirements*
21 To ensure that the dwellings meet appropriate health
22 and fire safety standards, the ADU shall be built to the
23 adopted municipal building code standards for two-family
24 dwellings.
- 25 (6) *Size*
- 26 (a) The gross floor area of the ADU, not including
27 any related garage, shall be no less than 300
28 square feet.
- 29 (b) In class A districts, the gross floor area of the
30 ADU, not including any related garage, shall be
31 no greater than 700 square feet or 35 percent of
32 the total gross floor area of the principal dwelling
33 unit (excluding the ADU and garages),
34 whichever is less.
- 35 (c) In class B districts, the gross floor area of the
36 ADU, not including any related garage, shall be
37 no greater than 700 square feet or 35 percent of
38 the total gross floor area of the principal dwelling
39 unit (excluding the ADU and garages),
40 whichever is greater.
- 41 (d) The ADU shall have no more than two
42 bedrooms.
- 43 (7) *Setbacks*
44 An ADU shall not encroach into any required setback,
45 except that an ADU may encroach into the rear setback
46 abutting an alley.

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- (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.
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- (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 principal dwelling unit. Exterior window trim, window proportions (width to height), patterns, and orientation (horizontal to vertical) shall match those of the principal dwelling unit.
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- (b) The construction of an additional entry door on the side of a principal structure facing a street for entrance into an accessory dwelling unit is prohibited, unless no other entry door already exists on that side. Entrances are permitted on non-street-facing sides of the principal structure.
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- (10) *Utilities*
To the extent allowed by law and utility tariff, the ADU shall be connected to the water, sewer, gas, and electric utilities of the single family dwelling unit. However, lots with on-site water or septic systems may have a separate water and/or septic system for the ADU.
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- (D) *Additional Requirements for Detached ADUs*
(1) The ADU shall, on all street frontages, either have a front setback of at least 60 feet, or be at least 10 feet behind the street facing façade of the principal dwelling unit.
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- (2) The maximum height of a detached ADU shall be 25 feet.
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- (E) *Density*
ADUs are not included in the density calculations for a site.
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- (F) *Expiration of Approval of an ADU*
Approval of an ADU expires when:
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- (1) The ADU is altered and is no longer in conformance with this code;
- 47
48
- (2) The property ceases to maintain all required off-street parking spaces;

- 1 (3) A landowner of the property does not reside in either the
2 principal or the accessory dwelling unit; or
- 3 (4) The ADU is abandoned by the landowner through written
4 notification to the municipality on a form provided by the
5 municipality.
- 6 (G) *Transfer*
7 When a property with an ADU is sold or otherwise transferred,
8 the new landowner shall file an affidavit of owner-occupancy with
9 the department within 30 days of the transfer, and pay a
10 processing fee. Failure to file an affidavit by the due date
11 constitutes failure to have a permit, in violation of this section.
12 Transfers from one landowner to another landowner do not
13 require a new affidavit so long as the recipient landowner signed
14 the original affidavit.
- 15 (H) *Prior Illegal Use*
16 (1) All structures which meet the definition of accessory
17 dwelling unit which are not recognized as legal
18 nonconforming structures or uses of structures under
19 chapter 21.12 shall comply with this subsection. Such
20 structures may continue in existence provided the
21 following requirements are met:
- 22 (a) A permit application for an ADU is submitted to
23 the building safety division within six months of
24 January 1, 2014.
- 25 (b) The unit complies with the requirements of this
26 section.
- 27 (2) If the unit does not comply with the requirements of this
28 section at the time the permit application is filed, the
29 building official may grant six months to bring the unit
30 into conformance.
- 31 (3) In addition to any other remedies provided in this code,
32 failure to legalize an existing unit under this subsection
33 shall result in civil penalties as provided at AMC section
34 14.60.030. All landowners of illegal units shall also be
35 required to either legalize the unit or remove it.
- 36 (4) This subsection does not apply to existing legal
37 nonconforming uses of structures established pursuant
38 to chapter 21.12.
- 39 (I) *Variances*
40 No variances shall be granted from the standards and provisions
41 of this section.

42 **2. Bed and Breakfast**

43 **a. Definition**

44 A bed and breakfast is a private residence that offers overnight accommodations
45 and limited food service to overnight guests, for which compensation is paid on a
46 daily or weekly basis.

- 1 **b. Use-Specific Standards**
- 2 i. Colonies of *Apis mellifera* shall be managed in such a manner that their
- 3 flight path to and from the hive will not bring them into contact with
- 4 people on adjacent property. To accomplish this, colonies shall be:
- 5 **(A)** At least 25 feet from any lot line not in common ownership; or
- 6 **(B)** Oriented with entrances facing away from adjacent property; or
- 7 **(C)** Placed behind a fence at least six feet in height and extending at
- 8 least ten feet beyond the hive in all directions.
- 9 ii. No more than four hives shall be placed on lots smaller than 10,000
- 10 square feet.
- 11 **4. Caretaker's Residence**
- 12 a. **Definition**
- 13 A single dwelling unit on the site of a nonresidential use and occupied only by a
- 14 guard or the person who oversees the operation of the nonresidential facility (and
- 15 his/her family).
- 16 **5. Dormitory**
- 17 a. **Definition**
- 18 A facility intended or used as group living quarters for students, religious orders,
- 19 employees, and the like, directly affiliated with a permitted principal use such as
- 20 a school, college, convent, or similar institutional use.
- 21 b. **Use-Specific Standards**
- 22 i. Dormitories in non-industrial districts shall comply with the multifamily
- 23 residential design standards in subsection 21.07.110C.
- 24 ii. L1 visual enhancement landscaping is required when dormitories abut
- 25 residential lots in a residential district.
- 26 **6. Drive-Through Service**
- 27 a. **Definition**
- 28 The physical facilities of an establishment that encourage or permit customers to
- 29 receive services or obtain goods while remaining in their motor vehicles. A drive-
- 30 through facility consists of two parts—the queuing lane and a service station
- 31 where the service occurs. The queuing and service facilities of motor vehicle-
- 32 related uses such as fueling stations, car washes, and vehicle service and repair
- 33 are not included in the definition “drive-through service” as an accessory use,
- 34 and are addressed elsewhere in this title.
- 35 b. **Use-Specific Standards**
- 36 The purpose of these standards is to allow for drive-through facilities by reducing
- 37 the impacts they may create, such as noise, glare, and fumes from idling cars,
- 38 noise from voice amplification equipment, or traffic interferences with vehicle and
- 39 pedestrian circulation. Drive-through services are allowed as accessory uses to
- 40 the following primary uses: restaurant, pharmacy, financial institution, general
- 41 personal services and food and beverage kiosk. The following standards apply
- 42 to all drive-through services:
- 43 i. **Queuing Spaces**
- 44 Vehicle queuing spaces shall be provided pursuant to section
- 45 21.07.090L.

- 1 8. **Farm, Hobby**
2 a. **Definition**
3 The production of crops for sale. This may include a temporary stand for sales
4 on the premises.
- 5 9. **Garage or Carport, Private Residential**
6 a. **Definition**
7 A detached accessory or portion of a principal structure that is used for the
8 parking and storage of vehicles owned and operated by the residents thereof.
- 9 b. **Use-Specific Standards**
10 i. Garages may encroach into the rear or side setback when that setback
11 abuts an alley.
- 12 ii. Such accessory uses shall serve only the residents of the property and
13 shall not be used for commercial purposes except as part of a home
14 occupation approved under subsection D.11. below.
- 15 iii. In class A improvement areas and in the R-7 district, all garages or
16 carports accessory to a single residential use, whether attached to or
17 detached from the principal structure, shall cumulatively be no larger
18 than 50 percent of the total gross floor area of the principal structure.
- 19 iv. In class B improvement areas, except for the R-7 district, all garages or
20 carports accessory to a single residential use, whether attached to or
21 detached from the principal structure, shall cumulatively be no larger
22 than five percent of the lot area, up to a maximum of 5,000 square feet.
- 23 10. **Home- and Garden-Related Use**
24 a. **Definition**
25 Accessory uses subordinate to the use of a residential dwelling. Examples
26 include, but are not limited to, greenhouses, gardens, storage sheds, garden
27 sheds, tool sheds, workshops, private barbeque pits, spas, and hot tubs.
- 28 b. **Use-Specific Standards**
29 i. All spas and hot tubs shall be set back a minimum of 10 feet from all
30 property lines, and shall not be counted in calculating lot coverage.
- 31 ii. In class A improvement areas and in the R-7 district, all detached
32 accessory structures under this use shall cumulatively be no larger than
33 50 percent of the total gross floor area of the principal structure.
- 34 iii. In class B improvement areas, except for the R-7 district, all detached
35 accessory structures under this use shall cumulatively be no larger than
36 five percent of the lot area, up to a maximum of 5,000 square feet.
- 37 11. **Home Occupation**
38 a. **Definition**
39 An activity that results in a product or service, carried out for consideration or not,
40 and conducted as a customary, incidental, and accessory use in a dwelling unit.
41 This use expressly does not include bed and breakfasts, hobby farms, large
42 domestic animal facilities, small and large assisted living facilities, or adult or
43 child care homes.

1 **b. Use-Specific Standards**

2 A home occupation may be conducted in a dwelling unit or in a building
3 accessory to a dwelling unit provided that:

4 i. A permanent resident of the dwelling unit is engaged in the home
5 occupation on the premises;

6 ii. Only one nonresident may be engaged in the home occupation on the
7 premises;

8 iii. The use of a dwelling unit for a home occupation shall be clearly
9 incidental and subordinate to its residential use. This standard is met by
10 and limited to one of the following in class A areas:

11 (A) No more than the lesser of 25 percent or 500 square feet of the
12 floor area of the principal dwelling is devoted to any home
13 occupation; or

14 (B) No more than 300 square feet of an accessory building is
15 devoted to any home occupation; or

16 (C) No more than 250 square feet of the principal dwelling and 250
17 square feet of the accessory building are devoted to any home
18 occupation.

19 iv. The use of a dwelling unit for a home occupation shall be clearly
20 incidental and subordinate to its residential use. This standard is
21 met by and limited to one of the following in class B areas:

22 (A) No more than the lesser of 40 percent or 650 square feet of the
23 gross floor area of the primary structure is devoted to the home
24 occupation use; or

25 (B) No more than 600 square feet of an accessory structure is
26 devoted to the home occupation; or

27 (C) No more than 325 square feet of the principal dwelling and 350
28 square feet of the accessory building are devoted to any home
29 occupation.

30 v. Except for as provided in chapter 21.11, *Signs*, there shall be no change
31 to the outside of the building or premises, nor shall there be other visible
32 evidence of the conduct of such home occupation;

33 vi. Vehicles making deliveries shall not be parked at the site for a period
34 exceeding one hour;

35 vii. No traffic or deliveries shall be generated by such home occupation in
36 greater volume than would normally be expected in a residential
37 neighborhood;

38 viii. All vehicles used in connection with the home occupation shall, except
39 for delivery vehicles allowed above, be of the type commonly used for
40 personal non-commercial transportation. Home occupations shall
41 comply with the requirements of subsection D.17. below;

42 ix. The peace and quiet of the neighborhood shall not be disturbed. No
43 equipment or process shall be used in such home occupation that
44 creates noise, vibration, glare, fumes, or odors detectable to the normal

1 senses at the property line. No equipment or process shall be used
2 which creates visual or audible interference in any radio or television
3 receivers off the premises, or causes a fluctuation in line voltage off the
4 premises. No hazardous or toxic materials shall be stored on the
5 property as part of the home occupation;

6 x. The hours of operation during which an employee or co-worker, clients,
7 or customers are allowed to come to the home in connection with the
8 business activity are limited to between 7:00 a.m. and 10:00 p.m.
9 Monday through Saturday. Care and feeding of animals is exempted
10 from this provision;

11 xi. A home occupation shall not be permitted on any lot with an adult or
12 child care facility, or assisted living facility; and

13 xii. Any storage of wholesale or retail stock in trade in conjunction with the
14 home occupation shall not exceed 10 percent of the area devoted to the
15 home occupation, except on lots 40,000 sf or larger in class B districts as
16 defined in 21.08.050B. On lots meeting this exception, storage of stock
17 in trade may equal the area devoted to the home occupation, if the
18 storage is screened from neighboring lots and separated from the
19 neighboring lot line by at least the established district setback.

20 c. **Uses Prohibited as Home Occupations**
21 A home occupation shall not include, but is not limited to excluding, the following:
22 veterinary or animal hospital; restaurant; and vehicle repair, unless allowed
23 below under "vehicle repair/rebuilding, outdoor, hobby."

24 **12. Intermodal Shipping Container (Connex Unit)**

25 a. **Definition**
26 A pre-fabricated, standardized, reusable, metal container designed and intended
27 for transporting cargo on ocean-going ships, trains, or tractor trailers, also
28 commonly called cargo containers, transport containers, or marine cargo
29 containers. This use includes similar structures, such as railroad cars.

30 b. **Use-Specific Standards**
31 The use of a connex unit is allowed in all zoning districts subject to the following:

32 i. Except in the industrial, commercial, and airport districts, connex
33 units shall be screened on sides facing abutting public streets and
34 residential properties by structures, landscaping, and/or fences at
35 least as high as the unit, or alternately, shall be sided and roofed
36 using materials and colors which are similar to materials and/or
37 colors of the primary structure. If the connex unit is placed and used
38 for seasonal purposes subject to the provisions of section 21.05.080,
39 *Temporary Uses and Structures*, it may instead be painted with paint
40 that matches the color scheme of the principal building or blends the
41 connex with the surroundings.

42 ii. In commercial districts, connex units shall be located to the rear of all
43 principal structures or alternately, meet either the screening or the
44 siding and roofing requirements of section b.i. above.

45 iii. In residential districts, connex units are only permitted on lots equal
46 to or greater than 40,000 square feet. Except as restricted in b.vii.
47 below, connex units existing as of January 1, 2014 on any size lot
48 may continue as long as the screening requirements of b.i. above
49 and the number limitations of b.iv. below are met within one year of

- 1 January 1, 2014, in which case such connex unit(s) shall be deemed
2 conforming. Failure to comply with this provision shall not result in a
3 legal nonconformity, but rather shall result in an illegal structure.
- 4 iv. In residential districts where the primary use of the lot is residential,
5 no more than one unit is allowed per every 40,000 square feet of
6 property up to a maximum of three units. In conjunction with
7 nonresidential uses in residential districts, no more than three units
8 are allowed.
- 9 v. Self-storage establishments in compliance with the development
10 standards of 21.05.060D.4., *Self-Storage Facility*, are exempt from
11 this section.
- 12 vi. Loading or unloading a connex unit, or the use of a connex during
13 construction is exempt from this section, as long as the connex unit
14 is removed promptly at the finish of the loading/unloading or
15 construction activity.
- 16 vii. In residential districts on lots of less than 40,000 square feet, connex
17 units existing on January 1, 2014 that are located between the front
18 plane of the principal structure and the front property line shall be
19 removed or relocated within one year of January 1, 2014.

20 **13. Large Domestic Animal Facility (4 or more animals)**

21 a. ***Definition***

22 The keeping, harboring, riding, boarding, stabling, training, exercising, breeding,
23 or related use of four or more large domestic animals regardless of animal
24 ownership, and the associated structure(s) such as a paddock, stable, or barn.
25 Operation of a large domestic animal facility is not a home occupation.

26 b. ***Use-Specific Standards***

27 i. ***Lot Size***

28 The minimum lot size for a large domestic animal facility of four animals
29 is 40,000 square feet. An additional 10,000 square feet is required for
30 each animal over four. Application for an administrative variance from
31 the minimum lot size may be made to the department pursuant to
32 subsection 21.03.240L.

33 ii. ***Adjacent Lots***

34 Adjacent lots may be used in square footage calculations for site size
35 only. If the adjacent lots are not under single ownership, the lot owners
36 shall submit a recorded joint usage agreement for review and approval
37 by the director. In such cases, setback requirements shall not apply to
38 the interior lot lines between the applicable lots, and a primary use need
39 not be located on the adjacent lot.

40 iii. ***Setbacks***

41 Notwithstanding the setbacks of the underlying zoning district, covered
42 structures associated with a large domestic animal facility, such as a
43 stable or barn, shall be set back at least 25 feet from any abutting lot
44 line, not including interior lot lines between lots in common ownership.
45 Uncovered enclosures shall meet one of the following setback options:

- 46 (A) Seventy-five feet from residences existing on February 28, 2006,
47 not including any residence in common ownership with the large
48 domestic animal facility; or

- 1 (B) Ten feet from any abutting lot line, not including interior lot lines
2 of lots in common ownership, if the separation area is vegetated
3 with L2 buffer landscaping.
- 4 iv. **Structures**
5 The square footage of any single large domestic animal facility structure
6 shall not exceed 10 percent of the lot size, up to a maximum of 8,000
7 square feet.
- 8 v. **Fences**
9 Barbed wire shall not be used for fencing of any large domestic animal
10 facility.
- 11 vi. **Commercial Activity**
12 Commercial activity associated with large domestic animal facilities, such
13 as boarding or riding lessons, is permitted.
- 14 vii. **Other Requirements**
15 Large domestic animal facilities shall:
- 16 (A) Meet the requirements of AMC chapter 15.20 regarding animal
17 waste, AMC subsection 15.55.060B. concerning separation
18 requirements from water supply wells, and section 21.07.020
19 concerning stream protection setbacks;
- 20 (B) Obtain an animal control facility license;
- 21 (C) Obtain certification of compliance with a state of Alaska,
22 Anchorage soil and water conservation district conservation plan,
23 or obtain a letter from the district showing demonstrated intent to
24 come into compliance with a conservation plan within one year;
25 and
- 26 (D) Comply with licensing and other laws concerning the keeping of
27 animals as set forth in AMC titles 15, 17, and 21.
- 28 c. **Large Domestic Animal Facilities That Do Not Meet These Standards**
29 Large domestic animal facilities that exceed the use-specific standards listed
30 above for site area, structure size, or number of animals, may be allowed by
31 conditional use, pursuant to subsection 21.03.080.
- 32 **14. Outdoor Keeping of Animals**
- 33 a. **Definition**
34 Restraining or restricting the movement of animals outside of a principal
35 structure, by any means not involving the continued presence and/or participation
36 of a human being.
- 37 b. **Use-Specific Standards**
- 38 i. One to three large domestic animals may be kept outdoors on lots of
39 20,000 square feet or greater, but any structures or enclosures for
40 keeping such animals shall meet the setback standards of subsection
41 21.05.070D.13.b.iii.
- 42 ii. The following standards apply to the outdoor keeping of all animals
43 except for dogs, domestic cats, and large domestic animals:
- 44 (A) Animals kept outdoors in accordance with this section shall be
45 contained by a structure, fenced enclosure, or pen at all times.

- 1 (B) Animals under this section shall not be kept outdoors in
2 manufactured home communities, except for when the following
3 standards are met:
- 4 (1) Any structure, fenced enclosure, or pen for the outdoor
5 keeping of animals shall be at least 20 feet from any
6 residence, not including the residence of the owner of
7 the animal(s).
- 8 (2) No nonconforming rights for the outdoor keeping of
9 animals in a manufactured home community shall be
10 established. If at any time the separation distance of
11 subsection ii.(B).(1). is no longer achieved, the animal(s)
12 shall no longer be kept outside.
- 13 (C) On lots of 40,000 square feet or greater, structures for the
14 outdoor keeping of animals shall not encroach into the setbacks
15 of the zoning district and shall be at least 10 feet from any lot
16 line.
- 17 (D) On lots smaller than 40,000 square feet, the following shall
18 apply:
- 19 (1) The outdoor keeping of roosters, turkeys, guinea fowl,
20 peacocks, or geese is prohibited.
- 21 (2) Up to five animals may be kept on lots of 6,000 square
22 feet or less, with an additional one animal per additional
23 1,000 square feet of lot area. A facility license may be
24 required pursuant to title 17.
- 25 (3) Structures for the outdoor keeping of animals shall not
26 encroach into the setbacks of the zoning district and
27 shall be at least 10 feet from any lot line.
- 28 (4) It shall be unlawful for any owner or custodian of an
29 animal under this section to permit it to make chronic
30 animal noise, as defined in AMC section 17.05.010.

31 **15. Outdoor Display Accessory to a Commercial Use**

32 a. **Definition**

33 Outdoor display of goods and/or materials for sale, accessory to a commercial
34 principal use. Merchandise may be directly available to the consumer for
35 purchase.

36 b. **Use-Specific Standards**

37 No materials may be displayed in areas intended for vehicular circulation,
38 required parking, required open space, required unobstructed clear width of
39 pedestrian walkways, or required landscaping.

40 **16. Outdoor Storage Accessory to a Commercial Use**

41 a. **Definition**

42 Outdoor storage, but not display for sale, of goods, equipment, and/or materials
43 accessory to a commercial principal use. Merchandise in outdoor storage shall
44 not be directly available to the consumer without the assistance of an employee.

1 **b. Use-Specific Standards**

2 Except in industrial districts and except for outdoor storage associated with a
3 large commercial establishment which is governed by subsection
4 21.07.120A.5.m., outdoor storage of goods, equipment, and/or materials
5 accessory to a commercial principal use shall be allowed subject to the following
6 standards:

7 i. Each outdoor storage area shall not be located closer to the front
8 property line than the front façade of the principal building.

9 ii. Goods stored in an approved outdoor storage area shall be limited to
10 those sold or used on the premises as part of an associated primary use.

11 iii. Equipment stored in an approved outdoor storage area shall be limited to
12 equipment used for property maintenance, such as snow removal
13 equipment. The number of pieces of equipment shall not exceed three.
14 Such equipment storage is only allowed on lots of three acres or greater.

15 iv. Each outdoor storage area shall be screened from view from all property
16 lines and adjacent rights-of-way by an opaque fence or wall between six
17 and eight feet in height that incorporates at least one of the predominant
18 materials used in the principal structure. The fence or wall may exceed
19 eight feet in height where the difference in grade between the right-of-
20 way and the outdoor storage area makes a taller fence or wall necessary
21 to effectively screen the area. Materials may not be stored higher than
22 the height of the principal structure. The outer perimeter of the fence or
23 wall shall be landscaped with L1 visual enhancement landscaping. A
24 landscaped earth berm may be used instead of or in combination with a
25 required fence or wall, provided it meets the same height requirements.

26 v. If the outdoor storage area is covered, then the covering shall include at
27 least one of the predominant roofing materials and exposed roofing
28 colors on the principal structure.

29 vi. Flammable liquids or gases in excess of 1,000 gallons shall be stored
30 underground.

31 vii. No goods, equipment, and/or materials may be stored in areas required
32 for vehicular or pedestrian circulation or parking.

33 **17. Parking of Business Vehicles, Outdoors, Accessory to a Residential Use**

34 **a. Definition**

35 The outdoor storage or parking of a vehicle used for and/or bearing visible
36 evidence of a commercial/business purpose, but not regulated by subsection
37 21.05.070E.7.

38 **b. Use-Specific Standard**

39 Only two vehicles bearing visible evidence of a business/commercial purpose are
40 permitted per residence.

41 **18. Private Outdoor Storage of Noncommercial Equipment Accessory to a Residential**
42 **Use**

43 **a. Definition**

44 The private outdoor storage of noncommercial equipment, including
45 noncommercial trucks, boats, aircraft, off-road vehicles, recreational vehicles
46 (RVs), or travel trailers.

1 **b. Use-Specific Standard**

2 The private outdoor storage of noncommercial equipment is permitted in the front
3 setback only in the driveway, but not within five feet of any property line, and is
4 prohibited in any side or rear setback, except in a side or rear setback abutting
5 an alley. In class B districts, the setback shall be 25 feet from any property line
6 where the adjacent property is not in common ownership.

7 **19. Vehicle Repair/Rebuilding, Outdoor, Hobby**

8 **a. Definition**

9 The repair or rebuilding of an inoperative motor vehicle as an accessory use, not
10 for commercial purposes.

11 **b. Use-Specific Standards**

12 i. Only one inoperative vehicle may stored outdoors on the site at any
13 given time.

14 ii. Any vehicle being rebuilt or repaired shall be the property of the resident
15 of the principal structure.

16 iii. Repair or rebuilding work shall take place to the rear or side of the
17 principal structure and shall be screened from view from all property lines
18 and adjacent rights-of-way by an opaque fence between six and eight
19 feet in height, or by opaque landscaping of an equivalent height.

20 **E. Prohibited Accessory Uses and Structures**

21 **1. Operation of Particle Accelerators, including Cyclotrons**

22 Operation of particle accelerator systems, including cyclotrons, is prohibited in all
23 residential districts, whether or not such system is associated with a home occupation.

24 **2. Fabric Structures**

25 Frame-supported, arch-supported, or inflated tension fabric or membrane structures,
26 fabricated off-site and assembled on-site, and typically used for garages, sheds,
27 warehouses, or temporary or permanent shelters for automobiles, boats, or other items,
28 are prohibited in all class A residential districts. In class B residential districts, setbacks
29 for fabric structures shall be twice that otherwise required.

30 **3. Outdoor Storage of Inoperative Vehicles**

31 In all zoning districts, the outdoor storage of any vehicle that meets the definition of “junk
32 vehicle” at AMC section 15.20.010 is prohibited except as provided in section
33 21.05.070D.19, *Vehicle Repair/Rebuilding, Outdoor, Hobby*; section 21.05.060E.4.,
34 *Junkyard or Salvage Yard*; and section 21.05.050I.7. or I.8., *Vehicle Repair, Major and*
35 *Minor*.

36 **4. Use of Mobile Home, Recreational Vehicle, or Travel Trailer as Residence**

37 Except as allowed by 21.05.080B.3.e., in all zoning districts, mobile homes, recreational
38 vehicles, and travel trailers may not be used as an accessory use for a permanent or
39 temporary residence. However, an RV or travel trailer may be used as visitor
40 accommodation for not more than 90 days in any calendar year.

41 **5. Use of Motor Vehicle for Sales**

42 In all zoning districts, the use of any motor vehicle or trailer as a structure in which, out of
43 which, or from which any goods are sold or stored, any services performed, or other
44 businesses conducted is prohibited. However, the following shall not be prohibited by
45 this subsection:

46 a. The sale of food products at a municipal-approved or -sponsored event;

- 1 b. Use of a motor vehicle in connection with an approved recycling operation;
- 2 c. Approved food and beverage kiosks that comply with the use-specific standards
3 in section 21.05.050E.2., *Food and Beverage Kiosk*; and
- 4 d. Use of a trailer in connection with an approved vehicle sales use.
- 5 **6. Commercial Motor Vehicle Repair**
6 Commercial motor vehicle repair, including engine, body, or other repair or repainting of
7 more than one vehicle at any one time or owned by a person not residing at that address,
8 is prohibited in all residential districts.
- 9 **7. Parking of Commercial Vehicles, Outdoor**
10 The outdoor storage or parking of a vehicle or trailer is prohibited in all residential
11 districts, for a period of one or more nights, if the vehicle or trailer is licensed or regularly
12 used for business purposes, and is either:
- 13 a. A vehicle for which a commercial driver's license is required by state law;
- 14 b. A vehicle or trailer having more than two axles;
- 15 c. Any trailer bearing commercial signage, logo, or carrying commercial or industrial
16 equipment or materials;
- 17 d. A vehicle or trailer having a height in excess of 90 inches; or
- 18 e. A vehicle with a gross vehicle weight rating (GVWR) of more than 12,000 lbs.

19 **21.05.080 TEMPORARY USES AND STRUCTURES**

20 **B. Purpose**

21 This section allows for the establishment of certain temporary uses of limited duration, provided
22 that such uses do not negatively affect adjacent properties or municipal facilities, and provided
23 that such uses are discontinued upon the expiration of a set time period. The construction or
24 alteration of any permanent building or structure is not considered a temporary use.

25 **C. General Temporary Use Standards**

26 **1. Required Permits**

27 All temporary uses shall obtain any permits required by other municipal departments,
28 such as the clerk's office, the health department, the building safety department, or the
29 police department.

30 **2. Uses Allowed**

31 Except as specified below, any use allowed in a district, pursuant to table 21.05-1, is
32 allowed on a temporary basis in that district. Such temporary uses shall comply with the
33 requirements of subsection D. below. Any such temporary use that is established for
34 more than the allowed time limit as determined in subsection 21.05.080D.3. shall be
35 considered a permanent use and shall make all improvements required by this title.

36 **3. Other Uses and Structures Allowed**

37 The following temporary uses and structures shall be allowed in any zoning district or as
38 specified below, in accordance with the standards of this section.

39 **a. Licensed Commercial Uses**

40 Temporary licensed commercial uses and associated temporary structures are
41 allowed in any non-residential zoning district, for not more than 90 days total
42 (consecutive or intermittent) within a 12 month period.

- 1 **b. *Real Estate Sales Offices***
2 Sales offices are allowed on residential development sites in any zoning district
3 until all lots or houses are sold. Use of the sales office to market sites outside of
4 the project is prohibited.
- 5 **c. *Temporary Parking of Construction Equipment During Construction***
6 Temporary use of non-loading areas for tractor trailers, office trailers,
7 construction equipment or materials, construction worker parking, or intermodal
8 shipping container (connex) trailers, during construction or renovation is allowed
9 in all zoning districts, subject to the standards of this section.
- 10 **d. *Temporary Living in a Mobile Home, Motor Home, or Other Recreational***
11 ***Vehicle***
12 Notwithstanding title 23, one mobile home, motor home, or other recreational
13 vehicle with a fully operable self-contained sanitation system may be used on a
14 lot in the R-5, R-6, R-7, R-8, R-9, R-10, and TA districts as temporary living
15 quarters for not more than 18 months while a permanent dwelling is being
16 constructed or repaired, if the following requirements are met:
- 17 i. The property owner or person intending to occupy the temporary living
18 quarters during construction or repair of the permanent dwelling shall
19 secure a permit from the building official before a motor home or other
20 recreational vehicle is used on site as temporary living quarters. A
21 permit issued under this subsection shall not be renewed and only one
22 permit shall be issued for the same parcel within any 10 year period.
23 The permit may be granted only upon the applicant's written certification,
24 with attachments, that:
- 25 (A) The self-contained sanitation system is fully operable and shall
26 be used with zero on-site discharge, including no on-site gray
27 water discharge, except through an approved septic system;
- 28 (B) Site access is sufficient and shall be used to transport refuse and
29 excess waste year-round for proper off-site disposal;
- 30 (C) Electrical utility service is on-site for use during the permit period
31 and no generators shall be used;
- 32 (D) The applicant has a current building or land use permit, a copy of
33 which shall be attached to the certification; and
- 34 (E) If temporary connection to an on-site septic system is to be used,
35 proof is attached that an approved septic system is in place.
- 36 ii. Only one motor home or other recreational vehicle shall be permitted for
37 use as temporary living quarters on any parcel of land during the
38 construction or repair of a permanent dwelling.
- 39 iii. The motor home or recreational vehicle placement on the lot shall
40 comply with the setbacks of the underlying zoning district.
- 41 **e. *Other Allowed Temporary Uses***
42 i. Up to nine one-day garage/yard sales per year per dwelling unit.
- 43 ii. Gatherings of less than 100 people, such as block parties, nonprofit
44 bazaars, and fundraisers.

- 1 iii. Temporary uses that occur wholly within an enclosed permanent
2 building.
- 3 iv. Frame-supported, arch-supported, or inflated tension fabric or membrane
4 structures, fabricated off-site and assembled on-site, and typically used
5 for garages, sheds, warehouses, or temporary or permanent shelters for
6 automobiles, boats, or other items, shall be allowed for 30 days within a
7 12 month period in all residential districts.

8 **D. Prohibited Temporary Uses and Structures**

9 The following temporary uses and structures are prohibited:

10 1. **[RESERVED]**

11 **E. General Requirements for All Temporary Uses and Structures**

12 All temporary uses or structures shall meet the following general requirements, unless otherwise
13 specified in this title:

- 14 1. The temporary use or structure shall not have substantial adverse or noise impacts on
15 nearby residential neighborhoods.
- 16 2. The temporary use shall comply with all applicable general and specific regulations of this
17 section unless otherwise expressly stated.
- 18 3. Unless otherwise stated in this title, temporary uses in residential districts shall last no
19 longer than 90 days. Temporary uses in nonresidential districts shall last no longer than
20 180 days, with a possible 180 day extension, in accordance with AMC 23.10.104.
- 21 4. All temporary signs associated with the temporary use or structure shall be removed
22 when the activity ends.
- 23 5. The temporary use or structure shall not violate any applicable conditions of approval that
24 apply to a principal use on the site.
- 25 6. The temporary use regulations of this section do not exempt the applicant or operator
26 from any other required permits, such as health department permits.
- 27 7. If the property is undeveloped, it shall contain sufficient land area to allow the temporary
28 use or structure to occur, as well as any parking and traffic movement that may be
29 associated with the temporary use, without disturbing sensitive or protected resources,
30 including required buffers, 100-year floodplains, stream protection setbacks, wetlands,
31 areas of slope greater than 20 percent, and required landscaping.
- 32 8. If the property is developed, the temporary use shall be located in an area that is not
33 actively used by an existing approved principal use, and that would support the proposed
34 temporary use without encroaching or creating a negative impact on existing buffers,
35 open space, landscaping, traffic movement, pedestrian circulation, or parking space
36 availability.
- 37 9. Tents and other temporary structures shall be located so as not to interfere with the
38 normal operations of any permanent use located on the property.
- 39 10. Off-street parking shall be adequate to accommodate the proposed temporary use.
- 40 11. Applications for temporary structures to be located in or near the 100-year floodplain shall
41 be required to submit a plan to the director for the removal of such structure(s) in the
42 event of a flood notification. The plan shall include the following information:

