

***Municipality of Anchorage***

**MEMORANDUM**

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**DATE:** April 10, 2023

**TO:** Planning and Zoning Commission

**THRU:** Craig H. Lyon, Director, Planning Department

**FROM:** Ryan Yelle, Senior Planner, Planning Department

**SUBJECT:** Case 2023-0028, An omnibus ordinance amending several sections of Anchorage Municipal Code Title 21 to align Title 21 with current practices and to provide clarity for the implementation of code and related matters.

**BACKGROUND:**

Over the last several years implementing current Anchorage Municipal Code (AMC), Title 21, the Planning Department has become aware of several inconsistencies within it that may result in confusion for developers and/or achieving the regulation's intent. This proposed ordinance is intended to remove inconsistencies within AMC Title 21, provide clarification, and to better align regulations with current practices.

**DESCRIPTION OF TEXT AMENDMENTS:**

This is a broad text amendment to AMC Title 21 that will amend numerous sections of Title 21. The amendments are summarized by ordinance section below:

**Section 1)** Establishes a timeline in which a community meeting must be held prior to an application submittal for select entitlements, and noticing requirements for modifications to an alcohol special land use permit (related sections: 2)

**Background**

Select entitlements require an applicant to conduct a community meeting to engage with the neighborhood about their proposal prior to applying to the Planning Department. However, there is no set timeline in which an applicant must conduct a community meeting before submitting their application. This has resulted in numerous situations where an application is submitted up to 18 months after a community meeting has been held. By this time, the community may have largely forgotten about the applicant's proposal, or the make-up of the respective community council has changed. The Planning Department currently lacks any ability to require an applicant to update the community on their progress once a qualifying community council has been conducted. This amendment will correct this disconnect in public process.

Second, this amendment will clarify the “*content of notice*” requirements to reduce confusion between the noticing of public hearings and community meetings. Community meetings are intended to be informal meetings between the developer and community to encourage dialogue and address any concerns. Many draft notices of community meetings have been received by the Planning Department characterizing the community meeting as a public hearing. Public hearings have a formal tone to them and may discourage a curious community member from participating due to their intimidating nature. We aim to correct this situation through this clarifying amendment so that notices of community meetings are characterized as such to encourage public participation.

Lastly, this amendment will establish public noticing requirements for modifications to alcohol special land use permits that require a public hearing. The notification requirements proposed are identical to both new alcohol and marijuana special land use permits.

- Section 2)** Establishes an approval process for modifications to Alcohol Special Land Use Permits (related sections: 1 and 19)

**Background**

Recent amendments to state alcohol regulations have removed “duplicate” liquor licenses. Thus, any reference to them in municipal code is obsolete. As a result, the municipality has no codified ability to modify an alcohol special land use permit. This impacts both owners of alcohol establishments and code regulators because there is no ability to apply for, or permit modifications to an approved alcohol establishment. This amendment will establish a modification process for alcohol special land use permits that is very similar in function and form to marijuana special land use permits. The threshold of 500 square feet for an administrative approval versus Assembly approval is taken from existing code language, and the decision-making body will not change through this amendment.

- Section 3)** Allows incidental changes to an established reinvestment focus area approved by the Assembly to be amended via Assembly resolution.

**Background**

This amendment was requested by an Assembly member to allow an additional option for incidental changes to an approved reinvestment focus area. The Planning Department has no objection to this amendment.

- Section 4)** Correcting and aligning the maximum floor area ratio allowed within the R-4 district to the limits established in related code sections.

**Background**

This amendment corrects a code oversight that was mistakenly created when the floor area ratio under the bonus provisions for the R-4 and R-4A

was increased via AO 2015-100, but the increase was not carried over the district-specific standards.

- Section 5)** Corrects the review process for nonresidential uses with a gross floor area between 5,001-20,000 square feet within the B-1B district. This amendment will establish a clear incremental review process for nonresidential uses within the B-1B district based upon square footage.

**Background**

Existing language in code has an overlap in the required review process for nonresidential uses with a gross floor area between 5,001-10,000. Subsection 21.04.030C.2.b.i. states that no additional Planning review is required beyond that of Table 21.05-1 for nonresidential uses less than 10,000 square feet, but subsection 21.04.030C.2.b.ii. requires an administrative site plan review for nonresidential uses between 5,001-20,000 square feet. This overlap between 5,001-10,000 square feet creates confusion on what level of review is required. When placed in this situation, the Planning Department shall apply the more restrictive requirement per AMC 21.01.060 *Conflicting Provisions*, and require an administrative site plan review. This amendment will correct this overlap.

- Section 6)** Clarification of in which zoning districts Hazardous Waste Treatment Facilities are allowed within Anchorage (related sections: 8, 17, and 18)

**Background**

This amendment corrects an oversight in the original Title 21 rewrite which established and defined the use of “Hazardous Waste Treatment Facilities” but did not include it within the table of allowed uses. Thus, there was a lack of guidance on where this use could be allowed. The Planning Department has compared the operation of a Hazardous Waste Treatment Facility to other comparable uses in code to determine which zoning districts are appropriate for this use.

- Section 7)** Amends the use-specific standards affecting the required separation distance from an Animal Shelter; Retail and Pet Services; Animal Boarding; and Veterinary Clinic from a residential district.

**Background**

This amendment is being proposed to correct an overburdensome code requirement that requires outdoor animal facilities (except those for large domestic animals) to be separated from a residential use rather than a residential district. The current language is viewed as overburdensome because it may force an animal services use to fully enclose their operations when next to either an undeveloped residential lot, or a large-lot residential district when the closest residential use may be hundreds of feet away. Additionally, this amendment will better align its intent to

provide separation from a residence to mitigate adverse impacts such as noise, odor, and run-off.

**Section 8)** Establishes use-specific standards for the placement and operation of a hazardous waste treatment facility. (related sections include 6, 17 and 18)

**Background**

The Planning Department has evaluated the operational characteristics of Hazardous Waste Treatment Facilities and has determined the proposed use-specific standards are appropriate to reduce adverse effects to neighboring properties and will establish a public process for potentially impactful facilities.

**Section 9)** Amending three accessory uses to clarify code requirements, align code language with other code sections and current practice.

**Background**

These amendments will correct and clarify code requirements based upon current practice and will improve language consistency between chapters of AMC Title 21.

**Section 10)** Increases allowable lot coverage for the R-1, R-1A, and R-9 zoning districts to allow for greater utilization of lot area within these single-family districts.

**Background**

Current building trends place priority on designing large homes which utilize the maximum or near maximum lot coverage allowed in the respective zoning district. Because of this, homeowners may not have the ability to construct accessory structures to include sheds, decks, and accessory dwelling units. Increasing the max lot coverage within the small lot single-family residential districts will provide additional flexibility to homeowners and developers to construct accessory structures on their property.

**Section 11)** Relocates existing code language to a more appropriate section. No amendments to the existing language are being requested (related sections: 15)

**Background**

This regulation specifying allowances to encroach within the front setback was often overlooked by both developers and code reviewers because it is included within the residential design standards rather than grouped together with other allowed projections into required setbacks. The proposed location of this code section is more appropriate and should reduce user error.

**Section 12)** Provides developers the option to use temporary construction fencing or flagging to delineate the site disturbance envelope within a steep slope construction area.

**Background**

This amendment is being requested by the development community to simplify the requirements and reduce building costs for development on steep slopes. The installation of temporary construction fencing is meant to delineate where the site disturbance envelope on steep slopes is to reduce unintentional land clearing and retain both vegetation and slope stability. Allowing for the use of flagging or temporary construction fencing will accomplish this goal in the same manner, while reducing the amount of necessary materials to do so.

**Section 13)** Corrects the required amount of common private open space to be consistent with other dimensional standards and allows snow storage areas to be credited towards common private open space.

This amendment will more closely align the minimum square footage of open space required per dwelling unit, with the minimum dimension for a qualifying open space area. Although a minimum of between 100-400 square feet of open space is required per dwelling unit depending upon the underlying zoning district, the current minimum dimension of 18 feet requires the builder to provide 324 square feet (18x18=324) even when this amount may exceed what is required by the zoning district. Reducing the minimum dimension to 15 feet for residential uses and 12 feet for nonresidential uses will bring the required minimum dimension closer to the total required open space amount. The minimum dimension is not being reduced to 10 feet because code also allows for site perimeter landscaping, and interior space to be credited towards required open space. These options help ensure that the open space requirements can be reasonably met while providing a functional amount of open space for residents.

Second, snow storage areas may be credited towards common private open space. This amendment is a clarification given that snow storage areas may be credited towards open space under the snow disposal regulations, but are not explicitly credited under the open space regulations.

**Section 14)** Aligns code requirements with the observed off-street loading requirements for select uses.

**Background**

This amendment was requested by the MOA Traffic Engineering Department based upon their observations of off-street loading needs of various uses over the past few years. Current code requirements appear to be in excess of operational needs for the uses specified in this

amendment. Thus, this amendment will reduce the off-street loading requirements to best align them with current demand.

**Section 15)** Corrects a gap in code requirements to provide landscaping in areas where site perimeter landscaping would otherwise be required; and reorganizes the approval and review process for multiple structures on a single lot to improve clarity (related sections: 11)

**Background**

This amendment will clarify and correct a current gap in landscaping requirements where the existing language requires landscaping within a dimension of 8 feet or less, and 20 feet or more. This leaves developers and code reviewers confused on what is required when the dimension is between 8-20 feet. This amendment will close this gap without creating more restrictive requirements.

Second, this amendment will remove existing code language that is being relocated to chapter 6 (see section 11).

Third, this amendment will reorganize the review and approval process for multiple structures on a single lot to improve clarity.

Lastly, the requirement for vehicle plug-ins to be provided is being removed. This is being requested from various property owners and managers due to the maintenance and operational challenges vehicle plug-ins create and their observed lack of use during the winter months.

**Section 16)** Clarifies that unit lots are exempt from lot depth-to-width ratio requirements.

**Background**

This amendment will clarify that unit lots are not required to abide by the required lot-to-depth width ration of 1:3.

**Section 17)** Clarification of in which zoning districts Hazardous Waste Treatment Facilities are allowed within Chugiak/Eagle-River (related sections: 6, 8, and 18)

**Background**

This amendment corrects an oversight in the original Title 21 rewrite which established and defined the use of “Hazardous Waste Treatment Facilities” but did not include it within the table of allowed uses. Thus, there was a lack of guidance on where this use could be allowed. The Planning Department has compared the operation of a Hazardous Waste Treatment Facility to other similar uses in code to determine which zoning districts are appropriate for this use and have determined that this use is

appropriate within the CE-ER industrial districts subject to use-specific standards as proposed in Section 8 of this ordinance.

**Section 18)** Clarification that Hazardous Waste Treatment Facilities are not allowed within the Downtown districts (related sections: 6, 8, and 17)

**Background**

This amendment corrects an oversight in the original Title 21 rewrite which established and defined the use of “Hazardous Waste Treatment Facilities” but did not include it within the table of allowed uses. Thus, there was a lack of guidance on where this use could be allowed. The Planning Department has compared the operation of a Hazardous Waste Treatment Facility to other similar uses in code to determine which zoning districts are appropriate for this use and have determined that this use is not appropriate within the downtown districts.

**Section 19)** Establishes a fee schedule for modifications to an Alcohol Special Land Use Permit (related sections: 1 and 2)

**Background**

The proposed application fees are identical to the application fees for modifications to marijuana special land use permits. Given that the anticipated staff time to process these applications is comparable, the proposed fees are appropriate.

**RECOMMENDATION**

The Planning Department recommends APPROVAL of text amendments to Anchorage Municipal Code Title 21.

**ATTACHMENTS**

1. Draft Assembly Documents

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Planning Department  
For reading: \_\_\_\_\_ (always blank)

**ANCHORAGE, ALASKA**  
**AO No. 2023-\_\_\_\_\_**

**AN OMNIBUS ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 TO ALIGN TITLE 21 WITH CURRENT PRACTICES AND TO PROVIDE CLARITY FOR IMPLEMENTATION OF CODE AND RELATED MATTERS.**

(All Community Councils) (Planning and Zoning Case 2023-0028)

**WHEREAS**, the Administration recommends changes to Title 21 to align Anchorage Municipal Code with the current practices followed by the Municipality of Anchorage and the Planning Department; now therefore,

**THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** Anchorage Municipal Code section 21.03.020 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.03.020 Common Procedures**

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**C. Community Meetings**

**1. Purpose**

The community meeting is an informal opportunity for the developer to inform the surrounding area residents and property owners of the details of a proposed development and application, how the developer intends to meet the standards contained in this title, and to receive public comment and encourage dialogue at an early time in the review process.

**2. Applicability**

**a. Types of Applications**

The applicant shall hold a community meeting for any of the following types of applications.

- i. Rezoning (zoning map amendments);
- ii. Subdivisions, except for abbreviated plats;
- iii. Conditional uses;
- iv. Marijuana—special land use permit, associated endorsements, and modifications requiring a public hearing;
- v. Institutional master plans;
- vi. Major site plan review;
- vii. Public facility site selection; and
- viii. Small Area Implementation Plan.

**b. Community Councils**



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The applicant shall use as its first choice the community council(s) meeting of the project area as the community meeting when the community council(s) meeting is available. If an applicant chooses not to use the community council for the community meeting, the applicant shall provide a written explanation to the director outlining the reasons for this decision. The explanation shall be available to the appropriate board or commission at the time of authorization review. If the community council(s) meeting for the project area is not scheduled in a timely manner, the applicant shall organize a community meeting. If the project area spans more than one community council and the applicant chooses to attend community council meetings, the applicant shall attend the community council meetings of all applicable community councils.

- 3. Timing and Number of Community Meetings  
When required, there shall be at least one community meeting held within six months prior to the submittal of an application, unless one extension is granted by the director not to exceed an additional six months. If a complete application is not submitted within six months or an extension has not been granted, a new community meeting shall be required prior to submitting an application.

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H. Notice

- 1. Content of Notices  
Public notice required under this chapter shall, unless otherwise specified in this title:
  - a. Identify the date, time, and place of the public hearing or community meeting, if applicable;
  - b. If applicable, describe the property involved in the application by street address or by legal description and nearest cross street;
  - c. Describe the nature, scope, and purpose of the proposed action;
  - d. If applicable, indicate that interested parties may appear at the hearing or community meeting and speak on the matter; and
  - e. Indicate where additional information on the matter may be obtained.
- 2. Summary of Notice Requirements

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The following table 21.03-1 summarizes the notice requirements of the procedures set forth in this chapter. Unless otherwise specified in this title, procedures not listed in this table have no public notice requirements.

TABLE 21.03-1: SUMMARY OF NOTICE REQUIREMENTS					
Type of Application or Procedure	Section	Notice Required			Community Council
		Written (Mailed)	Published	Posted	
Alcohol—Special Land Use Permit	21.03.040	✓	✓	✓	✓
<u>Alcohol - Modification of a Special Land Use Permit Requiring Public Hearing</u>	<u>21.03.040</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>
Appeals to Board of Adjustment	21.03.050A.	✓	✓	-	-

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3. Written (Mailed) Notice

When table 21.03-1 requires that written notice be provided, the director (or developer when noticing a community meeting) shall deposit such notice into first class mail at least 21 days prior to the scheduled date of the hearing or community meeting. In computing such period, the day of mailing shall not be counted, but the day of the hearing or community meeting shall be counted. Written notice shall be provided to the following persons or groups:

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(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2015-131, 1-12-16; AO 2015-142(S-1), 6-21-16; AO 2016-3(S), 2-23-16; AO 2017-75, 5-9-2017; AO 2017-175(S), 2-13-18; AO 2019-67, 6-18-19; AO 2021-46(S), 6-8-21 AO 2021-89(S), 2-15-2022)

**Section 2.** Anchorage Municipal Code section 21.03.040 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.03.040 Alcohol - Special Land Use Permit**

A. Applicability

1. Any use that includes the retail sale of alcoholic beverages is subject to the review process set forth in this section. This process shall apply to such a use regardless of whether it is listed in the use table in section 21.05.010 as being permitted as a matter of right or subject to site plan review or the conditional use process. The applicant shall be required to obtain approval through both the process in this section and the separate process referenced in the use table.

2. Notwithstanding A.1. above, catering and special event permits issued by the state alcoholic beverage control board are exempt from these approval requirements, but shall meet AMC title 10 requirements and the following:

a. When multiple permits are issued for the same location, the

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permits shall be for discreet events, and shall not be used to avoid the special land use permit process; and

- b. The catering and special event permit shall be reviewed by the chief of police in order to address any recurring problems at the site that have involved the police.

[3. NO MODIFICATION OF AN EXISTING SPECIAL LAND USE PERMIT FOR ALCOHOL SHALL BE REQUIRED FOR THE FIRST DUPLICATE LIQUOR LICENSE PROVIDED:

A. THERE IS NO INCREASE IN THE SQUARE FOOTAGE OF THE PREMISE LICENSED FOR THE RETAIL SALE OR DISPENSING OF ALCOHOLIC BEVERAGES; OR

B. IF THERE IS AN INCREASE IN THE SQUARE FOOTAGE OF THE LICENSED PREMISE, SUCH INCREASE IS FIVE HUNDRED SQUARE FEET OR LESS, WHETHER OR NOT THE AREA OF INCREASE IS USED YEAR-ROUND. IN SUCH CASE THE LICENSED BUSINESS SHALL REQUEST A MINOR MODIFICATION TO THEIR APPROVAL BY SUBMITTING A SITE PLAN FOR DEPARTMENT REVIEW, ALONG WITH THE FEE SPECIFIED IN AMCR 21.20. THE DEPARTMENT SHALL REVIEW THE SITE PLAN FOR POTENTIAL IMPACTS INCLUDING, BUT NOT LIMITED TO, PARKING, LIGHTING, NOISE, AND TRAFFIC.]

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C. Application and Review Procedure

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8. Modifications

a. The licensed business may request a modification to their approval by submitting an application, site plan and floor plan for department review, along with the fee specified in AMCR 21.20. The department shall review the application for potential impacts including, but not limited to parking, lighting, noise, and traffic.

b. Applications for an increase in the square footage of the licensed premise of five hundred square feet or more, whether or not the area of increase is used year-round shall be considered by the assembly after a public hearing.

c. Modifications to the licensed establishment submitted by the licensee for all other changes shall be considered by the director, although the director may require a proposed change be brought to the assembly if the director determines the proposed change is significant and warrants assembly consideration. Upon denial by the director, a licensee may request that the director's decision be vacated and the

unchanged modification application be considered de novo by the assembly.

[D. EXCEPTIONS

1. NOTWITHSTANDING C.7 OF THIS SECTION AND FOLLOWING WRITTEN APPROVAL FROM THE DIRECTOR OF THE ALCOHOL AND MARIJUANA CONTROL OFFICE (AMCO), PURSUANT TO STATE REGULATIONS 3 AAC 304.185, HOLDERS OF STATE OF ALASKA LIQUOR LICENSES WITHIN THE MUNICIPALITY MAY TEMPORARILY EXPAND THEIR LICENSED PREMISES TO INCLUDE OUTDOOR AREAS:

a. WITHIN THE SAME LEGAL PROPERTY AS AN EXISTING LICENSED PREMISE; OR

B. CONTIGUOUS TO OR DIRECTLY ADJACENT TO THE EXISTING LICENSED PREMISES WHEN THE TEMPORARY LICENSED PREMISES INCLUDE PUBLIC RIGHTS-OF-WAY, SUBJECT TO OBTAINING A CORRESPONDING RIGHT-OF-WAY PERMIT FROM THE MUNICIPALITY.

2. BUSINESSES WITH A SPECIAL LAND USE PERMIT FOR ALCOHOL OR CONDITIONAL USE PERMIT FOR RETAIL SALE OF ALCOHOLIC BEVERAGES THAT RECEIVE APPROVAL FROM AMCO TO TEMPORARILY MODIFY THEIR LICENSED PREMISES MAY, IN COMPLIANCE WITH STATE REGULATIONS, APPLY FOR A MUNICIPAL TEMPORARY USE OF OUTDOOR AREAS PERMIT.

a. APPLICANTS SHALL NOT BE CONSIDERED TO HAVE MADE ANY MATERIAL CHANGE IN THE OPERATION OF THEIR BUSINESS AND THE OPERATION WILL NOT BE CONSIDERED SUBSTANTIALLY DIFFERENT THAN AS APPROVED IN THE PERMIT CONTEMPLATED BY SECTION 21.03.040C.7.C; AND

B. SHALL BE EXEMPTED FROM THE REQUIREMENT FOR MODIFICATION OF FINAL APPROVAL CONTAINED IN SECTION 21.15.030G (OLD CODE).

3. BUSINESSES APPLYING FOR A MUNICIPAL TEMPORARY USE OF OUTDOOR AREAS PERMIT SHALL BE EXEMPT FROM OFF STREET PARKING REQUIREMENTS CONTAINED IN SECTION 21.45.080 (OLD CODE) AND 21.07.090E IF THE TEMPORARY USE INCLUDES PORTIONS OF THE PARKING LOT FOR THE SUBJECT BUSINESS.

4. ALL REMEDIES AND PENALTIES AVAILABLE TO THE MUNICIPAL PLANNING DIRECTOR SHALL REMAIN IN EFFECT, INCLUDING CIVIL REMEDIES AND ENFORCEMENT POWERS UNDER SECTION

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21.13.040.

5. UPON THE STATE OF ALASKA'S RESUMPTION OF ENFORCEMENT OF ALASKA STATUTES TITLE 4 AND REGULATIONS THEREUNDER APPLICABLE TO COVID-19 EXCEPTIONS FOR LICENSED PREMISES UNDER THIS SECTION, ALL TEMPORARY MODIFICATIONS TO THE LICENSED PREMISES MUST RETURN TO THEIR ORIGINAL CONFIGURATION AND ALL TEMPORARY EXEMPTIONS FROM OFF-STREET PARKING SHALL TERMINATE.]

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(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2021-14, 2-23-21; 2021-89(S), 2-15-2022)

**Section 3.** Anchorage Municipal Code subsection 21.03.116F. is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.03.116 Reinvestment Focus Area Designation**

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F. Amendments to Approved RFAs

1. Approval Procedure for Major Amendments: Amendment of an RFA approval shall follow the same process required for the standard approval of the RFA, unless the amendment is determined to be a minor amendment as described in subsection F.2. below.
2. Approval Procedure for Minor Amendments: The director may, at any time on their own motion, request an evaluation and approval of a minor amendment to an approved RFA. Minor amendments address items in the original adopting ordinance, and include:
  - a. Adding new property to an RFA, not to exceed 15% of existing RFA acreage;
  - b. Insubstantial changes to the text for clarifications or corrections;
  - c. Changes in a street alignment, if the change furthers the intent of the project and this code, and is acceptable to the municipal engineer; and
  - d. Other incidental changes to an existing RFA approved by resolution of the assembly.

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(AO 2022-62(S), 11-11-2022)

**Section 4.** Anchorage Municipal Code subsection 21.04.020I. is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set*

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3 **21.04.020I. R-4: Multifamily Residential District**  
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5 1. Purpose

6 The R-4 district is a multifamily medium to high density residential  
7 district. It is intended primarily for multifamily and multi-story residential  
8 buildings, but also allows single-family, duplex, and townhouse  
9 residential development. For multi-story buildings, the maximum size of  
10 buildings and intensity of use is regulated by floor area ratio (FAR) and  
11 other site development standards. Multi-story development is intended  
12 to be applied in areas well served by transit and/or arterial streets, and  
13 by supportive commercial services near the major commercial and  
14 employment centers in downtown and midtown. Although some  
15 commercial development is allowed within a residential development,  
16 the district is intended to be primarily residential. For multi-story  
17 buildings, development is intended to be oriented to the sidewalk with  
18 windows, entrances, and walkways to provide strong pedestrian  
19 connections to nearby services.  
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21 2. District-Specific Standards

22 a. Allowed Commercial Uses

23 The commercial uses listed below are allowed through the  
24 approval process shown in table 21.05-1, shall only be  
25 developed in conjunction with multifamily or mixed use  
26 dwellings, and are limited to five percent of the gross floor area  
27 of the development on a site, or 1,500 square feet, whichever is  
28 less.  
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- 30 i. Fitness and recreational sports center;
- 31 ii. Restaurant;
- 32 iii. Convenience store;
- 33 iv. Grocery or food store.

34 e. Alcohol Sales Prohibited

35 Special land use permits for alcohol shall not be authorized for  
36 uses in the R-4 district.  
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38 c. Floor Area Ratio (FAR)

39 The maximum floor area ratio (FAR) in the R-4 district is 1.5  
40 [1.0], but may be increased through the bonus provisions in  
41 subsection 21.04.020I.2.d. below.  
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44 (AO 2012-124(S), 2-26-13; AO 2014-132, 11-5-14; AO 2015-100, 10-13-15; AO 2017-  
45 176, 1-9-18; AO 2019-58, 5-7-19; AO 2022-36, 4-26-22)  
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47 **Section 5.** Anchorage Municipal Code section 21.04.030C is hereby amended to  
48 read as follows (*the remainder of the section is not affected and therefore not set out*):  
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50 **21.04.030C. B-1B: Community Business District**

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1. Purpose  
The B-1B district is intended for consumer-oriented business uses which serve the needs of the surrounding community. The district is intended for small, compact sites at or near the intersection of streets designated for collector (industrial-commercial), arterial, or greater capacity on the Official Streets and Highways Plan.
2. District-Specific Standards
  - a. Prohibitions
    - i. Drive-throughs are allowed only on those lots with frontage on and access to an arterial street.
    - ii. Outdoor storage is prohibited in the B-1B district.
    - iii. Nonresidential development that does not have access from a street of collector class or greater on the Official Streets and Highways Plan shall not be open to the public between 10:00 p.m. and 7:00 a.m.
  - b. Gross Floor Area Limitations
    - i. The gross floor area of each allowed nonresidential use is limited to 10,000 square feet per use, without any review beyond that required by table 21.05-1.
    - ii. Gross floor area of allowed nonresidential uses between 10,001 [5,001] and 20,000 square feet may be requested through an administrative site plan review.
    - iii. Notwithstanding b.i. and b.ii., the maximum gross floor area of grocery or food stores is 40,000 square feet without any review beyond that required by table 21.05-1.
  - c. Mixed-Use Development  
Mixed-use development in this district shall comply with the standards of subsection G. below.
  - d. Nursing Facilities  
Nursing facilities with up to 16 residents are a permitted use in the B-1B district. Nursing facilities with more than 16 residents are allowed by conditional use approval in the B-1B district.
3. District Location Requirements  
In addition to the general rezoning criteria, the following requirements shall apply in the creation or expansion of the B-1B district:
  - a. The minimum contiguous area for a B-1B district shall be two acres.
  - b. The maximum contiguous area for a B-1B district shall be 20 acres.

**Section 6.** Anchorage Municipal Code section 21.05.010 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**Table 21.05-1: Table of Allowed Uses – Residential, Commercial, Industrial, and Other Districts**

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS																																						
P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review T = Special Land Use Permit for Marijuana																																						
For uses allowed in the A, TA, and TR districts, see section 21.04.060.																																						
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-3A	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	MB	AF	DR	PR		PLI	W								
	Warehouse or wholesale establishment, light																		C/S		P	P	P	P											C	21 05 060D 7		
Waste and Salvage	Composting facility																							P											C	21 05 060E 1		
	Hazardous Waste Treatment Facility																							P/C	P	P										21 05 060E 2		
	Incinerator or thermal destruction unit																							C												C	21 05 060E 3	
	Junkyard or salvage yard																							C													21 05 060E 4	
	Land reclamation	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/S	P/S	P/S	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	21 05 060E 5			
	Landfill																							C													C	21 05 060E 6
	Recycling drop-off																					P	P	P											P	21 05 060E 7		
	Snow disposal site	C	C	C	C	C	C				C	C	C										C			S	S	S						C	21 05 060E 8			
	Solid waste transfer facility																							C	S									C	21 05 060E 9			
	Stormwater sediment management facility										C	C	C											C			S	S								21 05 060E 10		

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2013-139, 01-28-14; AO 2014-58, 5-20-14; 2015-133(S), 2-23-16; AO 2015-142(S-1), 6-21-16; AO 2016-3(S), 2-23-16; AO 2016-131, 11-15-16; AO 2016-136, 11-15-16; AO 2016-156, 12-20-16; AO 2017-10, 1-24-17; AO 2017-57, 4-11-17; AO 2017-74, 5-23-17; AO 2017-176, 1-9-18; AO 2017-175(S), 2-13-2018; AO 2020-38, 4-28-20; AO 2020-56, 6-23-20; AO 2021-54, 6-22-21)

**Section 7.** Anchorage Municipal Code subsection 21.05.050B. is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.05.050B. Animal Sales, Service, and Care**

\*\*\*      \*\*\*      \*\*\*

**2. Animal Shelter**

**a. Definition**

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



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

i. General Standards When Use is within 100 Feet of a Residential Use [DISTRICT]

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

ii. Standards When Use is Not within 100 Feet of a Residential Use [DISTRICT]

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

iii. Waste Management

Waste shall be managed in accordance with AMC section 15.20.020.

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(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2014-133, 11-5-14; AO 2015-82, 7-28-15)

**Section 8.** Anchorage Municipal Code subsection 21.05.060E. is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.05.060E. Waste and Salvage**

\*\*\* \*\*

2. Hazardous Waste Treatment Facility

a. Definition

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

c. Use-Specific Standards

[HAZARDOUS WASTE TREATMENT FACILITIES SHALL BE LOCATED AT LEAST 1,000 FEET FROM ANY RESIDENTIAL DISTRICT.]

i. Unless otherwise indicated in table 21.05-1, table 21.10-4, and table 21.11-2, a facility having fully enclosed operations and a gross floor area of no more than 5,000 square feet is permitted by-right.

ii. Unless otherwise indicated in table 21.05-1, table 21.10-4, and table 21.11-2, a facility having outdoor operations

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or a gross floor area of more than 5,000 square feet is permitted by conditional use.

iii. Hazardous waste treatment facilities shall be located at least 1,000 feet from any residential district.

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2015-82, 7-28-15; AO 2015-131, 1-12-16; AO 2016-131; 11-15-16; AO 2017-10, 1-24-17; AO 2017-74, 5-23-17; AO 2020-56, 6-23-20; AO 2021-89(S), 2-15-2022)

**Section 9.** Anchorage Municipal Code subsection 21.05.070D. is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.05.070D. Definitions and Use-Specific Standards for Allowed Accessory Uses and Structures**

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2. Aircraft Hangar, Private Residential

a. Definition

An [A] attached or detached accessory structure that is used for the parking and storage of private personal aircraft by residents of the principal structure.

d. Use-Specific Standards

i. Hangars shall comply with all required setback standards.

ii. Such accessory uses shall serve only the residents of the property and shall not be used for commercial purposes except as part of a home occupation approved under subsection D.10, above.

iii. Both the principal use or structure and the accessory use or structure are developed in conjunction with a legally established airstrip.

iv. The gross floor area of the accessory aircraft hangar shall not exceed the gross floor area of the principal residential structure by more than 200%.

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9. Garage or Carport, Private Residential

a. Definition

A detached accessory or portion of a principal structure that is used for the parking and storage of vehicles owned and operated by the residents thereof.

b. Use-Specific Standards

i. A private garage or carport [GARAGES] may encroach into a [THE] required rear or side setback abutting

[WHEN THAT SETBACK ABUTS] an alley.

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16. Outdoor Keeping of Animals

a. Definition

Restraining or restricting the movement of animals outside of a principal structure, by any means not involving the continued presence and/or participation of a human being.

b. Use-Specific Standards

i. One to three large domestic animals may be kept outdoors on lots of 20,000 square feet or greater, but any structures or enclosures for keeping such animals shall meet the setback standards of subsection 21.05.070D.13[12].b.iii.

ii. The following standards apply to the outdoor keeping of all domestic animals except for dogs, [DOMESTIC] cats, and large domestic animals as defined in AMC 21.15:

(A) Animals kept outdoors in accordance with this section shall be contained by a structure, fenced enclosure, or pen at all times.

(B) Animals under this section shall not be kept outdoors in manufactured home communities, except for when the following standards are met:

(1) Any structure, fenced enclosure, or pen for the outdoor keeping of animals shall be at least 20 feet from any residence, not including the residence of the owner of the animal(s).

(2) No nonconforming rights for the outdoor keeping of animals in a manufactured home community shall be established. If at any time the separation distance of subsection ii.(B).(1) is no longer achieved, the animal(s) shall no longer be kept outside.

(C) On lots of 40,000 square feet or greater, the following shall apply:

(1) No more than one animal per 1,000 square feet of lot area may be kept outdoors.

(2) Structures for the outdoor keeping of animals shall not encroach into the setbacks of the zoning district and shall be

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at least 10 feet from any lot line.

(3) A facility license may be required pursuant to title 17.

(D) On lots smaller than 40,000 square feet, the following shall apply:

(1) Excessively noisy animals such as roosters, turkeys, guinea fowl, peacocks, or geese are prohibited.

(2) Up to five animals may be kept on lots of 6,000 square feet or less, with an additional one animal per additional 1,000 square feet of lot area. A facility license may be required pursuant to title 17.

(3) Structures for the outdoor keeping of animals shall not encroach into the setbacks of the zoning district and shall be at least 10 feet from any lot line.

(4) It shall be unlawful for any owner or custodian of an animal under this section to permit it to make chronic animal noise, as defined in AMC section 17.05.010.

iii. Outdoor keeping of wild animals is prohibited.  
\*\*\* \*\*\* \*\*\*

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2015-131, 1-12-15; AO2015-142(S-1), 6-21-16; AO 2016-3(S), 2-23-16; AO 2016-136, 11-15-16; AO 2017-10, 1-24-17; AO 2017-160, 12-19-17; AO 2017-176, 1-9-18, AO 2018-43(S); 6-12-18; AO 2020-38, 4-28-20; AO 2021-26, 3-9-21; AO 2021-89(S), 2-15-22; AO 2021-89(S), 2-15-2022)

**Section 10.** Anchorage Municipal Code 21.06.020A. is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.06.020 Dimensional Standards Tables.**  
\*\*\* \*\*\* \*\*\*

A. *Table of Dimensional Standards: Residential Districts*

**TABLE 21.06.4: TABLE OF DIMENSIONAL STANDARDS - RESIDENTIAL DISTRICTS**  
 (Additional standards may apply. See district-specific standards in chapter 21.04 and use-specific standards in chapter 21.05.)

Use	Minimum lot dimensions <sup>1</sup>		Max lot coverage (%)	Minimum Setback Requirements (ft)			Max number of principal structures per lot or tract <sup>2</sup>	Maximum height of structures (ft)
	Area (sq ft)	Width (ft)		Front	Side	Rear		
<b>R-1: Single-Family Residential District</b>								
Residential uses	6,000	50	40 [30] <sup>3</sup>	20	5	10	1	Principal: 30 Accessory garages/carports: 25 Other accessory: 12
All other uses	6,000	50	40 [30]	20	5	10	N/A	
<b>R-1A: Single-Family Residential District (larger lot)</b>								
Residential uses	8,400	70	40 [30] <sup>3</sup>	20	5	10	1	Principal: 30 Accessory garages/carports: 25 Other accessory: 12
All other uses	8,400	70	40 [30]	20	5	10	N/A	
*** **								
<b>R-9: Low-Density Residential District (2 acres)</b>								
Dwelling, single-family	87,120	180	10 [5]	25	15	25	1	Principal: 35 Accessory garages/carports: 30 Other accessory: 25
Dwelling, two-family	130,680	180	10 [5]	25	15	25	1	
All other uses	87,120	180	10 [5]	25	15	25	N/A	
<b>R-10: Low-Density Residential Alpine/Slope District</b>								
All uses	(See section 21.04.020P.2.)			10	25 feet; 50 feet if average slope exceeds 30 percent	10	1	Principal: 30 Accessory garages/carports: 25 Other accessory: 18
<sup>1</sup> For other lot dimensional standards, see section 21.08.030K. <sup>2</sup> For those residential uses where only one principal structure is allowed on a lot, no additional nonresidential principal structures are allowed. <sup>3</sup> On lots less than 10,000 square feet, lot coverage may be increased to 50 [40] percent when the entire principal structure is less than 16 feet in height, measured in accordance with subsection 21.06.030D.3. <sup>4</sup> See subsection 21.04.020H. for information regarding possible height increases. <sup>5</sup> See subsection 21.06.030C.5 for information regarding possible increases and exceptions to the maximum front setback. <sup>6</sup> See subsection 21.04.020I.2.e. for information regarding possible height increases. <sup>7</sup> Lot coverage can be increased by an additional 10% for unenclosed decks and carports open on a minimum of two sides.								

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(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2015-100, 10-13-15; AO 2016-71, 6-21-16; AO 2017-160, 12-19-17; AO 2017-176, 1-9-18; AO 2018-43(S), 6-12-18; AO 2019-11, 2-12-19; AO 2018-58, 5-7-19; AO 2020-38, 5-28-20; AO 2022-36, 4-26-22)

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**Section 11.** Anchorage Municipal Code subsection 21.06.030C.2. is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

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**21.06.030C. Setbacks**

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**2. Projections into Required Setbacks**

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**k. Skywalks**

Skywalks may project into any required setback, provided they are approved in accordance with section 21.11.080.

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**l. Primary Front Setback Encroachments**

A single-family or two-family dwelling may encroach into the

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1 primary front setback by up to five feet when there is no garage,  
2 or where there is a garage (attached or detached) where the  
3 front wall of the garage is located at least 8 feet behind the front  
4 façade of the house.  
5

6 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-100, § 3, 10-13-  
7 15 ; AO No. 2017-176 , § 7, 1-9-18; AO No. 2018-12 , § 1, 2-27-18; AO No. 2020-  
8 10(S) , § 1, 3-10-20; AO No. 2020-38 , § 7, 5-28-20; AO No. 2021-89(S) , § 10, 2-  
9 15-22; AO 2022-36 , § 3, 4-26-22)

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11 **Section 12.** Anchorage Municipal Code 21.07.020C.3. is hereby amended to read  
12 as follows (*the remainder of the section is not affected and therefore not set out*):  
13

14 **21.07.020C. Steep Slope Development**

15 \*\*\* \*\*

16 **3. Standards**

17 \*\*\* \*\*

18 **f. Site Disturbance Envelope**

- 19  
20 i. There shall be a site disturbance envelope on each  
21 applicable lot. Earth disturbance and vegetation clearing  
22 shall be limited to the site disturbance envelope.  
23 Clearing, grubbing, or grading outside the site  
24 disturbance envelope is prohibited except to modify fuels  
25 in order to reduce fire risk, or to accommodate utility  
26 service connections.  
27  
28 ii. The size of the site disturbance envelope shall be as  
29 follows:  
30  
31 (A) Lots less than 40,000 square feet: 10,000 square  
32 feet maximum or 50 percent of the lot area  
33 maximum, whichever is less.  
34 (B) Lots 40,000 square feet to two acres in area:  
35 20,000 square feet maximum.  
36 (C) Lots over two acres but less than five acres:  
37 30,000 square feet maximum.  
38 (D) Lots five acres or greater: 40,000 square feet  
39 maximum.  
40  
41 iii. Areas outside the site disturbance envelope shall not be  
42 used for stockpiling materials or excess fill, construction  
43 vehicle access, storage of vehicles during construction,  
44 or similar uses. Temporary construction fencing or  
45 flagging shall be installed around the perimeter of the site  
46 disturbance envelope, to be removed after the final  
47 certificate of zoning compliance is issued.  
48

49 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2016-34(S), 4-12-16; AO  
50 2017-11, 2-14-17; AO 2018-67(S-1), 10-9-18)

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2 **Section 13.** Anchorage Municipal Code subsection 21.07.030D.2. is hereby  
3 amended to read as follows (*the remainder of the section is not affected and therefore*  
4 *not set out*):

5  
6 **21.07.030D. Standards**

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8 2. Private Open Space Areas

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10 2. Private Open Space Areas

11  
12 In accordance with various open space requirements in subsection B.  
13 above, some required open space may be allocated to individual units  
14 (individual private open space) and some must be common to all  
15 residents/employees/visitors (common private open space).

16 \*\*\* \*\*

17 b. Common Private Open Space

18 Private open space areas to be used in common by residents  
19 and/or associated with nonresidential uses or mixed uses are  
20 intended to be usable spaces that incorporate user amenities  
21 facilitating passive or active recreation and relaxation. These  
22 areas shall meet the following standards:

23  
24 i. At least half of the required common private open space  
25 shall be contiguous, up to a maximum of 3,000 square  
26 feet.

27  
28 ii. The minimum inside dimension for an area used to meet  
29 the requirement shall be 15 [18] feet for residential uses  
30 and 12 [15] feet for nonresidential uses. This dimension  
31 may be reduced by three feet where abutting required  
32 site perimeter landscaping on the site, as long as the  
33 open space and the landscaping are not separated by a  
34 fence or other separating feature.

35  
36 iii. Common private open space may include lawn areas;  
37 picnic areas; gardens; natural vegetation; snow storage  
38 areas; equipped recreation areas; sports courts; hard  
39 surfaced pedestrian spaces such as patios, decks,  
40 courtyards, housing courtyards, or plazas; indoor private  
41 open space pursuant to D.3. below; and/or roof tops or  
42 terraces.

43  
44 iv. Up to 25 percent of the total required open space area  
45 may be developed for active recreation, such as with play  
46 equipment or delineated sports field.

47  
48 v. Private open space shall be separated from refuse  
49 collection areas by L1 visual enhancement landscaping.  
50

1 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2015-100, 10-13-15; AO 2017-  
2 176, 1-9-18; AO 2020-38, 4-28-20)

3  
4 **Section 14.** Anchorage Municipal Code subsection 21.07.090G. is hereby amended  
5 to read as follows (*the remainder of the section is not affected and therefore not set*  
6 *out*):

7  
8 **21.07.090G. Off-Street Loading Requirements**

9  
10 No building or structure used for any use specified in the loading column of  
11 table 21.07-4 shall be erected, nor shall any such existing building or structure  
12 be altered so as to increase its gross floor area by 25 percent or more, without  
13 prior provision for an off-street loading berth in conformance with the following  
14 minimum requirements:

15  
16 1. Types of Loading Berths

17 Required off-street loading shall be provided in berths that conform to  
18 the following minimum specifications:

- 19  
20 a. Type A berths shall be at least 60 feet long by 10 feet wide by  
21 14 feet six inches high, inside dimensions.  
22  
23 b. Type B berths shall be at least 30 feet long by 10 feet wide by  
24 14 feet six inches high, inside dimensions.  
25  
26 c. Type C berths shall be located in the rear of a lot and utilize part  
27 of an adjacent alley. The building setback shall be a minimum of  
28 five feet from the property line along the alley for the entire width  
29 of the lot.  
30

31 2. Number of Spaces

32 The following numbers and types of berths shall be provided for the  
33 specified uses in table 21.07-6, Off-Street Loading Berths; provided,  
34 however, that, in any DT district, or in any mixed-use development  
35 where an alley is available that is not shared with any adjacent R-1, R-  
36 1A, R-2A, R-2D, R-2M, or R-3 zoned residential lot, one type C berth  
37 may be substituted for one type B berth. The uses specified in this  
38 subsection shall include all structures designed, intended, or arranged  
39 for such use.

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<b>TABLE 21.07-6: OFF-STREET LOADING BERTHS</b>			
<b>Use</b>	<b>Aggregate Gross Floor Area (square feet) or Number of Dwelling Units</b>	<b>Berths Required</b>	<b>Type</b>
<u>Entertainment Facility (Major), Grocery or Food Store</u>	<u>10,000-50,000</u>	1	B
	<u>50,001-100,000</u>	2	B
	<u>Each additional 100,000 or fraction thereof</u>	1	A
<b>Marijuana Uses</b>			
Marijuana cultivation facility	12,000 – 60,000	1	B
	Each additional 60,000 or fraction thereof	1 additional	B
Marijuana manufacturing facility	Same as for marijuana cultivation facility		
Marijuana retail facility	Same as for general commercial establishments		
<b>Industrial Uses</b>			
<u>Light contractor and special trades, dry cleaning establishment, commercial food production, and self-storage facility</u>	Same as for general commercial establishments		
<u>Data processing facility, research laboratory, and government services</u>	Same as for office and personal service uses		
All industrial uses not otherwise specified	12,000--36,000	1	A
	36,001--60,000	2	A
	60,001--100,000	3	A
	Each additional 50,000 or fraction thereof	1 additional	A

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3. **Uses Not Specifically Mentioned**

In the case of a use not specifically mentioned in this section, the requirements for off-street loading berths shall be the same as the use mentioned in this section which, in the opinion of the director, is most similar to the use not specifically mentioned.

4. **Concurrent Different Uses**

When any proposed structure will be used concurrently for different purposes, the loading requirements shall be the total requirements for each use based upon its aggregate gross floor area, unless otherwise approved by the traffic engineer and the director.

5. **Location of Off-Street Loading Facilities**

Off-street loading facilities required under this title shall be in all cases on the same lot or parcel of land as the structure they are intended to serve, except as provided in subsection 21.07.090G.1.c. for type C loading berths. Where parking facilities are not allowed between a building and a street, loading berths are also not allowed.

6. **Manner of Using Loading Areas**

1 No loading berth shall be so located that a parked vehicle or tractor-  
2 trailer using such loading berth projects into any street or across a  
3 required pedestrian facility or sidewalk. Loading berths shall be  
4 provided with access to an alley, or, if no alley abuts the lot, with access  
5 to a street. Any required front, side, or rear setback may be used for  
6 loading unless otherwise prohibited by this title. Design and location of  
7 entrances and exits for required off-street loading berths shall be  
8 subject to the approval of the traffic engineer.  
9

10 7. Signs

11 The owners of the property shall provide, locate, and maintain loading  
12 signs as specified by the traffic engineer. Such signs shall not be  
13 counted against allowed advertising sign area or number.  
14

15 8. Modifications

16 The traffic engineer may approve a modification to the loading  
17 requirements as they apply to any individual case if documentation  
18 demonstrates to the satisfaction of the traffic engineer that the change  
19 is appropriate, will not interfere with pedestrian or vehicle traffic  
20 circulation or safety, and is consistent with the intent of the  
21 requirements. The traffic engineer shall set conditions on approval of  
22 modifications as necessary to ensure that loading operations conform  
23 to the intent of this title.  
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25 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2014-58, 5-20-14; AO 2015-  
26 82, 7-28-15; AO 2015-100, 10-13-15; AO 2015-131, 1-12-16; AO 2016-3(S), 2-23-16;  
27 AO 2017-55, 4-11-17; AO 2017- 176, 1-9-18; AO 2019-132, 12-3-19; AO 2020-38, 4-  
28 28-20; AO 2021-89(S), 2-15-22; AO 2022-80(S), 11-22-22)  
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30 **Section 15.** Anchorage Municipal Code section 21.07.110 is hereby amended to  
31 read as follows (*the remainder of the section is not affected and therefore not set out*):  
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34 **21.07.110 Residential Design Standards**

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36 C. Standards for Multifamily and Townhouse Residential

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38 10. Landscaping

39 a. Semi-Private Transition Space

40 When site perimeter landscaping is not otherwise required f[F]or  
41 dwelling units that front onto a street, the area between an  
42 individual unit's front entry porch or landing and the abutting  
43 street shall be planted as provided in 10.d. below. Front  
44 driveway width and other motor vehicle parking facilities shall  
45 not encroach into this area. The director may modify or exempt  
46 this requirement in site specific instances (such as narrow lots  
47 and shared entry porches) that will not allow the area to extend  
48 to the street due to other requirements of code.  
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b. Front Driveway Separations

Where units are served by individual garages or driveways fronting onto the street or on the same building elevation as the primary front entry to the dwelling, a landscaping planting area with a width of no less than four feet shall be provided between each individual driveway. The planting area shall extend out from the building façade or front entry landing the full distance to the street, shared driveway, parking bay, or circulation aisle, but in no case extend out less than eight feet from the building garage facade. Driveways may be combined for a maximum of two dwellings, however no driveway or driveway combination shall exceed 32 feet in width without a landscaped break. A parking courtyard may provide an alternative design that departs from this provision in accordance with subsection 21.07.060F.18.

c. Common Parking Facilities and Driveways

A foundation planting bed of at least five feet in width shall separate parts of residential building elevations not subject to subsections 10.a. or 10.b. above from common parking and access facilities, including parking bays, circulation aisles, and access driveways shared in common among multiple units.

d. Landscaping Bed and Planting Material Standards

i. Landscaping areas required by subsections 10.a. and 10.b. above shall be planted as follows:

(A) Where the building elevation is less than 20 feet [EIGHT FEET OR LESS] from the street or driveway, the landscaping areas shall be planted with one tree and five shrubs for every two dwelling units. No landscaping area shall be devoid of plant material.

(B) Where the building elevation is 20 feet or more from the street or driveway, the landscaping areas shall be planted with one tree and five shrubs in front of each dwelling unit.

ii. The foundation planting bed area in subsection 10.c. above shall be planted with at least ten shrubs per 20 linear feet of applicable building length. Trees may be used in lieu of shrubs with one tree replacing five shrubs.

iii. The director may modify or exempt the standards where it can be shown that plantings would interfere with solar panels, foundation insulation, or other elements that promote other objectives in title 21.

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D. Standards for Some Single-Family and Two-Family Residential Structures

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4. Garages

- a. Where a garage (with no habitable floor area above) extends from the rest of the structure towards the street, the width of the non-garage portion of the front building elevation shall be no less than the length that the garage extends from the rest of the structure.
- b. Garage doors facing the street shall comprise no more than 67 percent of the total width of a dwelling's building elevation.
- c. Dwelling units with a street-facing building elevation that is 40 feet wide or narrower and with garage doors that face the street shall feature at least one design element from each of the three lists below.
  - i. List A:
    - (A) At least one dormer that is oriented toward the street.
    - (B) The front building elevation has two or more façades that are offset by at least 16 inches. Each façade or a combination of offset façades shall be at least one third of the area of the building elevation.
    - (C) Front-facing balcony, accessible from a habitable room, at least six feet wide, that projects from a façade at least two feet and is enclosed by an open railing.
  - ii. List B:
    - (A) A primary entrance area with a covered porch or landing at least eight feet wide, incorporating visual enhancements such as gabled roof forms, roof brackets, fascia boards, side lights, and/or ornamental columns divided visually into top, middle, and bottom.
    - (B) A bay window on the front elevation at least six feet wide that extends a minimum of 12 inches outward from a façade, forming a bay or alcove in the room within.
    - (C) If the garage is more than one car wide, multiple garage doors are used.
  - iii. List C:
    - (A) Windows and primary entrance door(s) that occupy a minimum of 25 percent of the wall area of the front elevation. Windows in the garage door do not count towards the 25 percent.

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(B) Trim (minimum three and one half inches wide) of a different color from the primary siding color, shall outline all windows, doors, and roof edges on the front building elevation, and may outline corners and projections/recesses on the front building elevation.

(C) A minimum of two different siding materials and/or patterns are used on the front building elevation. Doors and trim do not qualify as a type of siding material.

[D. THE HOUSE MAY ENCROACH INTO THE PRIMARY FRONT SETBACK BY UP TO FIVE FEET WHEN THERE IS NO GARAGE, OR WHERE THERE IS A GARAGE (ATTACHED OR DETACHED) WHERE THE FRONT WALL OF THE GARAGE IS LOCATED AT LEAST 8 FEET BEHIND THE FRONT FAÇADE OF THE HOUSE.]

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F. Site Design

1. Subdivisions

Subdivisions of land shall comply with the standards of chapter 21.08, Subdivisions.

2. Multiple Structures on One Lot

a. Intent

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

b. Applicability [AND REVIEW PROCESS]

This section applies to the development of three or more principal residential structures on a single lot. It does not apply to the development of an accessory dwelling unit or a caretaker's unit.

c. Review Process

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i. [THIS SECTION APPLIES TO THE DEVELOPMENT OF THREE OR MORE PRINCIPAL RESIDENTIAL STRUCTURES ON A SINGLE LOT. IT DOES NOT APPLY TO THE DEVELOPMENT OF AN ACCESSORY DWELLING UNIT OR A CARETAKER'S UNIT.

ii.] Multiple residential structures on a single lot are permitted in the R-2M, R-3, R-3A, R-4, R-4A, B-1B, B-3, and RO districts.

ii.iii.] Applicable developments with between three and 30 dwelling units shall be approved by administrative site plan review pursuant to subsection 21.03.180C. Applicable developments with 31 or more dwelling units shall be approved by major site plan review pursuant to subsection 21.03.180D.

[IV. ALL APPROVALS UNDER THIS SECTION SHALL USE THE APPROVAL CRITERIA OF SUBSECTION 2.C. BELOW, IN ADDITION TO THE GENERAL SITE PLAN REVIEW APPROVAL CRITERIA. THE DECISION-MAKING BODY MAY PLACE CONDITIONS ON THE DEVELOPMENT AS IT MAY DEEM NECESSARY TO MEET THE APPROVAL CRITERIA.]

d.[C.] Approval Criteria

All approvals under this section shall use the approval criteria below, in addition to the general site plan review approval criteria. The decision-making body may place conditions on the development as it may deem necessary to meet the approval criteria.

i. The proposal shall clearly distinguish between streets and driveways. Streets shall allow vehicles to travel into and within the development, and shall be the means for assigning an address to dwelling units. Driveways shall access garages and parking areas. Some small developments may not need a street network.

ii. Dwelling units shall be oriented towards streets (either within the development or along the boundary of the development) or towards a courtyard or similar common open space. Buildings with frontage on both a street and a driveway shall be oriented towards the street. If the development is so small that no internal street

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network is necessary, then buildings and dwelling units shall be oriented towards the local public streets on the boundaries of the development, or towards common open space.

- iii. The area between the front of a unit facing a street and the street shall include landscaping or lawn, so that the streetscape features green space rather than just paved parking areas. Adequate snow storage area shall be provided. On-street parking shall be accommodated (if provided).
- iv. Developers should make every effort to design and arrange dwelling units in such a manner as to provide “eyes on the street,” take advantage of solar access, and to the extent feasible, provide privacy for neighboring units’ yards.
- v. In addition to sidewalks required by section 21.07.060, pedestrian pathways shall be provided to large open space areas and in the middle of long blocks. Pedestrian circulation should be convenient both within the development and to appropriate neighboring areas outside the development.
- vi. The development is designed to take advantage of any significant natural features on site, and to provide usable open space and recreation areas.

e[D]. Development Agreement

The developer shall enter into a development agreement with the department, using the provisions established in subsection 21.03.100E., Improvements Associated with Land Use Permits.

f[E]. Minimum Standards

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

i. Open Space

For developments with 31 or more dwelling units, at least half of the private open space required by section 21.07.030 shall be provided as common private open space, meeting the standards of section 21.07.030, and designed and placed to serve all residences. The decision-making body may adjust the amount of open space required to be common by up to 10 percent, based on written

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findings regarding site specific conditions.

ii. Building Spacing  
If subsection 21.07.110C.4. does not apply, then the following shall apply: within a development, no portion of any single-, two-, or three-story building shall be closer than 10 feet from any other single-, two-, or three-story building. All portions of any building taller than three stories shall be separated by no less than 20 feet from any other building.

iii. [VEHICLE PLUG-IN  
EACH UNIT WITH NO GARAGE SHALL BE PROVIDED WITH AT LEAST ONE ELECTRICAL OUTLET THAT IS CONVENIENT TO THE REQUIRED PARKING SPACE(S).

IV.] Guest Parking  
Locate guest parking spaces as to minimize maneuvering in private streets and circulation aisle and not exclusive to or physically associated with any individual dwelling.

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2014-132, 11-5-14; AO 2015-36, 5-14-15; AO 2015-100, 10-13-15; AO 2016-34(S), 4-12-16; AO 2016-136, 11-15-16; AO 2017-160, 12-19-17; AO 2018-59. 7-31-2018; AO 2019-132, 12-3-19; AO 2020-38, 4-28-20; AO 2021-89(S), 2-15-22)

**Section 16.** Anchorage Municipal Code subsection 21.08.030K. is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.08.030K. Lot Dimensions**

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**K. Lot Dimensions**

Subject to the lot dimensions and area requirements of chapter 21.06, all lots shall have the minimum dimensions required by this section.

1. The depth of a lot shall be at least 80 feet.
2. The width of a lot, except for a townhouse lot and a narrow lot or unit lot subdivision lot, shall be at least one-third the depth of the lot.
3. If a lot is to be served by an on-site wastewater disposal system, the lot shall have the minimum area required for such a lot under AMC chapter 15.65.

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(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2015-131, 1-12-16; AO 2020-38, 4-28-20)

**Section 17.** Anchorage Municipal Code section 21.10.050., Chugiak-Eagle River – Use Regulations, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.10.050 Use Regulations**

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**Table 21.10-4: Table of Allowed Uses – Chugiak-Eagle River Residential, Commercial, Industrial, and Other Districts**

TABLE 21.10-4: TABLE OF ALLOWED USES – CHUGIAK-EAGLE RIVER RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS																										
P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review																										
For uses allowed in the CE-TR and CE-AD districts, see section 21.10.040.																										
All other uses not shown are prohibited.																										
Use Category	Use Type	RESIDENTIAL										COMMERCIAL			INDUSTRIAL			OTHER			OV		Definitions and Use-Specific Standards			
		CE-R-1	CE-R-1A	CE-R-2A	CE-R-2D	CE-R-2M	CE-R-3	CE-R-5	CE-R-5A	CE-R-6	CE-R-7	CE-R-8	CE-R-9	CE-R-10	CE-B-3	CE-CO	CE-RC	CE-I-1	CE-I-2	CE-I-3	CE-DR	CE-PR		CE-PI	CE-DO	CE-EVO
	Outdoor storage of vehicles and/or equipment associated with a community use																					M	M			21.05.060D.9
	Self-storage facility													P		P		P	P	P					C	21.05.060D.4
	Storage yard																	P	P	P				C	C	21.10.050F.2, 21.05.060D.5
	Warehouse or wholesale establishment, general																	P	P	P			C		C	21.05.060D.6
	Warehouse or wholesale establishment, light													C/S				P	P	P				S/C/B		21.05.060D.7
Waste and Salvage	Composting facility																		P	P			C		P	21.05.060E.1
	Hazardous Waste Treatment Facility																	C/R		P	P					21.05.060E.2
	Incinerator or thermal destruction unit																			C	C			C		21.05.060E.3
	Junkyard or salvage yard																			C	C					21.05.060E.4
	Land reclamation	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	S	S	S			S	C		C	21.05.060E.5
	Landfill																			C	C			C		21.05.060E.6

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2013-139, 01-28-14; AO 2014-40(S), 5-20-14; AO 2014-58, 5-20-14; AO 2015-133(S), 2-23-16; AO 2015-142(S-1), 6-21-16; AO 2016-3(S), 2-23-16; AO 2016-54, 6-7-16; AO 2016-136, 11-15-16; AO 2017-10, 1-24-17; AO 2017-57, 4-11-17; AO 2017-160, 12-19-17; AO 2019-11, 2-12-19; AO 2021-89(S), 2-15-22)

**Section 18.** Anchorage Municipal Code section 21.11.050., Downtown – Use Regulations, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.11.050 Use Regulations**

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**Table 21.11-2: Table of Allowed Uses – Downtown Districts**

TABLE 21.11-2: TABLE OF ALLOWED USES – DOWNTOWN DISTRICTS P = Permitted Use L = Permitted with Limitations S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review T = Special Land Use Permit for Marijuana A blank cell means the use is prohibited.					
Use Category	Use Type	B-2A	B-2B	B-2C	Definitions and Use-Specific Standards
Warehouse and Storage	Bulk storage of hazardous materials				21.05.060D.1.
	Impound yard				21.05.060D.2.
	Motor freight terminal				21.05.060D.3.
	Outdoor storage associated with a community use				21.05.060D.8.
	Outdoor storage of vehicles and/or equipment associated with a community use				21.05.060D.9.
	Self-storage facility				21.05.060D.4.
	Storage yard				21.05.060D.5.
	Warehouse or wholesale establishment, general				21.05.060D.6.
	Warehouse or wholesale establishment, light				21.05.060D.7.
	Wholesale merchant establishment <sup>1</sup>	L	P	P	21.11.050F.2., 21.11.070C.4.a.v.
Waste and Salvage	Composting facility				21.05.060E.1.
	Hazardous waste treatment facility				21.05.060E.2.
	Incinerator or thermal desorption unit				21.05.060E.3.
	Junkyard or salvage yard				21.05.060E.4.
	Land reclamation	S/C	S/C	S/C	21.05.060E.5.
	Landfill				21.05.060E.6.
	Recycling drop-off				21.05.060E.7.
	Snow disposal site				21.05.060E.8.
	Solid waste transfer facility				21.05.060E.9.
	Stormwater sediment management facility				21.05.060E.10.
<sup>1</sup> Uses with structures with a gross floor area over 20,000 square feet require a major site plan review through subsection 21.07.120A., <i>Large Commercial Establishments</i> . <sup>2</sup> In accordance with subsection 21.05.040K.3.g., a tower or antenna that is not permitted in a district may be requested through the conditional use process.					

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(AO 2020-38, 4-28-20)

**Section 19.** Anchorage Municipal Code of Regulations section 21.20.002 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

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**21.20.002 - Schedule of fees—Zoning.**

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f. Conditional use involving sale of alcoholic beverages, other than restaurant or eating place alcoholic beverage license use: Base fee of \$1,180.00 for each conditional use application, plus the following amount per square foot (sf) not to exceed \$4,720.00:	
i. Original beverage dispensary license	\$3.00/sf
ii. <u>Modifications to Special Land Use Permit for Alcohol considered by the director.</u>	<u>\$425.00</u>
iii. <u>Modifications to Special Land Use Permit for Alcohol considered by the assembly.</u>	<u>\$850.00</u>
iv. <u>Modification to an approved Special Land Use Permit for Alcohol, considered by the assembly after denial by the planning director.</u>	<u>\$850.00</u>
II. DUPLICATE BEVERAGE DISPENSARY LICENSE FEE FOR AN EXISTING PREMISE WITH NO ADDITIONAL SQUARE FOOTAGE	BASE \$1,180.00 FEE ONLY
III. DUPLICATE BEVERAGE DISPENSARY LICENSE FOR AN EXISTING PREMISE ADDING 500 SQUARE FEET OR LESS OR A SEASONAL OUTDOOR DECK OR SIMILAR OUTDOOR USE	BASE \$1,180.00 FEE PLUS \$295.00
IV. ANY OTHER DUPLICATE BEVERAGE DISPENSARY LICENSE FOR A NEW AND/OR ADDITIONAL PREMISE (I.E. ADDITION TO AN EXISTING PREMISE) GREATER THAN 500 SQUARE FEET	\$3.00/SF]
v. Club license	\$1.40/sf
vi. Package store license	\$1.80/sf
vii. Recreational site or pub license	\$0.95/sf
viii. Brewpub license	\$0.60/sf

(GAAB 21.05.090; AO No. 77-407; AR No. 78-12; AR No. 79-55; AO No. 82-49; AR No. 83-96; AR No. 83-289(S); AR No. 86-63; AR No. 86-99; AR No. 86-263; AR No. 90-151; AO No. 2001-116, § 1, 7-10-01; AO No. 2001-145(S-1), § 23, 12-11-01; AO No. 2003-152S, § 20, 1-1-04; AO No. 2004-23, § 1, 1-1-04; AO No. 2004-151, § 13, 1-1-05; AO No. 2005-18, § 1, 2-15-05; AO No. 2006-35, § 2, 3-14-06; AR. No. 2006-112, § 1, 5-16-06; AO No. 2007-119, § 1, 11-13-07; AO No. 2007-121(S-1), § 16, 10-23-07; AR No. 2008-134, § 1, 7-29-08; AO No. 2010-81(S-1), § 40, 12-7-10, eff. 1-1-11; AO No. 2013-100, § 11, 1-1-14; AO 2015-45, §1, 5-14-15; AO No. 2016-25, 3-8-16; AO; AO No.2016-161, 1-10-17; AO 2017-175(S), 2-13-18; AO 2018-100(S), 12-4-2018; AO 2019-116(S), 10-22-2019)

**Section 20.** This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of

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\_\_\_\_\_, 2023.

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Chair of the Assembly

ATTEST:

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Municipal Clerk