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*Planning & Zoning Commission*

*Work Session Packet*

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**Work Session**

*Tuesday, November 19, 2024*

*Council Chambers, City Hall*

*6:00 p.m.*

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SEWARD PLANNING AND ZONING COMMISSION

WORK SESSION AGENDA



November 19, 2024

6:00 p.m.

Council Chambers

Carol Griswold  
Chair  
Term February, 2027

Brenan Hornseth  
Vice Chair  
Term February, 2025

Nathaniel Charbonneau  
Commissioner  
Term February, 2027

Vanessa Verhey  
Commissioner  
Term February, 2026

Sean Ulman  
Commissioner  
Term February, 2025

Rhonda Hubbard  
Commissioner  
Term February, 2025

Clare Sullivan  
Commissioner  
Term February, 2026

Daniel Meuninck  
Community  
Development Director

Courtney Bringhurst  
City Planner

Clara Brown  
Executive Planning  
Assistant

Kris Peck  
City Clerk

1) CALL TO ORDER

2) STAFF COMMENTS

3) DISCUSSION ITEMS

- a. Accessory Apartments (ADU's) ..... 4
- b. SCC Title 15 – Definitions.....25
- c. Parking.....40
- d. Building Height.....72
- e. SCC Title 15 - Land Uses Allowed.....80

4) ADJOURNMENT

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# OUTCOME GOALS

## FOR WORK SESSION

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- 1) Provide the Commission with information and research pertaining to the portions of Title 15 that pertain to housing, such as accessory apartments, parking, building height, and the land uses allowed table for dwellings.
- 2) Allow the Commission and public to discuss any potential adjustments they would like to make to these areas of Title 15 that they feel would support housing.

### **Background:**

On September 17, 2024, the Planning and Zoning Commission held a work session to discuss various topics that influence the development of housing in Seward. Due to input from the public and discussion by the Commission, a second work session was requested to further evaluate and discuss the city code requirements for accessory apartments, parking, building height, and the land uses allowed table for dwellings.

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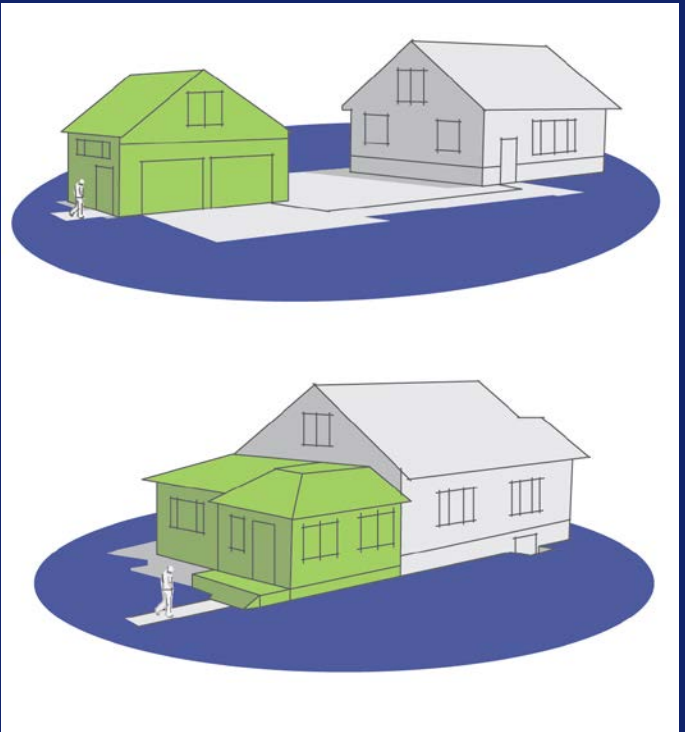
## **Accessory Apartments (ADU's)**

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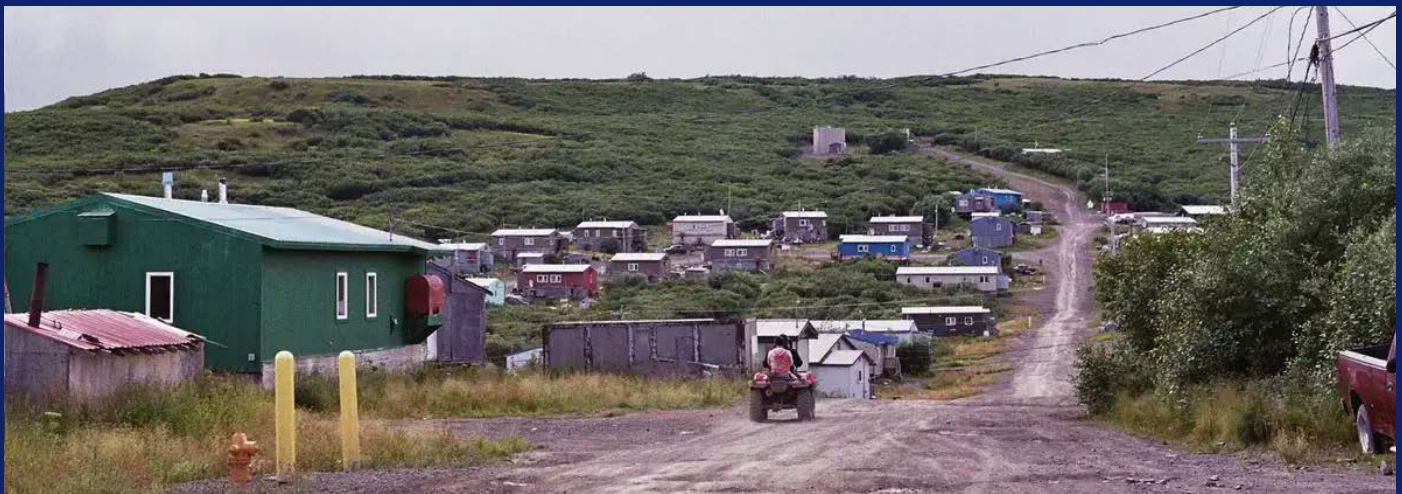




# AKDU'S AND DON'TS



A Practical Approach to Bringing Additional Dwelling Units to Alaska Communities





This publication was authored by Abigail Barton, a member of the Alaska Fellows Program, and Alicia Hughes-Skandijs. It was made possible through generous support provided by the AARP Community Challenge Grant. The AARP Community Challenge Grant is part of a nationwide livable communities initiative to help communities become great places to live for residents of all ages.



# 1.0 Introduction

## 1.1 Overview of Housing Crisis in Alaska

Alaska communities face an extreme shortage of affordable, decent housing. Almost eighty thousand Alaska households are considered cost burdened, meaning that they pay more than a third of their income toward their housing costs. Of Alaska's renter population 37% are cost burdened, with 18% severely cost burdened, meaning they pay more than half of their income towards housing.

The statewide rate of overcrowding is twice the national average, with some regions experiencing rates twelve times greater. Rural communities where the population majority is Alaska Native are hit the hardest. In some areas, as many as half of all households live in homes that are too small for the number of occupants. Excessively high construction costs and limited senior housing result in households taking in family and community members who would otherwise be homeless.

In 2018, the Alaska Housing Finance Corporation estimated that new construction would have to increase 11% each year to meet projected population growth by 2025. At that time, they found that to achieve that goal, the annual construction output would have to increase ninety percent over the previous five-year average. Since that time, the number of new units built in Alaska dropped precipitously during the pandemic and has yet to return to 2019 levels.

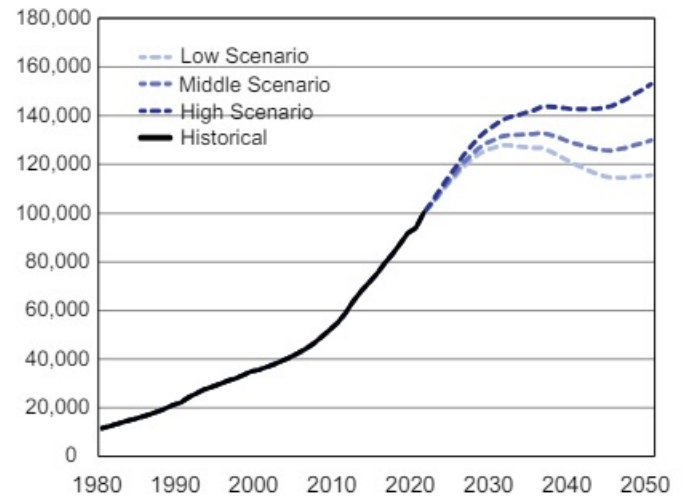


### 1.2 Overview of Senior Demographics in Alaska

The population of Alaska is rapidly aging. Currently, Alaskans aged 60 and older make up about one in five residents statewide. Aging individuals are most concentrated in Southeast Alaska, where the rate is one in four. The population of people 65 and older is expected to double by 2030. In the previous decade, the population of Alaskans aged 70 and older increased 97 percent.

Data collection conducted in Anchorage, Fairbanks, Juneau, Kenai Peninsula, and Copper Center through the Alaska Senior Needs Assessment found that all regions reported a shortage of affordable independent senior housing. A survey of over 2,000 senior citizens across these communities found that accessible and affordable housing was the third most pressing issue in their lives, closely behind financial security and healthcare.

Population Age 65+, Alaska, 1980 to 2050

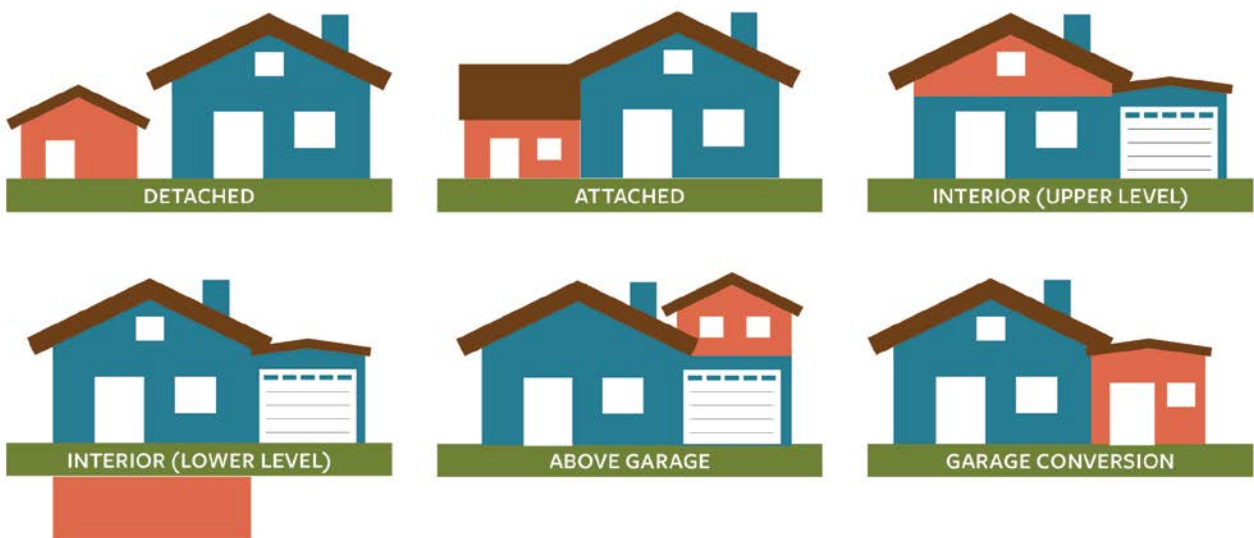


Source: Alaska Department of Labor and Workforce Development, Research and Analysis Section

### 1.3 Accessory Dwelling Units: A Creative Solution

The pressing issue of affordable, accessible housing in Alaska requires immediate attention. Accessory Dwelling Units, or “ADUs,” can provide a cost-effective means for quickly increasing the affordable housing stock. Also known as “granny flats,” “mother-in-law apartments,” and backyard cottages, ADUs are small residences that are attached to an existing single-family home or built as a free-standing unit on the same lot as an existing home. Though usually no larger than one or two bedrooms and typically much smaller than the primary residence, ADUs are entirely independent dwellings, equipped with their own kitchens, bathrooms, and other amenities necessary for full-time occupancy. ADUs allow communities to take advantage of existing infrastructure and add affordable homes in existing neighborhoods.

Examples of Different ADU Configurations.



Source: AARP’s “Accessory Dwelling Unit Model State Act and Local Ordinance.”



### 1.4 Unique Benefits

ADUs certainly do not replace the large-scale investment and development necessary to meaningfully alleviate the affordable housing crisis in Alaska, but in addition to contributing to that effort, ADUs have the ability to provide unique benefits to communities.

As Alaska's population rapidly ages, adult children of aging parents and older homeowners face limited affordable, close, and independent living options. Adding an ADU to the property of a family member or to that of an older homeowner can allow aging individuals to maintain their independence and remain within their community. An ADU can act as caregiver housing or allow an elderly person to move closer to family. For aging homeowners concerned primarily with financial security, ADUs can be used to generate income to cover property taxes and maintenance during retirement.

Though a meaningful intervention for senior Alaskans looking to avoid residential facilities, ADUs built for this reason can also go on to serve multiple purposes. ADUs built specifically for senior occupancy can be accessibly constructed to specifically meet new age-related mobility needs. While affordable housing is scarce, affordable housing that is also accessible is almost nonexistent in many communities. ADUs can make a dramatic impact on the accessibility of a region's affordable rental stock, dramatically increasing the inclusivity of a community. Additionally, an investment in an ADU for an aging relative can later be used to house young adult family members. By facilitating multi-generational living, ADUs can help keep families and communities together.

Where commercial developers may have a wide range of financial and logistical considerations when deciding whether or not to go forward with a new development, the potential gains to a private homeowner in a community may increase the likelihood of adding a new housing unit. For that reason alone it is worth considering from the municipal perspective whether this could be a tool to add to your bucket in efforts to increase housing.



Former Alaska State Representative Alyce Hanley standing before the basement apartment she added to her Home, allowing her to live with her children while retaining her own living space.

Source: KTOO – Anchorage Daily News [“Alaska cities, facing housing crunch, encourage backyard cottages and apartment additions”](#) (2018).



31-year-old Sitka resident Adrienne Wilber standing before her partially constructed ADU built on the corner of her parent's lot

Source: KCAW [“ADUs Could Make Sitka's Housing More Affordable. Advocates Want to Make them Easier to Build”](#) (2021)

## 2.0 Snapshot of Alaska Communities with Existing ADU Ordinances

Structure & Lot	Parking	Occupancy	Permitting Process	Aesthetics/ Design	Additional Details/ Links
<b>City and Borough of Juneau</b>					
<p>Structure: Lots up to 125% of the required minimum: max area 600 ft<sup>2</sup>. Lots larger than 125%: can be up to 50% of the net floor area of the primary dwelling but cannot exceed 1000 ft<sup>2</sup>.</p> <p>Lot: Lot must meet the minimum lot size requirement for the zoning district.</p>	+ 1 required	If the homeowner funds their ADU construction with a grant from Juneau's Accessory Dwelling Unit Grant Program, they must record a deed restriction agreeing not to use the ADU as a short-term rental for the first five years.	Applicants building on lots that exceed the minimum lot size requirements for their zoning district and are connected to city sewer services are subject to ministerial approval. Those not connected to the sewer will need to include verification from the Dept. of Environmental Conservation that their wastewater disposal system can handle the additional use from the ADU. Conditional use permits are required for all ADUs built on a sub-standard sized lot.	None.	<a href="#">Accessory Dwelling Unit Grant Program</a> : Created a dedicated grant program providing up to \$13,500 for ADU construction to 16 homeowners annually.
<b>City and Borough of Sitka</b>					
<p>Structure: Max. 800 ft<sup>2</sup></p> <p>Lot: Lots must be served by a publicly maintained right of way. Cannot be constructed on lots accessed through easements.</p>	Parking plan required but can rededicate existing primary dwelling unit spaces.	Long term rentals (90+ days) only.	Two zones are eligible for "by right" permitting if all regulations are met, three additional zones are automatically subjected to conditional evaluation as well as all applications that do not meet regulations. Conditional permitting process: applications must be filed at least 3 weeks in advance of the Planning Commission meeting where they are subject to a public hearing. Applicants are required to attend and answer questions. Decisions are typically made at the first meeting.	Requires that ADUs be designed so that the structure maintains "to the greatest extent possible" the appearance of a single-family property. [22.20.160 (c) (8)]	<a href="#">22.20.160 Accessory dwelling units (ADUs)</a> .
<b>Kodiak Island Borough</b>					
<p>Structure: 575-725 ft<sup>2</sup> (dependent on zoning district)</p> <p>Lot: No lot size restrictions specified.</p>	5 for <600 ft <sup>2</sup> ; +6 for >600 ft <sup>2</sup>	No short-term uses such as bed and breakfasts. Owner required to occupy either ADU or principal dwelling.	Permitted use for attached ADUs in five residential districts zoned for single-family, two-family, rural, and conservation. Conditional use for detached ADUs in single-family residential districts and certain rural residential districts. Additional rural residential district requires conditional permitting for both detached and attached ADUs.	None.	<a href="#">17.160.070 - Accessory dwelling units</a> .

Structure & Lot	Parking	Occupancy	Permitting Process	Aesthetics/ Design	Additional Details/ Links
<b>Petersburg Borough</b>					
<p>Structure: 800 ft<sup>2</sup> or 40-80% of the principal dwelling's area depending on the size of the lot. Height shall not exceed the height of the principal dwelling (no exceptions)</p> <p>Lot: Addition of ADU cannot exceed maximum lot coverage, which for most residential properties is 35%.</p>	None.	None.	Attached ADUs are permitted by right. The borough's website requests that homeowners interested in constructing a detached ADU contact the borough building official for more information. Neither the code nor the website specifies if a permit is explicitly required.	ADU must be constructed with the same/ similar materials as the principal dwelling.	<a href="#">Detached Accessory Dwelling Unit Standards</a>
<b>City of Palmer</b>					
<p>Structure: Min 300 ft<sup>2</sup>; Max 900 ft<sup>2</sup>. Can't be larger than 40% of main property and can't have more than 2 bd. Max height 25 ft.</p> <p>Lot: One ADU permitted per +10K ft<sup>2</sup> lot zoned residential or agriculture. Attached ADUs may be added to single-family dwellings if they are the sole principal dwelling on the lot. Detached ADUs only allowed on lots +20K ft<sup>2</sup> No lot size restrictions for central business district.</p>	Studio/1 bd ADU require +1 spaces; 2 bd requires +2 spaces.	Owner must occupy either the principal or accessory dwelling for at least 6 months each year.	<p>All applications are reviewed by the zoning administrator within 30 calendar days. Applications require a \$100 non-refundable fee and a notarized affidavit stating the owner will occupy either the principal or accessory dwelling and that the ADU is compliant with all requirements.</p> <p>Detached ADUs are required to be placed in the rear of the lot at least 10 feet behind the front plain of the primary dwelling, but applicants can ask the planning and zoning commission for a waiver if it negatively impacts a neighbor's view. Applicants are encouraged to gather testimony from impacted neighbors. [17.86.040]</p>	Attached ADUs must maintain style and exterior finishes consistent with the existing structure. Exterior finishes for detached ADUs must comply with local industry standards for residential exterior cladding. Exteriors must be compliant within 8 months from start of construction.	<p>The zoning administrator is required to furnish the planning and zoning commission with an annual ADU report. The commission is required to reassess their ordinance if records indicate that 20% of single-family structures within the city have ADUs. [17.86.110]</p> <p><a href="#">Chapter 17.86 ACCESSORY DWELLING UNITS</a></p>
<b>City of Soldotna</b>					
<p>Structure: Max. 750 ft<sup>2</sup> (total lot coverage cannot exceed limit for single structure)</p> <p>Lot: Must meet minimum lot size requirements for the zoning district</p>	+1 required.	Short term rentals allowed if principal residence is owner-occupied	<p>All interested applicants must submit a site plan and obtain a zoning permit and a building permit.</p> <p>ADUs are permitted within the Single-Family, Single-Family/ Two-Family, Rural Residential, and Multi-Family residential zoning districts.</p>	None.	<a href="#">17.10.390 - Accessory dwelling units.</a>

Structure & Lot	Parking	Occupancy	Permitting Process	Aesthetics/ Design	Additional Details/ Links
<b>Municipality of Anchorage</b>					
<p>Structure: Max. size is the larger of either 900 ft<sup>2</sup> or 40% of the primary dwelling up to 1200 ft<sup>2</sup>. Max. height of a detached ADU is 25 ft. If ADU is built over a garage, height max. extended to 30 ft. No limit on the number of bedrooms.</p> <p>Lot: ADUs allowed in all residential and commercial zones whether there is another dwelling. Also allowed on all kinds of housing, including large, multi-family buildings. Setbacks restrictions are the same as those imposed on the principal structure with exceptions for ADUs taller than 15 ft. ADU doors may face the street.</p>	None.	Owner occupancy is not required.	<p>Accessory dwelling units are a permitted use in all zoning districts. Applicants must obtain a building or land use permit from the Development Services Department and submit all required documents to the Building Safety Department at 4700 Elmore Road. Applicable permit fees vary. For projects under \$40k, the permitting fee is \$175 per inspection used. Additional fees for residential plan review, building safety review, and land use plan review add an additional \$75+ each.</p>	Formerly required a purpose statement on appearance and character, but it was removed in a massive overhaul of the ADU code in 2023.	<p>The Anchorage Assembly recently passed massive reforms to their ADU ordinance to eliminate barriers and encourage development. Removing owner occupancy requirements (previously homeowners had to live on the property at least 6 months out of the year) opened an additional 10,500 single family rental homes to ADU development. By allowing ADUs on multifamily homes, an estimated 8,000 properties became newly eligible for a bonus dwelling. You can find more information about these changes at the Municipality of Anchorage's <a href="#">"Accessory Dwelling Unit (ADU) Project Page."</a></p>

Residential zoning regulations in both the City of Homer and the Matanuska-Susitna Borough specify that accessory dwelling units are “by-right” permitted uses in most single-family and some commercial districts.

The Matanuska-Susitna Borough allows two attached or detached accessory dwelling units not exceeding 50% of the total floor area of the primary residence in single-family residential districts, but they can only be used for “guests, family members, or persons providing domestic or health services to the residents of the principal structure.” (Listed under Matanuska-Susitna Borough Code in section [17.75.060\(B\)\(5\)](#)).

In 2011, Homer’s city council passed an ordinance making accessory dwelling units a permitted accessory building to a single-family dwelling in two Residential Districts and the Central Business District. The ordinance stated that the change to municipal code was intended to “increase the supply and diversity of

housing, protect community character, and encourage infill.” The ordinance provided no specific regulations regarding parking, design, or lot size, stating only that one ADU was allowed per single-family dwelling and that the ADU must be “smaller than the primary dwelling.” ([Ordinance 11-44\(S\)](#)).

Simply altering existing zoning regulations to allow ADUs without providing specific regulations and guidance may not be enough to meaningfully encourage development. Though experts consider designated construction of an accessory dwelling unit as a permitted use for all single-family residences as the gold standard for encouraging ADU development, doing this alone can leave interested homeowners feeling confused or uncertain. Additionally, such opaque regulations can allow development that those who are resistant to increased density find upsetting or inflammatory, prompting pushback and calls for increased restrictions. ADU-specific regulations can avert such backlash.



This publication is not a comprehensive list of all ADU ordinances in Alaska. To check if your community has an ADU specific ordinance, you can look up your municipal code at [library.municode.com](http://library.municode.com), your local government’s website, or contact your city clerk. If you are confused about what codes apply to you, consult the brief overview below on how planning powers are divided in Alaska.

## 2.1 Overview of Powers and Duties of Boroughs & Cities in Relation to Planning, Platting & Land Use Regulation

Borough Governing Structures	Planning, Platting & Land Use Regulation Powers
Unified Municipality & Home Rule Borough	The borough or unified municipality must exercise the powers areawide, but not necessarily in accordance with AS 29.40
First Class Borough	The borough must exercise the powers areawide; in accordance with AS 29.40; the borough may allow cities to assume such powers within their boundaries
Second Class Borough	Same as for a first class borough
City Governing Structure	Planning, Platting & Land Use Regulation Powers
Home Rule City	Cities in unorganized boroughs must exercise the powers; if in an organized borough, it may be permitted by borough to exercise the powers
First Class City	Same as for a Home Rule City, except exercised in accordance with AS 29.40 (governance by assembly)
Second Class City	The City is not required to exercise powers, but may be permitted in the manner described for First Class Boroughs

References: AS 29.35.260(c) AS 29.35.260(c)



## 3.0 Best Practices to Encourage ADU Development

In recent years, communities across the United States have turned to ADUs to address the affordable housing crisis. Experts in planning, policy, design, and aging have dedicated considerable time and energy to studying these communities to understand what works and what does not. A recommended first step for communities interested in increasing ADU development is the creation of a dedicated ADU ordinance. This clarifies the ADU development process for applicants and municipal officials and removes barriers that may have been hindering development under existing general zoning regulations.

Section 3.1 provides a brief overview of the “Dos” and “Don’ts” of creating ADU-friendly zoning ordinances. Section 3.2 goes in depth into these recommendations, providing questions and considerations for communities seeking to improve their existing ADU regulations as well as additional guidance for those who are considering creating an ADU-specific ordinance for the first time.

Creating an ADU-specific ordinance and/or focusing on reducing regulatory barriers is not the most effective approach for encouraging ADU development in communities that have no zoning regulations. If you have no existing zoning regulations your largest barriers are likely construction costs due to a lack of contractors or shipping expenses. The most relevant advice for these communities is in section 5 dedicated to financing recommendations.

### 3.1 Creating ADU-Friendly Regulations

#### Dos

- ✓ Blanket use permissions for ADUs in all areas zoned for single-family housing.
- ✓ Allowing ADU development “By-right”/ministerial approval rather than through a discretionary approval process.
- ✓ Clear, objective standards intended to mitigate environmental hazards and impact on city resources
- ✓ Regulations should reflect community values without hindering development.
- ✓ Set a realistic timeline for producing decisions.
- ✓ No additional off-street parking requirements.
- ✓ Reasonable size/height/setback requirements that ensure resulting unit can meet the needs of long-term rentals and aging individuals.

#### Don'ts

- ✗ Excessive Size/Height/Setback Restrictions
  - Inhibit development in dense areas with smaller lots where demand for rentals is likely higher.
  - Lead to “micro” units that can make it difficult to ensure bathrooms and living spaces are of adequate size to accommodate accessibility devices such as wheelchairs or allow caregiver support.
- ✗ Discretionary Permitting Processes
  - Creates uncertainty and slows development timelines.
- ✗ Off-Street Parking Regulations
  - Stifles development on smaller lots.
- ✗ Owner-Occupancy Requirements
  - Can impact appraised home values and complicate rental configurations, suppressing available units.
- ✗ Aesthetic Design Standards
  - Makes construction more costly and technically complex.
  - Vague rules add subjectivity to conditional permitting processes.

### 3.2 Approaching ADU Policies in Your Community

The immense diversity in zoning practices, environments, and needs across Alaska communities means that there is no one-size-fits-all approach to increasing development of accessory dwelling units. The considerations included below are split into two buckets, those for communities that have an existing ADU-specific ordinance and those that do not have a specific ordinance but maintain robust zoning and permitting regulations, but the recommendations are relevant to local officials in either position.

IF YOU **ALREADY** HAVE AN ADU-SPECIFIC ORDINANCE IN PLACE:  
**THE PERMITTING PROCESS**

#### Does your ordinance allow ADUs “by right” or subject to discretionary approval / a conditional permitting process?

**“BY RIGHT”:** Allowing ADUs by right means that anyone who complies with the existing regulations may build an ADU. An application may still be involved, but it is subject to purely ministerial approval (AARP – Expanding ADU Development, 42). Research on ADUs across the U.S. shows that by right approvals encourage ADU development because they remove uncertainty and are usually much quicker than discretionary processes.

**DISCRETIONARY/CONDITIONAL APPROVAL:** There are many valid reasons for local officials and planners to favor a discretionary approval process for ADUs, especially if there is community resistance ADU development. However, subjecting all ADU development to a conditional permitting process has been shown to greatly discourage development. Discretionary approval processes are often opaque and subjective, which can be intimidating and burdensome for applicants.

**SPLIT PROCESSES:** It is common to allow by right approval for ADUs if they fit all the required regulations and require applicants who do not meet the requirements apply for exceptions through a conditional permitting process. This can be helpful for some communities, especially if within zoning districts lot sizes are nonuniform and access to city sewage/water/electricity varies. However, if you are currently operating this way, it is important to examine how ADU applications have split between the two processes. If you find that so far, most applicants have had to go through a conditional permitting process, you should reconsider if your baseline standards are too strict.

- **Consider:** Are there clear standards that applicants have a difficult time meeting, such as size limits, parking requirements, or design regulations?

#### How long does your permitting process take?

Lengthy and undefined permitting processes create uncertainty and stall development. Experts recommend that at minimum, local officials publish a realistic timeline for their review processes and stick to a set timeframe for producing decisions. Ideally, that timeframe is as quick as possible.



**SPOTLIGHT**

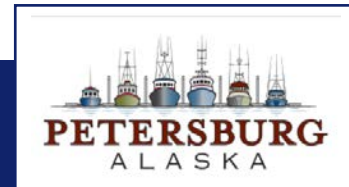
The City of Palmer specifies that permits for ADUs will be reviewed within 30 days.

IF YOU **ALREADY** HAVE AN ADU-SPECIFIC ORDINANCE IN PLACE:  
**OFF-STREET PARKING**

**Does your ordinance require additional off-street parking spaces? If you require additional off-street parking spaces, is the requirement equal to or greater than that for a single-family home?**

Requiring any additional off-street parking spaces for ADUs can stifle development, especially for those hoping to build on smaller lots. Experts recommend no additional off-street parking requirements for ADUs. Usually, single-family zoning regulations already require several off-street parking spots for the principal dwelling, which can often meet the needs of accessory dwelling, especially if it is constructed for an existing member of a household.

Community concerns about public street parking can be mitigated by restricting off-street parking requirements to certain zoning districts of concern, such as commercial business districts and the residential areas that border them. But even in these cases, mandating more than one additional off-street parking space is unreasonable considering that ADUs rarely accommodate more than 2 people.



**SPOTLIGHT**

The Petersburg Borough has no off-street parking requirements for ADUs. In the City and Borough of Sitka, applicants are required to submit a parking plan delineating dedicated spaces for the ADU and primary dwelling unit. Utilizing on-street parking for ADUs is prohibited, but applicants do not need to build new parking spots as long as they can show how existing spots will be rededicated to the ADU without undermining parking for the primary dwelling.

IF YOU **ALREADY** HAVE AN ADU-SPECIFIC ORDINANCE IN PLACE:  
**SIZE/HEIGHT/SETBACK REQUIREMENTS**

Certain zoning restrictions can inadvertently hamper construction based on universal design standards. Square footage restrictions can make it difficult to ensure bathrooms and living spaces are of adequate size to accommodate accessibility devices such as wheelchairs or caregiver support. Restrictions regarding the ADUs proximity to the primary dwelling and/or to the edge of the lot can make it difficult to construct an entrance that is both covered and allows a car to deliver a person right to the door.

Communicating accessibility needs to your builder can be intimidating and difficult. Universal design principles offer helpful guidance about how to construct ADUs to meet the mobility needs of aging individuals. Universal Design is defined as “an approach to design that recognizes and accommodates the ordinary changes people experience over their lives due

to aging and life circumstances. As such, universal design benefits people through all life stages, including children and adults” (Recommendations for Essential and Advanced Universal Design Features and Product Characteristics in New Single-Family Housing, 2009). Additional information about accessible design and universal design principles can be found at the end of this publication.

**Does your ordinance have a size limit for ADUs? If yes, are the square footage requirements based on a ratio relative to the primary residence?**

Size regulations tying the size of the ADU to a percent of the primary dwelling make adding an ADU to a larger home easy but make adding an ADUs prohibitive for smaller homes.



Excessive size limits can hinder the development of accessible living spaces. If your community is interested in encouraging ADUs to facilitate aging in place, excessive size restrictions can make the resulting accessory dwelling unit inaccessible to seniors and all populations with mobility needs.

Highly restrictive square footage restrictions can make it difficult to ensure bathrooms and living spaces are of adequate size to accommodate accessibility devices such as wheelchairs or allow caregiver support.

### **Does your ordinance have setback requirements?**

Municipalities should avoid imposing setback requirements that would result in excessively small developable areas because this can lead to “micro” units that fail to meet the needs of long-term renters and aging individuals. Restrictions regarding the ADUs proximity to the primary dwelling and/or to the edge of the lot can make it difficult to construct an entrance that is both covered and allows a car to deliver a person right to the door.

Excessive setback requirements can also inhibit ADU development in smaller and moderately size lots.

### **Does your ordinance have height requirements?**

Excessive height requirements (such as 10 or 12 ft) inhibit two story ADUs, which can incorporate design elements, such as a mezzanine floor, that make the best use of the small space.

### **Does your ordinance impose minimum lot size requirements?**

Minimum lot size requirements inhibit development in more dense single-family districts with smaller lots where demand for rentals is likely higher.



### **SPOTLIGHT**

In the Municipality of Anchorage, height requirements allow for two story ADUs and offer extensions based on common design choices. Maximum height requirements in the Anchorage Bowl are 25 feet but can be extended to 30 feet if the ADU is over a garage. In Girdwood, the maximum height for ADUs is 35 feet and cannot be greater than twice the height of the primary dwelling unit.



**An ADU Built Above a Garage in Anchorage.**

Source: [Sightline Institute](#). "Anchorage Needs More Moderately Priced Homes: Let's Start with ADUs" (2021).

IF YOU **ALREADY** HAVE AN ADU-SPECIFIC ORDINANCE IN PLACE:  
**OCCUPANCY RESTRICTIONS**

**Does your ordinance have occupancy requirements?**

Putting restrictions about how ADUs can be used by homeowners can be important to ensuring that ADU development meaningfully expands the community's affordable housing stock. Areas highly dependent on tourism may choose to prohibit ADUs from being used for short-term rentals to ensure that they will be accessible to full time residents.

However, prohibiting homeowners from using ADUs as rentals to nonfamily members dramatically inhibits development. In addition to being self-defeating for municipalities hoping to increase their affordable housing stock, homeowners often rely on future rental income to finance ADU development, subsidize increased property taxes, and generate income during retirement.

Even if rentals are allowed, owner-occupancy requirements are generally discouraged by housing experts. Mandating that homeowners must live in the primary residence to rent the ADU creates a myriad of legal burdens. This requirement means that if they choose to move, they cannot legally rent out both units. If they want to allow another family member to live in the primary residence, they must add them to the deed to continue renting the ADU. If a person inherits a single-family home with an ADU, they are unable to rent out both residences unless they move into the primary residence. Homeowners also are prevented from living in the ADU and renting out the primary dwelling. These complications can impact appraised home values and further restrict available rental properties.

- **Caveat:** Municipalities interested in encouraging tourism but concerned about mitigating its impacts in residential areas may prefer to impose owner-occupancy requirements only for ADUs used for short-term rentals.



**SPOTLIGHT**

In the City of Soldotna, ADUs can be used as short-term rentals if the principal dwelling is owner-occupied.



**SPOTLIGHT**

In the City and Borough of Sitka, ADUs can only be used as long-term rentals (90+ days).

IF YOU **ALREADY** HAVE AN ADU-SPECIFIC ORDINANCE IN PLACE:  
**AESTHETIC STANDARDS**

**Does your ordinance impose discretionary design standards related to neighborhood character and aesthetic compatibility?**

Community concerns about how ADUs will influence neighborhood character and aesthetics are common. Regulations imposing discretionary design standards may have been important to garnering the political support necessary to pass an ADU ordinance. Yet, it is important to evaluate if the goals of these requirements are worth the increased burden to applicants. Aesthetic design standards increase costs and add technical complexity to the ADU construction and permitting processes.

Requiring ADUs to match the appearance of the principal dwelling or to be constructed to maintain the appearance of a single-family structure can hinder accessible design, delay construction, and intimidate otherwise interested homeowners. When these provisions are vague, they create uncertainty for applicants and introduce considerable subjectivity and bias to the permitting process.

## IF YOU **DO NOT** HAVE AN ADU-SPECIFIC ORDINANCE, BUT THERE ARE EXISTING REGULATIONS REGARDING PERMITTING AND CONDITIONAL USE

### Do you have existing ADUs in your community? If yes, what processes have homeowners gone through to build them?

In communities where ADUs can already be created by right, creating an ADU-specific ordinance may not be necessary. Rather, an informational campaign or a dedicated grant program may be more effective.

### Do you have existing restrictions concerning structural changes in single-family residential districts?

Adding an accessory dwelling unit to a single-family home may already be a permitted use in your code.

Alternatively, your existing code could consider the addition of an accessory dwelling as a violation of single and multi-family housing zoning regulations, deeply complicating the ADU development process.

### What is your conditional permitting process like?

It is important to realistically evaluate the time, effort, and objectivity of your existing process, as it can greatly impact the development of ADUs if you choose to create an ADU ordinance that relies partly or entirely on your existing conditional permitting process.

- Do applicants often have to apply several times before getting approval?
- Are there municipal staff members dedicated to supporting applicants through the process?
- How frequently does your planning commission review applications?
- Do planning commission meetings regularly fail to cover all the necessary topics/applications because there is too much on the schedule?

### Does your community have concerns about infill and/or increased density? Is political and community sentiment particularly favorable or hostile toward ADUs?

It may be difficult to judge public sentiment about ADUs specifically, but prior hostility to multi-family housing developments in areas with majority single-family homes can indicate there may be pushbacks to encouraging ADU development.

When drafting an ADU ordinance, it is important to identify and address community concerns. ADU ordinances can be curated to the specific needs of your community while still following the recommendations of experts.

### Certain approaches may include:

- Instituting by right permitting processes for ADUs in some zoning districts and requiring a discretionary use permit in others
- Crafting different regulations for internal, attached, and detached ADUs.
- Restricting use of ADUs as short-term rentals.





## 4.0 Financing ADUs in Your Community

While ADUs are cheaper than constructing an entirely new single-family home, they can still be cost-prohibitive for many homeowners. In a 2022 survey of Anchorage homeowners with ADUs, over fifty percent of respondents reported that they earned over \$150,000 annually ([ADU ANC Survey](#)). The Sightline Institute, a thinktank dedicated to promoting sustainable communities across the Pacific Northwest, estimates that attached ADUs created by modifying an existing structure cost about \$32,000 on average in Anchorage. Detached ADUs requiring a newly built structure are estimated to cost about \$79,000. For much of the rest of the state, especially the most rural regions, costs are likely much higher. In the North Slope Borough, construction costs per square foot can range from \$448 (in Nuiqsut) to \$660 (in Point Lay) and more. Depending on the village, a 1,500 square foot home—only slightly larger than the average ADU—can cost between \$672,000 to \$990,000 ([NSB Comprehensive Plan 2019](#)).

Municipal officials can reduce financial barriers in a variety of ways:

### Designated Municipal Funding Scheme

#### Grant-Based Subsidies

Municipalities across the country have established grant programs to subsidize the cost of ADUs. Providing cash subsidies to incentive ADU development allows communities to leverage the financial capacity of local homeowners and produce more affordable rent units at a fraction of the cost of a typical publicly funded affordable housing development.

In 2018, the City and Borough of Juneau appropriated \$480,000 for an incentive grant program providing up to \$6,000 to homeowners interested in constructing and ADU. In August of 2023, the Assembly voted to expand this effort, creating the Accessory Dwelling Unit Grant program (ADUG). ADUG provides grants up to \$13,5000 to 16 homeowners annually, allocated on a first come, first served basis. In addition to meeting all ADU regulations and passing a final inspection within two years of being issued a building permit, recipients must record a deed restriction agreeing not to use the ADU as a short-term rental (fewer than 30 consecutive days) for the first five years. More information can be found online and on the [website for the City and Borough of Juneau](#).

For municipalities that do not have the funds or political will to establish such a program, local officials can also look to establish partnership with local foundations to either fund a grant program or provide seed funding to local non-profit design, construction, and development organizations.

#### Loans

Local jurisdictions can also provide subsidies through low-interest loans, loan forgiveness, and by establishing local loan pools. Low interest loans and loan forgiveness can be a more financially and politically viable option for some municipalities. Like the City and Borough of Juneau's ADUG program, eligibility for low interest loans and loan forgiveness can be restricted to homeowners who agree to use their ADU as a long term, affordable rental or for facilitating aging at home. Local loan pools leverage private loan funds generated from partnership with local banks and philanthropic organizations to provide below-market loans to income-eligible homeowners for ADU construction.



**Attached ADU Added to the Basement of a Juneau Home Through the ADUG Program**

Source: KTOO – Anchorage Daily News “[Alaska cities, facing housing crunch, encourage backyard cottages and apartment additions](#)” (2018).



## Property Tax Abatement

The increased property tax burden resulting from the value added by an ADU can intimidate interested homeowners. Reducing or postponing that burden through property tax abatement can be a powerful incentive.

In 2022, Anchorage Mayor Dave Bronson's administration proposed postponing property tax increases tied to the creation of an ADU for ten years. Assembly member Meg Zalatel proposed applying this abatement only to ADUs offered as long-term housing. Though this proposal was not adopted by the Assembly, a major overhaul of ADU regulations was passed in 2023.

Whether, how, and to what end your local government is able to offer property tax exemptions varies by governing structure. Interested officials should consult Title § 29.45.050 of the Alaska state statutes, which identifies an extensive list of optional exemptions a municipality may enact.

## Design Incentives

Design and development costs can force interested homeowners to pay thousands before they even break ground on a new ADU, especially if project plans must be revised multiple times during the permitting process. Municipalities can offset these costs by providing free design and project support to applicants. Additionally, planning officials can save homeowners thousands of dollars by offering applicants the option to use pre-approved, permit-ready plans for ADUs of a range of sizes. Providing model plans can also reduce administrative burdens for municipalities by simplifying the permitting process and promote aesthetic standards favored by the planning commission without burdening applicants with additional regulations. (AARP ADU Design & Development)

## Construction & Permitting Incentives

Permit and development fees can be a significant deterrent. Many municipalities have chosen to reduce permit fees, offer fee waivers, or completely remove fees for ADU permit applications. Doing this in conjunction with removing other fees, such as infrastructure

impact charges, can make a significant impact on the total cost. Additionally, any measures you can take to facilitate a faster permit review process, such as hiring or training staff dedicated to ADU permit review, can meaningfully reduce costs.

(AARP ADU Design & Development)

## Facilitating Economies of Scale

Communities that struggle with exorbitant construction costs often also have high rates of overcrowding and limited or no senior living facilities. Local officials can help reduce construction costs in rural regions by encouraging interested homeowners to work together to create economies of scale.

Though it applies to new single-family homes, not ADUs, RurAL CAP's Mutual Self-Help Housing Program provides an excellent model of how economies of scale and "sweat equity" can operate in Alaska. Facilitated in partnership with USDA Rural Development and Alaska Housing Finance Corporation, the Mutual Self-Help Housing Program provides first-time home buyers with the opportunity to buy a home without a down payment. Groups of six to twelve participants work together to build one another's homes under the guidance of a RurAL CAP construction supervisor, providing at least 65% of the labor and working a minimum of 35 hours per week. All homebuyers contribute to the construction of all the homes, and no one moves in until every house is complete. The "sweat equity" created by the participant's labor eliminates the down payment and reduces their resulting mortgage, which are originated by RurAL CAP and can have interest rates as low as 1%.

For aging communities or those who cannot invest "sweat equity" for other reasons, prefabricated units are an excellent option to speed up the process and simplify logistics. Interested homeowners can possibly reduce design and transportation costs by approaching a prefabrication contractor as a group.

Additional information about prefabrication options can be found at the end of this publication.

## Additional Resources

### Accessible Design

- **Northwest Universal Design Council (NWUDC):** <https://www.environmentsforall.org/>
  - The Council acts as an expert resource on universal design in the Pacific Northwest. Their website provides a simplified overview of the [principles and guidelines of universal design](#), a detailed [home checklist](#) which provides essential guidelines for each room and element of a house as well as additional considerations, and a [library of resources and research](#) from organizations and universities across the country.
- **“Aging in Place Alaska” (University of Alaska Fairbanks Cooperative Extension Service):** <https://homemods.org/materials/aging-in-place-in-alaska/>
  - This 20-minute video, narrated by Art Nash, Energy Specialist at the University of Alaska Fairbanks Cooperative Extension Service, examines universal design principles as they related to Alaskan homes.
- **Alaska Independent Living Centers**
  - These are individual organizations which act as an access point for disability-related services for individuals across Alaska.
  - [Southeast Alaska Independent Living \(SAIL\)](#) operates the Home Modifications for Aging in Place (HomeMAPTM) Program, which provides expert evaluations of mobility and construction needs. A SAIL team conducts a home survey and produces a written report that lays out the homeowner’s individualized needs. This report can then be used to guide construction and communicate design needs to contractors.
    - > <https://www.sailinc.org/home-modifications-for-aging-in-place/>
  - For those residing outside the southeast, Access Alaska and Arctic Access – Nome can provide information regarding programs and services that may be helpful during the design process.
    - > Access Alaska: <https://www.accessalaska.org/>
    - > Arctic Access – Nome: <https://www.facebook.com/people/Arctic-Access-Inc/100068189572892/>
    - \* Email: [arcticaccessnome@gci.net](mailto:arcticaccessnome@gci.net)
- **Alaska Organizations that are affiliated with or employ a National Association of Home Builders Certified Aging-In-Place Specialist. Those with this certification can provide expert advice regarding accessible design.**
  - Alaska Housing Finance Corporation: <https://www.ahfc.us/senior-support>
  - Alaska Community Development Corporation: <http://www.alaskacdc.org/>
  - Cold Climate Housing Research Center: <https://cchrc.org/>

### Prefabricated Units

- **FabCab:** <https://fabcab.com/about/our-story-and-bios/>
  - A company based in Pacific Northwest specializing in incorporating universal design principles into prefabricated homes. Their founder is a member of the Northwest Universal Design Council.
- **Skyline Homes & Champion Homes:**
  - National companies that supply manufactured homes through a nationwide network of independent dealers. These companies have manufacturers in Oregon and British Columbia and have shipped homes to Alaska. They also have model ADUs. Both companies have a search function to find retailers near where you live, but it is best to contact them directly for more detailed information about Canadian suppliers.
  - Skyline: <https://www.skylinehomes.com/>
  - Champion: <https://www.championhomes.com/>

## ADU Finance, Policy, & Development


- **“Accessory Dwelling Units: A Step by Step Guide to Design and Development” (AARP):** <https://www.aarp.org/pri/topics/livable-communities/housing/accessory-dwelling-units-guide-design-development/>
- **“Expanding ADU Development and Occupancy: Solutions for Removing Local Barriers to ADU Construction” (AARP and the American Planning Association):** <https://www.aarp.org/pri/topics/livable-communities/housing/expanding-adu-development-solutions-local-barriers.html>
- **“Overcoming Barriers to Bringing ADU Development to Scale” (Enterprise Community Partners):** <https://www.enterprisecommunity.org/resources/overcoming-barriers-bringing-adu-development-scale-11049>
- **The ABCs of ADUs: A guide to Accessory Dwelling Units and how they expand housing options for people of all ages (AARP):** <https://www.aarp.org/livable-communities/housing/info-2019/accessory-dwelling-units-guide-download.html>

## Powers and Duties of Boroughs & Cities in Relation to Planning, Platting & Land Use Regulation

- **Alaska Planning Commission Handbook (Department of Commerce, Community, and Economic Development; Division of Community and Regional Affairs):** <https://www.commerce.alaska.gov/web/Portals/4/pub/Planning%20Commission%20Handbook%20Jan%202012.pdf>
- **Planning Powers for Alaska Communities (Alaska Dept. Of Transportation and Public Facilities):** [https://dot.alaska.gov/creg/planning/assets/Planning\\_Power\\_for\\_Alaskan\\_Communities.pdf](https://dot.alaska.gov/creg/planning/assets/Planning_Power_for_Alaskan_Communities.pdf)
- **Alaska’s Local Government: State Commitments, Local Roles and Responsibilities (Alaska Municipal League):** <https://www.akml.org/wp-content/uploads/2023/02/AML-Govt-Primer-2023-revise-web.pdf>





An aerial view of a residential neighborhood with many houses and satellite dishes. The houses are mostly two-story structures with gabled roofs and satellite dishes mounted on them. The image is overlaid with a dark blue gradient.

# AKDU'S AND DON'TS

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## SCC Title 15 - Definitions

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### 15.10.140 Definitions.

A. General interpretation.

1. Words used in the present tense include the future tense.
2. The singular number includes the plural.
3. The word "person" includes a corporation as well as an individual.
4. The word "lot" includes the word "plot" or "parcel."
5. The term "shall" is always mandatory.
6. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended," "arranged," or "designed to be used or occupied."

B. Specific definitions. (Parenthetical references are for cross-reference only.) In this chapter, unless otherwise provided or the context otherwise requires:

1. Accessory building. A detached structure that:
  - a. Is clearly incidental to and customarily found in connection with a principal building or use;
  - b. Is subordinate to and serves a principal building or use;
  - c. Is subordinate in area, extent or purpose to the principal building or use served;
  - d. Contributes to the comfort, convenience or necessity of occupants, business or industry in the principal building or use served; and
  - e. Is located on the same or adjacent lot under the same ownership as the principal building or use served.

An accessory building shall be considered to be a part of the main building when joined by a common wall or connected by a breezeway to the main building. Accessory building means any structure regardless of type of foundation or base support, including skid-mounted or other moveable structures.

(Accessory or mother-in-law apartment. See Dwelling, Efficiency apartment)

2. Agriculture. Commercial farming, dairying, pasturage, horticulture, floriculture, viticulture, or animal and poultry husbandry including buildings used to shelter farm implements, hay, grain, poultry, livestock or other farm produce in which there is no human habitation and which is not used by the public.
3. Airport. A place where aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, various accommodations for passengers, and business lease sites.
4. Alley. A dedicated public way which affords a secondary means of access to abutting property and not intended for general traffic circulation.
5. Alteration. Any change, addition or modification in the construction, location or use of a building.
6. Amusement and recreation facility. Establishment engaged primarily in providing entertainment for a fee including such activities as bowling alleys, billiards and pool, dance hall, pinball machines, video games or other similar player-operated amusement devices.
7. Antenna. A device used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbital based structures. Includes satellite dish.

(Apartment. See Dwelling)

8. Auto repair station. A place where a qualified automotive mechanic provides services such as general motor vehicle and engine repair, reconditioning or rebuilding, and collision service including body, frame and fender straightening and repair, painting and undercoating of motor vehicles.
9. Auto service station. A place used primarily for the retail dispensing of motor fuels and/or installation of tires, batteries and other accessories and services which do not customarily or usually require the services of a qualified automotive mechanic. Also known as a gas station.

(Bed and breakfast. See Lodging)

(Boarding or rooming. See Lodging)

10. Brewpub. An establishment that is primarily an eating place which includes the brewing of beer as an accessory use.
11. Building. Any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.
12. Building area. A total area taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of external steps.
13. Building, existing. A building erected prior to the adoption of this Code or one for which a legal building permit has been issued.
14. Building height. The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum, which must be between the building and the property line or in a dedicated public right-of-way that is accessible to fire suppression personnel and rescue equipment, shall be selected by either of the following, whichever yields the greater height of the building:
  - a. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building when such a sidewalk or ground surface is not more than ten feet above the lowest grade; or
  - b. An elevation ten feet higher than the lowest grade when the sidewalk or ground surface described in subsection a., above is more than ten feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building.
15. Building, principal or main. A building in which is conducted the principal or main use of the lot on which the building is situated. Attached garages, porches and carports shall be considered to be part of the principal building.

(Bunkhouse. See Housing)

16. Business, general sales. A premises where the sale of goods or commodities to the consumer takes place; i.e., groceries; bakeries; hobby, knot or yarn shops, book, gift or apparel shops; fishing equipment, hardware or vehicle sales; restaurants; vehicle rentals or variety stores.
17. Business, personal service. The conduct of business where personal assistance is offered for compensation; i.e., dressmaking, tailoring, barbers and beauty, etc.
18. Campground. A plot of ground upon which two or more campsites are located, established or maintained for occupancy by camping units as temporary living quarters for recreational or vacation purposes.

- a. Campground, municipal. Campgrounds owned or operated by the City and designated as public campgrounds by resolution of the City Council.
  - b. Campground, private camper parks. A privately owned and operated campground on any parcel, or adjacent parcels of land in the same ownership, which is used by two or more camping units.
  - c. Campground, employee. An area operated by an established business with high seasonal employment of transient workers as a housing alternative and not construed to be a construction camp.
19. Camper park. A privately owned and operated campground on any parcel, or adjacent parcels of land in the same ownership, which is used by two or more camping units.
20. Camping unit. A tent or recreational vehicle.
21. Child care, licensed home. In accordance with Alaska Statutes, a private residence where adult care, protection and supervision is provided for children other than the occupant's. Also called day care, nursery school, preschool and kindergarten.
22. Church. A building, structure or group of buildings or structures primarily intended for conducting organized religious services and associated accessory uses. The definition of a church shall be dependent upon U.S. Internal Revenue Service and the Kenai Peninsula Borough Assessor's Office interpretation. A standard single-family residence not remodeled for public meetings shall not be considered a church.
23. Clinic. A building or portion thereof containing offices and facilities for providing out-patient medical, dental or psychiatric services, and which may include a dispensary to handle medication and other merchandise prescribed by physicians in connection with their medical practice.
24. Club, private. A building and related facilities owned or operated by a corporation, association or group of individuals established for the fraternal, social, educational, recreational or cultural enrichment of its members, but not primarily for profit, and whose members meet certain prescribed qualifications for membership and pay dues. Includes lodges.
25. Cluster subdivision. A development design technique that permits a reduction in lot area provided there is no increase in the number of lots permitted under a conventional subdivision or increase in overall density of development by concentrating buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space and preservation of environmentally sensitive areas.
- (Commercial building apartment. See Dwelling)
26. Commercial communications tower. A structure intended to support equipment used to transmit and/or receive communication signals including monopoles, guyed and lattice steel structures. This definition does not include a tower that supports only one or more amateur radio antennas.
27. Commercial use. An occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee.
- (Condominium. See Dwelling)
- (Convalescent or nursing home. See Housing)
28. Convenience store. A small-scale neighborhood grocery establishment offering for sale prepackaged food products, household items and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.
- (Dormitory. See Housing)



29. Drinking establishment. Any premises wherein the principal purpose is the retail sale of alcoholic beverages for consumption on the premises and minors are excluded therefrom by law. Includes bar, cocktail lounge, tavern and nightclub.
30. Drive-in facility. Any portion of a building or structure which by design permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles.
31. Dwelling. A building designed or used exclusively as living quarters for one or more families.
  - a. Apartment. Any portion of a building which is designed, built, rented, leased, let or hired out to be occupied or which is occupied as the home or residence of an individual for daily living and doing his own cooking independently of any other individual or family in the same building.
  - b. Apartment, commercial building. An apartment located within a building designed to accommodate a mix of residential and commercial uses.
  - c. Apartment, efficiency (also called accessory apartment). A single separate dwelling unit consisting of not more than one habitable room which includes combined kitchen, dining and sleeping areas with accompanying sanitary facilities, and which is located within or shares a common wall with a single-family dwelling.
  - d. Apartment, owner or manager. An apartment within a building that is designed to be used exclusively as the living quarters for the owner or manager family of that building or a commercial business located in the building.
  - e. Apartment, studio. A small apartment less than 500 square feet with a fully functional kitchen and bathroom.
  - f. Condominium. A form of housing ownership by which a person may purchase and own one dwelling unit in a multiunit building or development. Each owner owns a common interest in such things as the underlying land, common walls, stairwells, elevators, lobbies, laundry rooms and recreation rooms.
  - g. Guest house. An accessory building occupied on a temporary basis solely by nonpaying guests.
  - h. Mobile home. A factory-built home designed to be used as a year-round residential dwelling and originally designed and mounted on wheels and/or axle supports for transportation by another vehicle.
  - i. Modular home. A factory-built residential structure that is transportable in one or more sections, is built on a permanent chassis, and is used as a place of human habitation, but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site, and which does not have wheels or axles permanently attached to its body or frame. Includes factory-built and manufactured home.
  - j. Multiple-family. A building designed as a residence for three or more families, with the number of families in residence not exceeding the number of dwelling units provided and each living independently of the other under one roof.
  - k. Single-family, attached. A building containing two or more dwelling units, each of which has primary ground floor access to the outside and which are attached to each other by party walls without openings. Also commonly called townhouse, row house and zero-lot line.
  - l. Single-family, detached. A building designed and/or used exclusively for occupancy of one family and entirely surrounded by open space on the same lot.
  - m. Two-family or duplex. A building containing two single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof or unpierced ceiling and

- floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.
- n. Unit, dwelling unit. A building or separate portion thereof containing kitchen, living, sleeping accommodations and at least one bathroom and designed to be occupied exclusively as a residence by one family.
  - o. Watchman or caretaker dwelling. An accessory dwelling associated with a commercial or industrial building or structure for the purpose of housing a watchman or caretaker and immediate family.
- 32. Family. Any number of individuals not necessarily related by blood, marriage, adoption or guardianship living together in a dwelling unit as a single housekeeping unit and distinguished from a group occupying a rooming house, club, fraternity house or hotel.
  - 33. Farm animal. Any cow, horse, mule, goat, sheep, pig, chicken, or other similar animal commonly kept as livestock.
  - 34. Flea market. An occasional or periodic sales activity held within a building or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage sales.
  - 35. Floor area, useable. That area used for or intended to be used for the sale of merchandise or services or as leasable office space as measured from the interior surfaces of the walls enclosing that part of the building. Such floor area which is used or intended to be used for the storage or processing of merchandise, hallway or for utilities or sanitary facilities is excluded from this computation of useable floor area.
  - 36. Fractions. In the determination of density, required parking spaces or other requirements of this Code, computations resulting in a fractional number of 0.50 or above shall be considered the next larger whole number.
  - 37. Garage, private. An accessory building or portion of a main building designed or used solely for storage of motor vehicles, boats and similar vehicles owned by the occupants of the building to which it is accessory.
  - 38. Greenhouse, commercial. A light-permeating structure used for cultivating and growing plants in a controlled temperature and humidity environment where such plants are offered for sale either on the premises or at another location.  
(Group care home. See Housing)  
(Guest house. See Dwelling)
  - 39. Guide service. Any premises used for collecting or returning persons from recreation trips when remuneration is provided for the service.  
(Halfway house. See Housing)
  - 40. Health club. Includes, but is not limited to, gymnasiums (except public), private clubs (athletic, health or recreational), reducing salons and weight control establishments.
  - 41. Historic district. An area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community of such significance as to warrant conservation and preservation.
  - 42. Home occupation. Any use customarily conducted entirely within a dwelling, or its accessory building, and carried on by the occupants thereof, which is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, and in connection with

- which there is no exterior sign, no display or stock in trade, no outside storage of materials or equipment, no commodity sold upon the premises and not more than two persons are engaged in such occupation.
43. Home professional office. A home occupation consisting of the office of a practitioner of a recognized profession.
- (Hostel. See Lodging)
- (Hotel. See Lodging)
44. Housing. Structures providing housing for groups of people, such as students, employees or nursing home residents.
- a. Bunhouse. A building used as living quarters for employee housing where shower and sanitary facilities are shared and in which there are no individual cooking facilities.
- b. Convalescent or nursing home. A structure with sleeping rooms where persons are housed or lodged and are furnished with meals, nursing and medical care.
- c. Dormitory. A building used as residential group living quarters for a student body or religious order as an associated use to a school, orphanage or other similar institutional use, and does not include kitchen facilities except a group kitchen facility to serve all residents.
- d. Group care home. A dwelling shared by no more than five disabled persons, plus resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care, education and participation in community activities for the residents with the primary goal of enabling residents to live as independently as possible in order to reach their maximum potential. The term "group care home" shall not include alcoholism or drug treatment centers, work release facilities for convicts or ex-convicts or other housing facilities serving as an alternative to incarceration.
- e. Halfway house. A licensed home for inmates on release from more restrictive custodial confinement, or initially placed in lieu of more restrictive custodial confinement, wherein supervision, rehabilitation and counseling are provided to mainstream residents back into society, enabling them to live independently. Such placement is pursuant to the authority of the Alaska Department of Corrections.
45. Junk. Dismantled or wrecked automobiles, aircraft, motor vehicles or machinery, mobile homes, trailers, watercraft, used appliances or furniture, scrap building materials, metals, rubber, paper, plastic or other scrap materials.
46. Kenel. Any enclosure, building, shelter, area or establishment used for the purpose of breeding, buying, selling, keeping or boarding five or more dogs over the age of four months, whether for profit, pleasure, or as pets, by any person, individual, corporation, group of people or business entity. Does not include an animal shelter.
47. Livestock. Generally accepted large (over 250 pounds) and small (under 250 pounds) outdoor farm animals (i.e., cows, goats, horses, pigs, barnyard fowl, etc.). Does not include cats, dogs and other common household pets.
48. Loading space. A space located on premises for pickup and delivery at the premises. Required off-street loading space shall not be included as an off-street parking space.
49. Lodging. The renting out of a dwelling, or portion thereof, to provide overnight sleeping accommodations for a period of less than 30 consecutive days.

- a. Bed and breakfast. An owner occupied and operated single-family residential dwelling where lodging with a meal is provided for compensation on a short-term basis. The term does not include boardinghouses and separate apartments which are leased on a month-to-month or longer basis.
  - b. Boarding or rooming. An owner occupied building which has not more than five rooms available for rent or lease on other than a day-to-day basis and not open to transient guests for residential occupancy and in which no cooking or dining facilities are provided in the individual rooms. Meals may be regularly prepared and served for compensation at a table, family-style, without service or ordering of individual portions from a menu. The term includes lodging house or rooming house but does not include separate apartments with individual kitchen and bath facilities.
  - c. Hostel. A building, or portion thereof, in which temporary or overnight lodging is provided for hikers, cyclists or other travelers not generally traveling by car.
  - d. Hotel. A facility with six or more guest rooms and on-premises management offering transient lodging accommodations to the general public on a daily rate where access to all sleeping rooms is through a main entrance and which may provide food, entertainment, meeting rooms, recreational facilities or various personal services. Includes lodges and inns.
  - e. Motel. A building, or group of detached or connected buildings, having six or more guest rooms, an on-premises manager and parking conveniently located on the premises, which are designed primarily to offer sleeping accommodations, with or without meals, to the motoring public on a daily rate. Includes designations such as motor lodges, auto courts, tourist courts and similar terms.
  - f. Short-term rental. A dwelling unit, or portion thereof, that is offered or provided to a guest for compensation for a period of less than 30 consecutive days. Short-term rentals may be in individual rooms in single-family homes, units in apartments, condominiums, townhouses, and multifamily dwellings.  
  
(Long-term rental. See Rental, long-term)
50. Lot. A parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area and to provide such yards and other open spaces as are herein required. Such lot shall have frontage or access on a public street or on an approved private street and may consist of:
- a. A single lot of record;
  - b. A portion of a lot of record;
  - c. A combination of complete lots of record, or complete lots of record and portions of lots of record, or portions of lots of record; or
  - d. A parcel of land described by metes and bounds, provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this chapter and that, in the case of multiple lots or portions thereof, the property be replatted to eliminate interior lot lines.
    - 1. Lot area. The total horizontal area within the lot lines of a lot, exclusive of streets and alleys.
    - 2. Lot, buildable or useable area. That portion of a lot that a prudent person would use to construct a building and provide required parking. This excludes lakes and rivers, creeks, cliffs, marshes and other similar natural obstacles to development with the property counting toward minimum required size.

3. Lot, corner. A lot situated at the intersection of two or more streets having an angle of intersection of not more than 135 degrees.
  4. Lot coverage. The area of a site covered by building or roofed areas, including covered porches, decks and accessory buildings, but excluding allowed projecting eaves.
  5. Lot depth. The horizontal distance between the front and rear lot lines measured on the longitudinal centerline.
  6. Lot, flag. A lot or parcel located to the rear of another lot or parcel, the main body of which does not front on a street and is accessed by a narrow corridor.
  7. Lot frontage. The portion of a lot abutting a street. Measured along the horizontal distance between the points of intersection of the side lot lines with the front lot line.
  8. Lot, interior. A lot other than a corner lot.
  9. Lot line, front. In the case of an interior lot, a line separating the lot from the street. In the case of a corner lot, the owner may choose which street he shall designate as the front of the lot. Once the choice of frontage has been made, it cannot be changed unless all requirements for yard space are met.
  10. Lot line, rear. A line opposite and most distant from the front lot line and, in the case of irregular or triangular shaped lots, a line not less than ten feet in length within the lot, parallel to and at the maximum distance from the front lot line.
  11. Lot line, side. Lot boundary not a front lot line or a rear lot line.
  12. Lot line, zero. The mean horizontal line whereby two adjacent buildings from adjacent lots can be constructed with a common party wall providing a proper fire wall rating. All other aspects are the same as in conventional development.
  13. Lot width. The average horizontal distance separating side lot lines of a lot and at right angles to its depth. The lot width for lots surrounding a cul-de-sac bulb and flag lots will be measured on the mean horizontal distance between side lot lines.
51. Lumberyard. An establishment that sells sawn timber and other building materials typically stored on the premises.
  52. Manufacturing, heavy. A use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials; or a use engaged in storage of or manufacturing processes using flammable or explosive materials; or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.
  53. Manufacturing, light. A use engaged in the manufacture, predominantly from previously prepared material, of finished products or parts that, because of the nature of its equipment, operations, processes, materials, and products, has little or no potential of creating noise, vibration, dust, smoke, fumes, odor, glare, or other environmental impacts on surrounding properties or uses.
  54. Marijuana. Marijuana means "marijuana" as that term is defined in Alaska Statute 17.38.900 and any amendments thereto.
  55. Marijuana establishment. Marijuana establishment means a marijuana cultivation facility, a marijuana testing facility, a marijuana product manufacturing facility, or a retail marijuana store as those terms are defined in AS 17.38.900 and any amendments thereto.
    - a. Marijuana cultivation facility. Marijuana cultivation facility means an entity registered to cultivate, prepare, and package marijuana and to sell marijuana to retail marijuana stores, to

marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.

1. Limited marijuana cultivation facility. A limited marijuana cultivation facility has the privileges set forth at 3 AAC 305.405(a) and (b), and is subject to the prohibitions at 3 AAC 306.405(c), except that it must have fewer than 500 square feet under cultivation.
  - b. Marijuana product manufacturing facility. Marijuana product manufacturing facility means an entity registered to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.
  - c. Marijuana testing facility. Marijuana testing facility means an entity registered to analyze and certify the safety and potency of marijuana.
  - d. Retail marijuana store. Retail marijuana store means an entity registered to purchase marijuana from marijuana cultivation facilities, to purchase marijuana and marijuana products from marijuana product manufacturing facilities, and to sell marijuana and marijuana products to consumers.
56. Marijuana products. Marijuana products means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.
57. Marina. A facility for storing, servicing, fueling, berthing and securing and launching of boats that may include the sale of fuel and incidental supplies for the boat owners and guests. Also includes harbor.  
(Mobile home. See Dwelling)
58. Mobile home park. A parcel or adjacent parcels of land in the same ownership upon which two or more mobile homes are located or for which space is leased or held out for lease or use on a month-to-month or longer basis. This does not include sale lots on which unoccupied mobile homes are parked for inspection and sales and shall not be construed to mean tourist facilities for parking of travel trailers, motor homes or campers.
59. Mobile medical unit. A trailer, motorized coach or van capable of being transported from place to place, containing medical equipment such as a CT scanner, MRI or similarly complex medical diagnostic device or decontamination equipment.  
(Modular home. See Dwelling)  
(Motel. See Lodging)  
(Multiple-family. See Dwelling)
60. Nonconforming building. Any building or portion thereof lawfully existing at the effective date of the ordinance affecting it and which does not conform to all of the use, height and density regulations of the zone in which it is located.
61. Nonconforming use. A use which lawfully occupied a building or land at the effective date of the ordinance affecting it that does not conform to the use provisions of the zoning district in which it is located.
62. Noxious use. A use which is injurious or harmful to health, highly disagreeable or offensive.
63. Office. A building or portion of a building wherein services are performed involving predominantly administrative, professional or clerical operations; i.e., travel, insurance, employment, utility, public service or government agencies.

64. Open area. Open area is any portion of the lot not:
  - a. Covered by a structure, or;
  - b. Used for parking spaces and maneuvering.
65. Owner. Any individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land, including the attorney or agent thereof.
66. Owner-occupied. The use of a dwelling unit as the primary residence and permanent place of abode for the individual who holds the title of a property.
67. Park. Any public land available for recreational, educational, cultural or aesthetic use.
68. Parking area. A structure or an open area, other than a street, alley or other right-of-way, on which vehicle parking spaces are defined, designated or otherwise identified and available, whether free or for compensation, for use by the public, clients, tenants, customers, employees or owners of the property for which the parking area is required by ordinance.
69. Parking requirements as stated in terms of employees. The maximum number of employees who will be at the site at one time on either a single shift or an overlap of shifts.
70. Parking space, off-street. A designated area sufficient in size to accommodate one motor vehicle, exclusive of maneuvering room, designed with adequate independent access to, but located off, any street, alley or other right-of-way.
71. Parking, valet. Attendant parking provided as a service to patrons of commercial establishments.
72. Peddler. A person who, with no fixed place of business, goes from house to house, place to place, or from store to store transporting goods, wares or merchandise for sale or offering or exposing the same for sale or making sales and delivering articles to purchasers. (See Transient merchant and Vending, Street.)
73. Planned unit development. A land development under unified control that is planned and constructed in its entirety as a single development operation or in a series of programmed stages. The development may include streets, circulation ways, utilities, residences, commercial buildings, open spaces and other site features and improvements some of which may not otherwise be individually permitted.
74. Profession. An occupation or calling requiring the practice of a learned art through specialized knowledge, training, experience or a degree issued by an institute of higher learning; i.e., doctor of medicine, lawyer, engineer or real estate broker.
75. Professional office. The office of a member of a recognized profession maintained for the conduct of that profession.
76. Recreational, indoor commercial. A facility accommodating such indoor recreation activities as skating rinks, bowling lanes or shooting/archery ranges.
77. Recreational, outdoor public. Outdoor recreation facilities such as sports fields, ice rinks, playing fields or miniature golf.
78. Recreational vehicle. A vehicle used or intended to be used as transient living or sleeping quarters for humans and which may be driven, towed or propelled from one location to another without change in structure or design, whether or not the same is supported by wheels or identified by a model, serial or vehicle registration number. Includes travel trailers, camping trailers, tent campers, trailer coaches, motor homes, truck campers and similar vehicles.
79. Recreational vehicle (RV) park. Any parcel of land upon which two or more recreational vehicle sites are located, established or maintained for commercial occupancy by recreational vehicles of the

- general public as temporary living quarters for recreation or vacation purposes. Includes trailer park and camper park.
80. Recycling center. A building in which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products.
81. Recycling collection point. An incidental use serving as a neighborhood drop-off point for temporary storage of recoverable resources. No processing of such items would be allowed. This facility would generally be located in a shopping center parking lot or in other public/quasi-public areas such as churches and schools, as opposed to being allowed on residential or vacant lots.
- (82) Rental, long-term. A dwelling unit, or portion thereof, that is rented, loaned, leased, or hired out for a period of 30 consecutive days or more.
- (Rental, short-term. See Lodging)
83. Repair service, household/appliance. A business establishment where repairs are made to appliances and furniture.
84. Residence. A home, abode or place where an individual is actually living at a specific point in time.
85. Resource extraction. Commercial or industrial operations involving the removal of nonrenewable natural resources such as ore, topsoil, sand, gravel, rock, gas, oil or any operations having similar characteristics. Said use includes the use of heavy equipment such as loaders, dozers, backhoes and crushers.
86. Restaurant. An establishment whose principal business is the sale of food and/or beverages to customers in a ready-to-consume state and whose principal method of operation includes one or both of the following characteristics:
- a. Customers, normally provided with an individual menu, are served their foods and beverages by a restaurant employee at the same table or counter at which the food and beverages are consumed; and/or
  - b. A cafeteria-type operation where food and beverages generally are consumed within the restaurant building.
87. Restaurant, fast-food. An establishment whose principal business is the sale of quickly prepared, ready-to-eat food and/or beverages for consumption within the restaurant building, within a motor vehicle parked on the premises, or off the premises as carry-out orders, and whose principal method of operation includes the following characteristics: orders are generally taken at a main counter or drive-up window and food and/or beverages are usually served in disposable wrapping or containers. This includes drive-in and carry-out restaurants.
88. Right-of-way. An area or strip of public land which incorporates or is intended to be occupied by, but not limited to, streets, alleys, sidewalks, bike paths, curbs, gutters, landscaping and/or public utilities.
89. Salvage yard (auto wrecking, scrap, junk). Any area used for the storage, keeping or abandonment of junk or waste material, including scrap metal or other scrap materials, or for the dismantling, demolition or abandonment of automobiles, machinery, other vehicles or parts thereof.
90. School. Any public, religious or nonprofit facility providing a general curriculum of academic or vocational instruction serving any or all grades between kindergarten and twelfth grade.
91. School, commercial. A facility providing commercial instruction in such activities as music, dance, arts, crafts and sailing.
92. School, adult vocational. A facility providing a general curriculum of adult academic or vocational instruction.



93. Setback. The required minimum distance from a right-of-way or lot line that establishes the area within which only fencing, landscaping, driveways, parking and similar uses are permitted. Any structure including, but not limited to, decks, stairways, porches or other attachments to a building are specifically prohibited in the setback. Building eaves are permitted to extend into the setback a maximum of two feet.
94. Shopping center. A single complex which provides a combination of retail establishments designed in such a manner as to provide convenience for shoppers with common parking facilities. Includes mall.  
(Single-family, attached. See Dwelling)  
(Single-family, detached. See Dwelling)
95. Solid waste facility. A disposal site employing an engineering method for disposing of solid wastes in a manner that minimizes environmental hazards. Includes landfill, compactor, transfer, etc.
96. Storage. A structure or designated area that provides space for storing.
  - a. Container. An accessory storage use consisting of containers such as semi-tractor vans, shipping containers and conex containers originally designed to transport goods and materials via highway, rail, air or sea, which are placed on a parcel of land and used for covered storage provided that all wheel assemblies have been removed, and the unit is located outside any setbacks. Containers, whether temporary or permanent, are considered a structure and must comply with current adopted building codes. Railroad box cars are excluded except in the industrial zone. (See Accessory Use/Building, Building, and Structure)
  - b. Outdoor. The commercial keeping, in an unroofed area and usually enclosed by a fence, of any goods, junk, material, merchandise or vehicles in the same place for an extended period of time. In the harbor commercial area, the use is limited to the storage of boats only.
  - c. Self-service. A building or group of buildings consisting of individual, small, self-contained units that are leased or owned for storage of business and household goods or contractors' supplies. Includes mini warehouses.
  - d. Warehouse and distribution. A building used primarily for the storage and/or distribution of goods, products, materials, supplies and equipment, but excluding bulk storage of materials that are flammable or explosive or that create hazardous or commonly recognized offensive conditions.
97. Street. A dedicated public way which affords the principal means of access to abutting property, such as an avenue, place, drive, boulevard, highway or other similar public thoroughfare, except an alley as defined herein.
98. Structure. Anything constructed or erected on the ground or attached to something having location on the ground, including, but not limited to, buildings, towers, and sheds. Fences, retaining walls less than three feet in height, signs and similar improvements of a minor character are excluded.
99. Surface, durable. Means brick, flag-type stone, gravel, cement, or asphalt.
100. Temporary structure. A structure without any foundation or footings as allowed by the adopted building code which must be completely removed from the parcel when the temporary permit for the structure/use expires.
101. Trailer. A structure standing on wheels, towed or hauled by another vehicle and used for carrying materials, goods or objects or as a temporary office or business.
102. Transient merchant. Any person, partnership, firm or corporation, whether a resident of the City or not, who engages in a temporary business, within a period not exceeding 150 consecutive days in a

calendar year, of selling and delivering goods and/or services, wares and merchandise for profit or nonprofit within the City by operating on a door-to-door, street corner or similar basis; or from no fixed location or office; or from a location out-of-doors or in quarters that are easily moveable, such as a temporary leased area or space, motor vehicle, trailer or tent. Includes peddlers, solicitors, itinerant merchants and vendors. Does not include vehicles for hire.

(Two-family or duplex. See Dwelling)

(Unit, dwelling unit. See Dwelling)

103. Utility, public facility. An installation owned by an agency under public franchise or ownership, or under certificate of convenience and necessity, providing the public with electricity, gas, heat, steam, communication, water, sewage collection or other similar service.
104. Vehicle, motor. A self-propelled device used for transportation of people or goods over land surfaces and licensed as a motor vehicle.
105. Vending. The sale of food, services or merchandise.
- a. Hawking. Is the loud or continuous audible solicitation of business by a vendor to the general public.
  - b. Mobile vending cart. Is a non-motorized structure or unit on wheels that is easily moved and used for vending.
  - c. Mobile vendor. A person or business that sells food or permitted types of goods from City-approved locations using (i) a licensed vehicle or cart capable of movement; or (ii) a licensed trailer pulled behind a motor vehicle.
  - d. Pre-packaged food. Ready-to-eat food that is cooked, wrapped, packaged, processed, or portioned for service, sale or distribution.
  - e. Roving vendor. A person who offers only pre-packaged food items to the public, with or without the use of a licensed motor vehicle, from no fixed location on public property, only on rights of way within designated zoning districts, excluding Fourth Avenue between Port Avenue and Van Buren Street, and also excluding Fourth and Fifth Avenues between Jefferson Street and Railway Avenue.
  - f. Transient merchant. Any person, partnership, firm or corporation, whether a resident of the City or not, who engages in a temporary business, within a period not exceeding 150 consecutive days in a calendar year, of selling and delivering goods and/or services, wares and merchandise for profit or nonprofit within the City by operating from a location out-of-doors or in quarters that are easily moveable, such as a temporary leased area or space, or motor vehicle, trailer or tent. Includes peddlers, solicitors, itinerant merchants and vendors. Does not include vehicles for hire. Transient merchants operate exclusively from private property. (Note: Transient merchant definition relocated. Previously 15.10.140. B. 95.)
106. Veterinary hospital. A facility, which may include animal runs, in which veterinary services are rendered to animals and domestic pets and which may include clipping, bathing, boarding and other services. Includes veterinary clinic.
- (Watchman or caretaker dwelling. See Dwelling)
107. Water-dependent. A use or activity which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy, production or source of water.

108. Water-related. Uses which are not directly dependent upon access to a water body but which provide goods or services that are directly associated with water-dependent land or waterway use and which, if not located adjacent to water, would result in a public loss of the quality of goods or services offered.
109. Yard. A required open space on the same lot with a main building, unoccupied or unobstructed from the ground upward, except as otherwise provided in this chapter.
- a. Front. The area extending across the full width of a lot, measured between the front lot line and the nearest exterior wall of the building, front of a bay window or the front of a covered porch or other similar projection, whichever is the nearest to the front lot line.
  - b. Rear. A yard extending across the full width of the lot between the most rear extension of the main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the point of the rear lot line nearest to the main building. In cases of double frontages and corner lots, there are no rear yards, only front and side yards.
  - c. Side. A yard between a main building and side lot line, extending from the front yard to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the main building.
110. Zero-lot line. The location of a building on a lot in such a manner that one or more of the building's sides rests directly on a lot line.

(Ord. 626, § 3, 1989; Ord. 633, § 1, 1990; Ord. 92-02; Ord. 92-14; Ord. 93-05; Ord. 94-26; Ord. 95-07; Ord. 95-17; Ord. 96-05; Ord. 97-12; Ord. 98-02; Ord. 98-06; Ord. 98-09; Ord. 99-01; Ord. 99-10; Ord. 99-16, § 3, 1999; Ord. 2003-09; Ord. No. 2010-005, § 1, 10-11-2010; Ord. No. 2011-004, § 1, 5-29-2012; Ord. No. 2014-002, § 1, 4-28-2014 ; Ord. No. 2014-004, § 1, 5-27-2014; Ord. No. 2015-001, § 1, 2-23-2015; Ord. No. 2016-005, § 3, 6-27-2016; Ord. No. 2018-002, § 4; Ord. No. 2018-004, § 1; Ord. No. 2020-012, § 1, 10-12-2020; Ord. No. 2022-002, § 1, 1-24-2022; Ord. No. 2022-016, § 1, 1-9-2023; Ord. No. 2023-019, § 1, 7-10-2023)

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# Parking

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**15.10.215 Parking.**

- A. Except in the CB and the HC districts, there shall be provided permanently maintained off-street parking for each principal business. It shall be the responsibility of the business owner to provide and maintain said off-street parking in accordance with this chapter continuously during the life of the business.
- B. For each principal building or use within a principal building, there shall be no less than the number of off-street vehicle parking spaces specified under this section:

Land Use	Minimum Number of Parking Spaces
<b>Dwellings and Lodges</b>	
Single-family and 2-family dwellings and parish houses	2 parking spaces per dwelling unit
Multiple-family dwellings and other places containing multiple dwelling units	2 parking spaces per dwelling unit plus ½ space for every unit larger than 2-bedrooms or greater than 1,000 square feet in size
Hotels and motels	1 space per guest unit
Lodging, rooming and boardinghouses	1 space per guest room plus spaces for the principal dwelling unit
Dwelling, apartment efficiency	1 off-street parking space in addition to those required of the principal dwelling
Dwelling, studio apartment	1 space per dwelling unit
<b>Institutions and Public Uses</b>	
Churches, auditoriums, sports arenas, funeral chapels, theaters and other places of public assembly	1 space for each 4 seats maximum capacity
Multi-family dwelling, institutional	1 space per unit
Hospitals, group care homes, long term care facilities and other healthcare facilities	1 space per 2 beds at maximum capacity plus 1 space for each employee on duty
Dormitories/Bunkhouses	1 space per 4 residents at maximum capacity
Public libraries, museums and art galleries; post offices; community/senior centers	1 space per 1,000 square feet of gross floor area
Primary and secondary public and private schools	1 parking space for every 4 seats in the main auditorium or assembly room, or 3 parking spaces for every classroom plus 1 parking space for each staff member or employee, whichever is greater
Post-secondary, vocational and music schools; dance studios and colleges	½ parking space for each instructor and ½ space for each student, based upon maximum student capacity at one time
Day care, nurseries and kindergartens	½ space for each staff member and employee plus 1 space for each 1,000 square feet of gross floor area
<b>Offices</b>	
Office buildings (public and private), professional center, financial institutions and other similar uses	1 parking space for each 500 square feet of gross office floor area, but not less than 2 spaces
Office (medical or dental)	Two spaces per treatment room and one for each doctor, dentist, hygienist or other professional practitioner on site.
<b>Entertainment and Services</b>	



Skating rink, youth hall, fraternal and civic club, assembly hall and other similar uses without fixed seats	1 parking space for each 100 square feet of gross floor area
Eating and drinking establishment	1 parking space per 200 square feet of gross floor area, or one for each 4 seats, whichever is greater
Bowling alley	4 parking spaces for each alley plus 1 for each employee on duty
<b>Commercial</b>	
Food store, shopping center and mall	1 parking space for each 300 square feet of gross floor area but not less than 6 spaces
Barber, beauty and other personal services shop	1 parking space per 100 square feet of gross floor area
Retail store or service business	1 parking space for each 300 square feet of gross floor area
Service or repair shop; retail store handling exclusively bulky merchandise such as machinery, furniture, wholesale stores, appliances, carpet, showrooms, etc.	1 parking space for each 400 square feet of gross floor area
Motor vehicle sales and service establishment	1 parking space for each 400 square feet of gross sales floor area plus 4 spaces for each auto service stall
Laundry and dry cleaning establishment	1 parking space for each 500 square feet of gross floor area, or 1 parking space for each 4 coin-operated washing machines, dryers or dry cleaning machines, whichever is greater
Gasoline service station	1 parking space for each 2 gas pumps plus 2 spaces for each grease rack, wash rack and stall for servicing vehicles
<b>Industrial</b>	
Industrial, processing, manufacturing and assembling	1 parking space for each 500 square feet of gross floor area except that office space shall provide parking space as required for offices
Warehousing, storage and wholesale business	1 parking space for each 1500 square feet of gross floor area, but not less than 3 spaces
<b>Marine Related Uses</b>	
Harbor or marina	1 parking space for every 2 established boat stalls or equivalent berths based on an average boat length of 40 feet and, if a launch ramp is included, a minimum of 20% of the spaces will be long enough to accommodate vehicles with boat trailers
Day cruise, charter boat operators licensed for 20 or more people	1 parking space per 4 people maximum capacity

- C. Unlisted uses. The requirements for off-street parking facilities for uses not specifically mentioned in this section shall be the same as the above-mentioned use which, in the opinion of the administrative official, is most similar to the use not specifically mentioned.
- D. Minimum dimensions of off-street spaces and aisles. The minimum dimensions of spaces and aisles shall be as follows:
1. Parking spaces shall be at least 9 feet wide and 18 feet long.
  2. The minimum width of traffic aisles providing access to parking lot spaces shall be:

Angle of Parking (degrees)	One-Way (feet)	Two-Way (feet)
Parallel	12	20
30	14	21
45	16	22
60	18	23
90	20	24

- E. Location. Subject to (1) and (2) of this subsection, all required parking shall be located on the lot occupied by the principal use served, or on a lot abutting the lot occupied by the principal use.
1. Required parking may be provided on a lot that is not occupied or abutting the principal use, provided that (i) there is a pedestrian route not longer than 600 feet to the lot occupied by the principal use, or (ii) access is provided by a scheduled shuttle service or a valet parking attendant.
  2. Required parking may be located on a lot not occupied by the principal use served only if (i) parking is a permitted or conditional use in the zoning district for the lot, and (ii) the lot is made subject to a recorded agreement among its owner, the owner of the lot occupied by the principal use and the City that the required parking will be maintained for the benefit of the principal use served for the life of that use.
- F. Site plan. A site plan showing all parking areas shall accompany all applications for building permits. Said plan shall show dimensions of spaces, curb cuts and other information necessary to determine compliance with the provisions of this section. The administrative official shall approve or reject the site plan on the basis of compliance with the requirements of this section. No building permit shall be issued until the parking site plan is approved.
- G. Street access. All off-street vehicle parking facilities shall be designed with appropriate means of access to street, alley or other right-of-way, and will have adequate maneuvering area. No driveway or curb cuts in any district shall be less than 12 feet or more than 35 feet in width. Detailed plans for all curb cuts shall be submitted to the administrative official for approval before a building permit is issued.
- H. Parking lots. Every lot or parcel of land used as a public or private parking area shall be developed as follows, subject to the approval of the plans by the administrative official:
1. Lighting of all parking areas shall be arranged to reflect away from adjacent residential areas and all public streets and highways;
  2. All parking spaces and lots shall be durably surfaced, free of mud and standing water, and be dust free;
  3. Where such area adjoins the side of a lot in any residential district, it shall be separated from such lot by a fence or hedge not less than 4 feet or more than 6 feet in height. Such fence or hedge shall be maintained in good condition and shall not extend beyond front yard lines required in such residential district;
  4. All parking (except that serving single-family and duplex residences) shall be so arranged that ingress and egress are possible without backing over a sidewalk, sidewalk area, or onto a street of collector or larger designation; and
  5. Turning and maneuvering space (except that which services single-family and duplex residences) shall be located entirely on private property, provided that the usable portion of an alley may be credited as aisle space subject to safety approval by the City engineer.
- I. Dual use of lots. Two or more buildings or uses may collectively provide the required off-street parking, in which case the required number of parking spaces shall not be less than the sum of the requirements for the

several individual uses computed separately. In the instance of dual function of off-street parking where operating hours of uses do not overlap, the planning and zoning commission may, by conditional use permit, reduce the required parking to any amount that meets the requirements of each use.

J. Computation of numbers of spaces. In figuring the total parking requirements for a use, any fraction of ½ or more shall require one more space.

K. Reduction of spaces. No existing parking area and no parking area provided for the purpose of complying with the provisions of this section shall, after adoption of the ordinance codified in this chapter, be relinquished or reduced in any manner below the requirements of this section.

L. Uses of parking areas. Required parking areas and spaces shall not be used for sales display, storage, repair work or any other purposes other than parking. All vehicles in custody of an operator of a business for service, repair, storage, sale, or other purpose shall be stored on the premises or on a separate vehicle parking lot and shall not be parked on a public right-of-way.

M. Location on property. Parking spaces shall be permitted in any required yard area provided that within the residential districts no parking space shall be permitted within five feet of any side property line.

N. Intersection with public street. At the intersection of any private drive or entrance or exit for a common parking area with a public street, no fence, wall, hedge, or other planting or structure forming a material impediment to visibility between a height of 2½ feet and eight feet shall be erected, planted, placed or maintained, and no vehicle so impeding visibility shall be parked within triangular area defined by lines connecting points as follows:

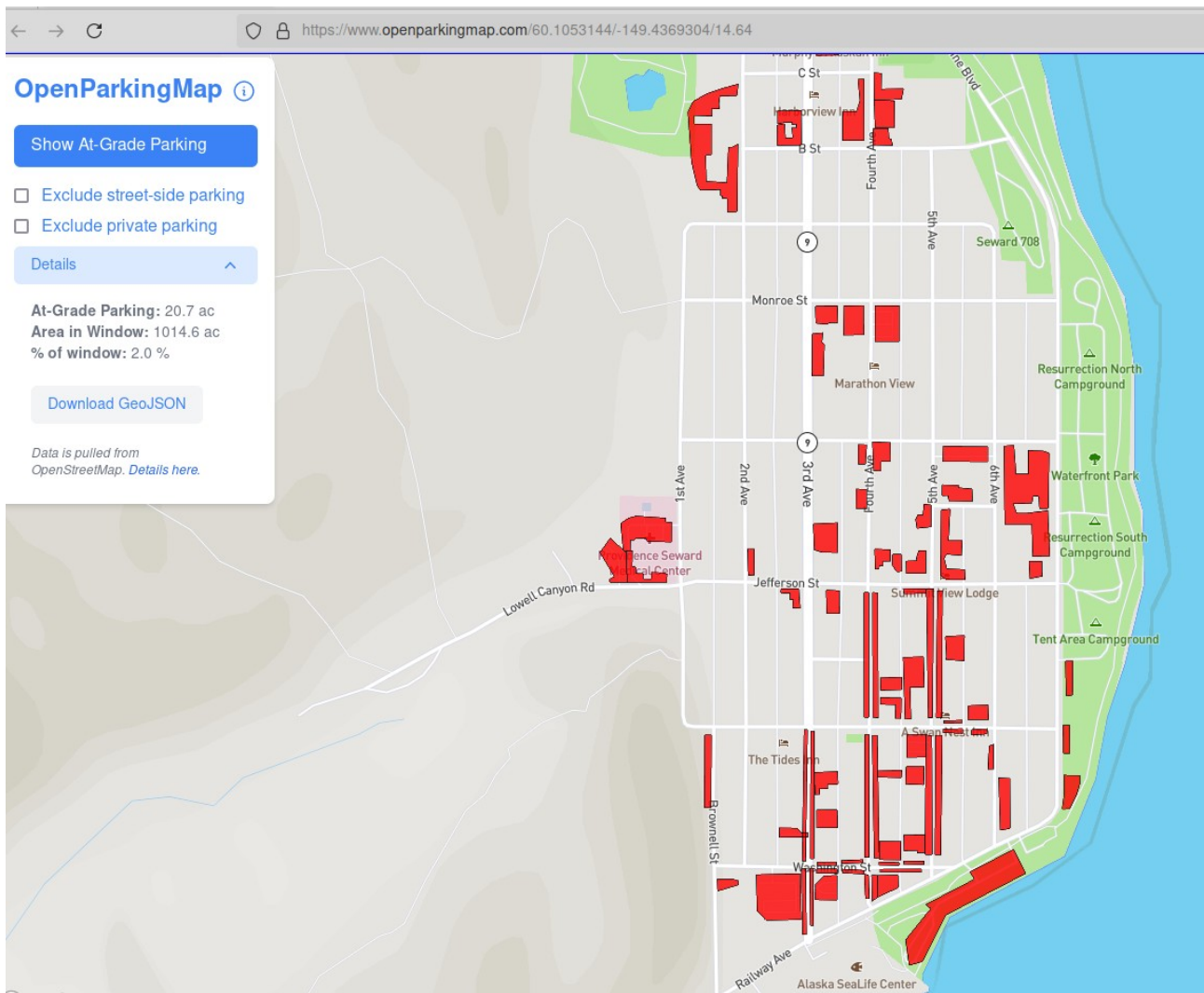
Beginning at the point where the midline of the private drive or entrance or exit for a common parking area intersects the public right-of-way to a point 35 feet along the right-of-way line in the direction of the nearer lane of approaching traffic, thence to a point 25 feet toward the interior of the property along the previously described midline, and thence to point of beginning.

O. Accessible parking requirements. All parking shall comply with the Americans with Disabilities Act.

P. Group use of lots. Where more than one tenant or use is included within any one building or on any one lot, the parking requirements shall be the sum total of the parking requirements for all of the various tenants or uses provided, however, that:

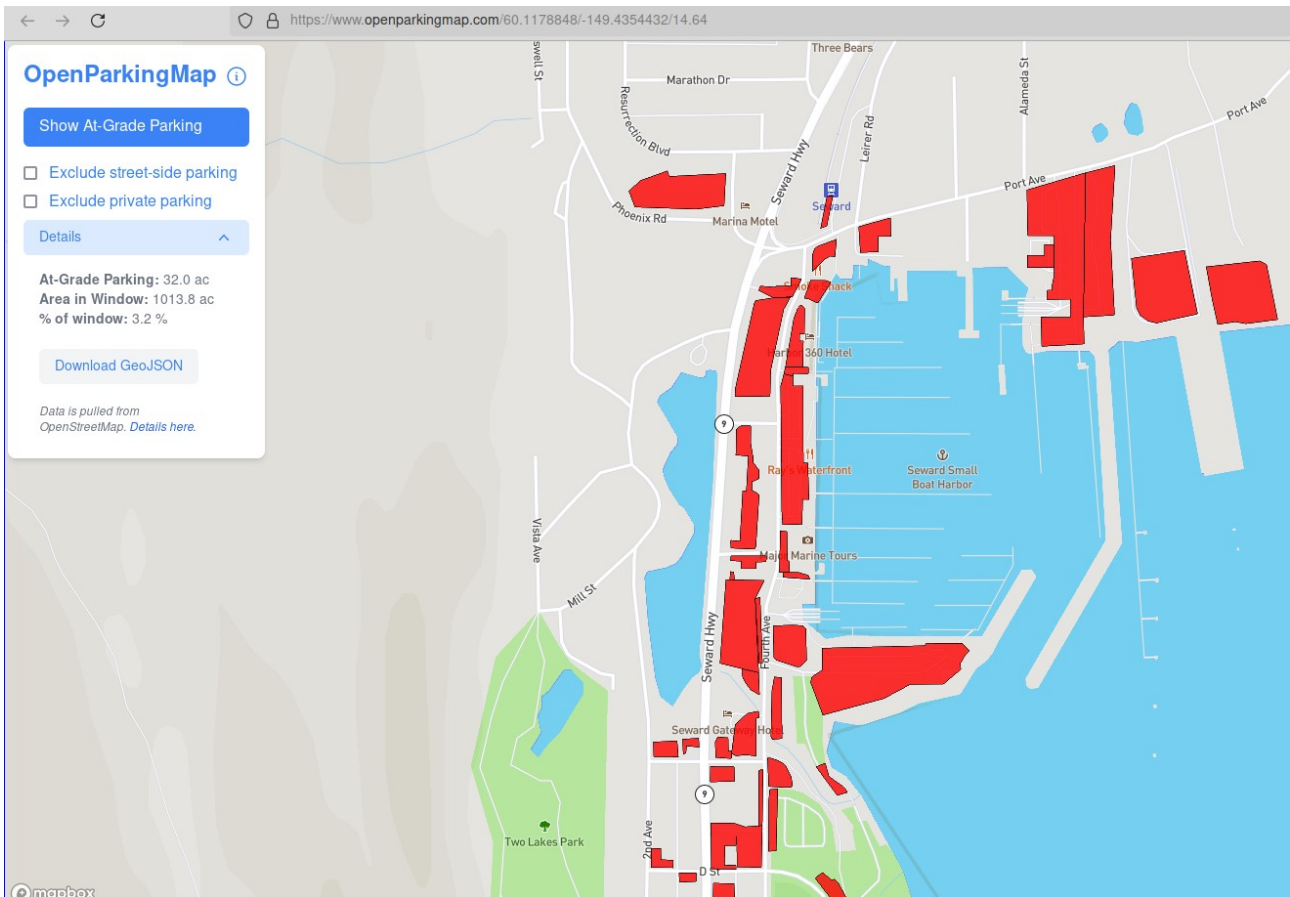
1. The aggregation of tenants or uses shall meet all the requirements within the definition of "shopping center" in order to become entitled to utilize the parking ratio specified in section 15.10.215(B).
2. Where a hotel or motel has other principal uses such as restaurants, bar and meeting rooms located on its premises, the principal use requiring the greatest amount of parking shall provide 100 percent of the required parking spaces and the other uses shall provide, in addition, at least 70 percent of the parking spaces which would be required if these were stand-alone uses.
3. Where a convenience store includes a self-service gas station, the required parking shall be determined by the parking ratio specified in section 15.10.215(b). No additional parking spaces will be required for gasoline service station.

(Ord. 626, § 3, 1989; Ord. 93-06; Ord. 94-17; Ord. 96-02; Ord. 96-13; Ord. 98-06; Ord. 98-09, § 2; Ord. No. 99-13, § 1, 1999; Ord. 99-16, § 4, 1999; Ord. No. 2006-007, § 1, 9-7-2006; Ord. No. 2013-001, § 1, 1-28-2013; Ord. No. 2018-004, § 1)



20.7 acres is 901692 square feet

If a standard parking space is 9'x18' (162 square feet) then there is enough space (on this incomplete map) to park 5566 standard vehicles in the red areas on this map. This does not include the waterfront RV area, nor did I have time to include the street parking available on many streets such as 3<sup>rd</sup> Ave. It's also enough space for about 300 standard sized (3000 sq ft) lots (actually a bit less because we would not include the parts in the ROW but it serves it's point).



The harbor is less dense and more parking with an additional 10 acres over what the downtown already has to offer. Between the two there is enough space to park 14170 standard-sized vehicles. This exceeds the city's population by about factor of 5 or including the greater Seward area a factor of about 2.5. Keep in mind this is just an analysis for the parking available downtown, and the harbor and is not wholly inclusive of all city limits.



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NATIONAL

# From Austin to Anchorage, U.S. cities opt to ditch their off-street parking minimums

JANUARY 2, 2024 · 5:01 AM ET

HEARD ON ALL THINGS CONSIDERED



Laurel Wamsley

**3-Minute Listen**

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Austin, Texas, is the country's largest city to toss out its requirements for off-street car parking. The city hopes removing the mandates will encourage other modes of transportation and help housing affordability.

*Brandon Bell/Getty Images*

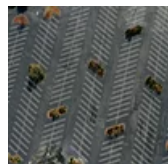
The city council in Austin, Texas recently proposed something that could seem like political Kryptonite: getting rid of parking minimums.

Those are the rules that dictate how much off-street parking developers must provide — as in, a certain number of spaces for every apartment and business.

Around the country, cities are throwing out their own parking requirements — hoping to end up with less parking, more affordable housing, better transit, and walkable neighborhoods.

Some Austinites were against tossing the rules.

"Austin has developed as a low density city without adequate mass transportation system," said resident Malcolm Yeatts. "Austin citizens cannot give up their cars. Eliminating adequate parking for residents will only increase the flight of the middle class and businesses to the suburbs."



CONSIDER THIS FROM NPR

**How Parking Explains Everything**

But much more numerous were voices in support of eliminating the minimums and the impact they've had on housing costs, congestion, and walkability.

"I think our country has used its land wastefully, like a drunk lottery winner that's squandered their newfound wealth," said resident Tai Hovanky. "We literally paved paradise and put up a parking lot."

The amendment sailed through the council — making Austin the biggest city in the country to eliminate its parking mandates citywide.

## **Dozens of cities have ditched parking minimums**

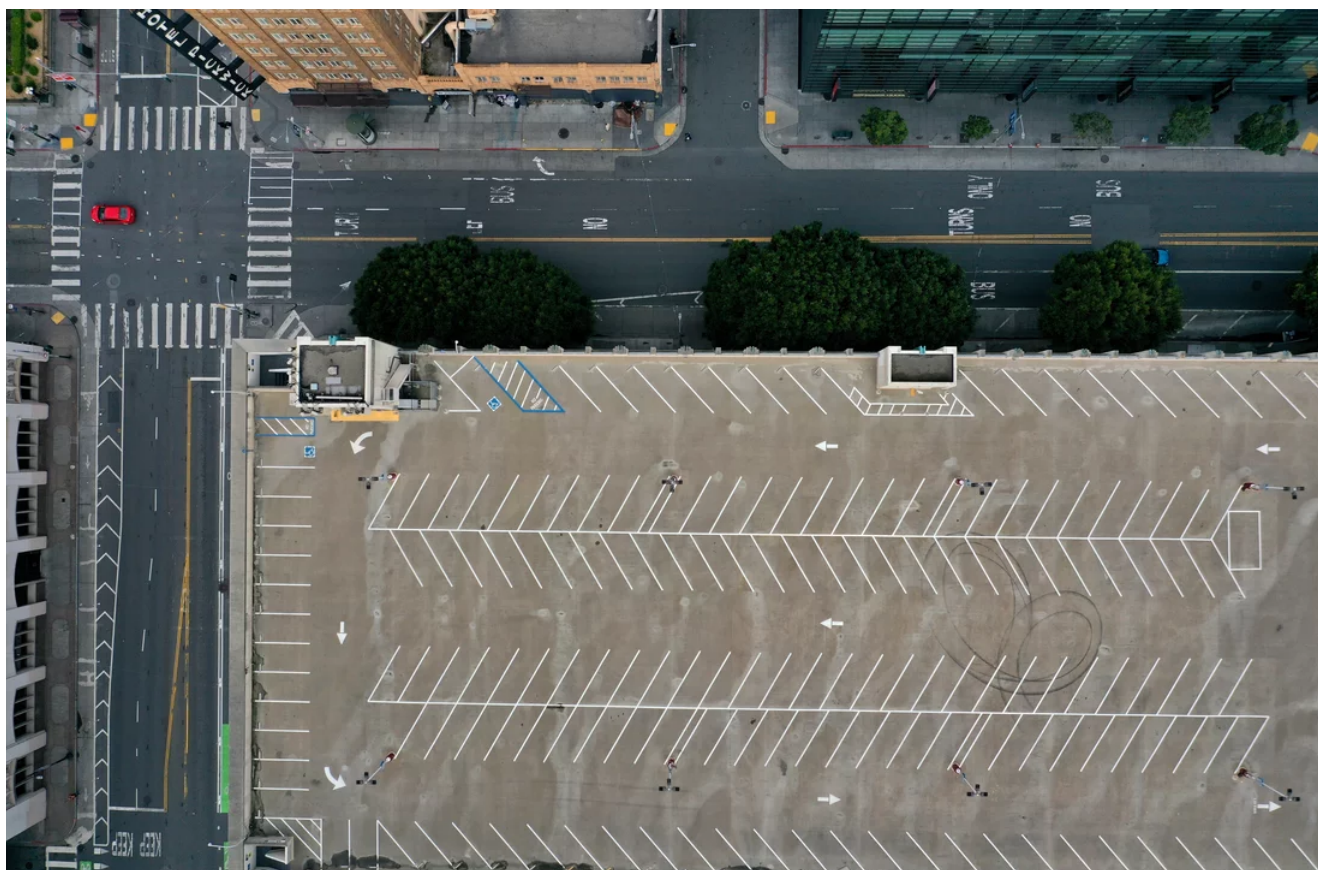
But it's not just Austin. More than 50 other cities and towns have thrown out their

minimums, from Anchorage, Alaska, and San Jose, Calif., to Gainesville, Fla.

"They're all just dead weight," says Tony Jordan, the president of the Parking Reform Network, of parking minimums. One issue is just how arbitrary they can be.

Take bowling alleys. Jordan says the number of required parking spots per bowling lane could vary anywhere from two to five, in cities right next to each other.

"What's the difference between a bowler in city A and city B? Nothing. It's just these codes were put in ... very arbitrarily back 30 or 40 years ago and they're very hard to change because anytime the city wants to change them, there's a whole big hoopla," he says.



San Francisco is one of many U.S. cities that has thrown out its parking minimums in recent years.

*Justin Sullivan/Getty Images*

Random as these rules can be, they have major consequences: Parking creates sprawl and makes neighborhoods less walkable. Asphalt traps heat and creates runoff. And parking minimums can add *major* costs to building new housing: a single space in a parking structure can cost \$50,000 or more.

One 2017 study found that including garage parking increased the rent of a housing unit by about 17 percent.

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## AUTHOR INTERVIEWS

### Why the U.S. builds more three-car garages than one-bedroom apartments

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The real problem, says Jordan, is what *doesn't* get built: "The housing that could have gone in that space or the housing that wasn't built because the developer couldn't put enough parking. ... So we just lose housing in exchange for having convenient places to store cars."

#### A move to let the market decide

Austin City Council member Zo Qadri was the lead sponsor on the resolution to remove parking mandates there. He emphasizes that getting rid of parking mandates isn't the same thing as getting rid of parking: "It simply lets the market and individual property owners decide what levels of parking are appropriate or needed."

Austin removed parking requirements for its downtown area a decade ago, "and the market has still provided plenty of parking in the vast majority of the projects since then," says Qadri.

A new survey from Pew Charitable Trusts found that 62% of Americans support property owners and builders to make decisions about the number of off-street parking spaces, instead of local governments.

Angela Greco, a 36-year-old musician and copywriter in Austin, is one of them. She drives, but prefers to walk or take transit. She's not worried that doing away with the old rules will make it too hard to find a place to park.

"I've lived in like cities where it's way more difficult, like New York and L.A.," Greco says. "Parking just isn't that difficult in Austin to me to begin with, even in



really dense areas."



Many cities hope that ditching their parking requirements will make their neighborhoods more amenable to biking and walking. People are seen biking and walking along Park Avenue near Grand Central Station during the Summer Streets initiative in New York City in August 2022.

*Ed Jones/AFP via Getty Images*

She says the question of whether the city invests in transit and walkability, or doubles down on cars, is decisive in whether she'll live in Austin long-term.

"Like if it doesn't seem like the public transit's going to get better, and if it seems like the highway expansion is going to happen, then I'm probably going to start looking for where else I can live. ... It's a major factor in my life and my happiness. Like sometimes I'm driving on the road and I'll be in traffic or something or even just on the highway, and it's such an ugly landscape," Greco says. "And then I'll think: this isn't really how I want to spend my adult life."

## **Too much parking can hinder effective transit**



What about the idea that cities without good transit can't cut back on parking?

Jonathan Levine, a professor of urban and regional planning at the University of Michigan who studies transportation policy reform, says cities' parking minimums can make good transit nearly impossible to develop.

"An area that has a lot of parking is transit-hostile territory," he says.

He explains why: When people take transit, they complete their journey by walking to their destination. A sea of parking at the destination makes that walk longer, and it makes the physical environment less appealing to those on foot.



## BUSINESS

### **Street Food: Cities Turn Parking Spaces Into Dining Spots And No One Seems To Mind**

"Who wants to walk by a bunch of parking lots to get to your destination?" Levine notes.

And having tons of parking encourages driving. "If you have parking everywhere that you're going, that parking essentially is calling to the drivers, drive here! Park here! ... So if you keep on designing those areas by governmental mandate, you're creating areas that transit can't serve effectively," says Levine.

Many more U.S. cities – including New York City, Milwaukee, and Dallas – are exploring getting rid of their parking minimums too. Duluth, Minn., lifted its parking mandates in December.

Levine says getting rid of these rules is good news for cities.

"It's a huge drag on housing affordability. And it's a huge impediment for cities fulfilling their destiny, which is enabling human interaction. Because what parking does is it separates land uses, separates people. It makes cities have a much more sprawling physical profile than they otherwise would have."

austin, texas   parking   urban planning   land use



# Let's talk about Anchorage's parking problem.

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Assembly Worksession on AO 2022-80 (S)  
November 18, 2022



# Anchorage has a parking problem.

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# Anchorage has a parking problem.

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# Anchorage has a parking problem.

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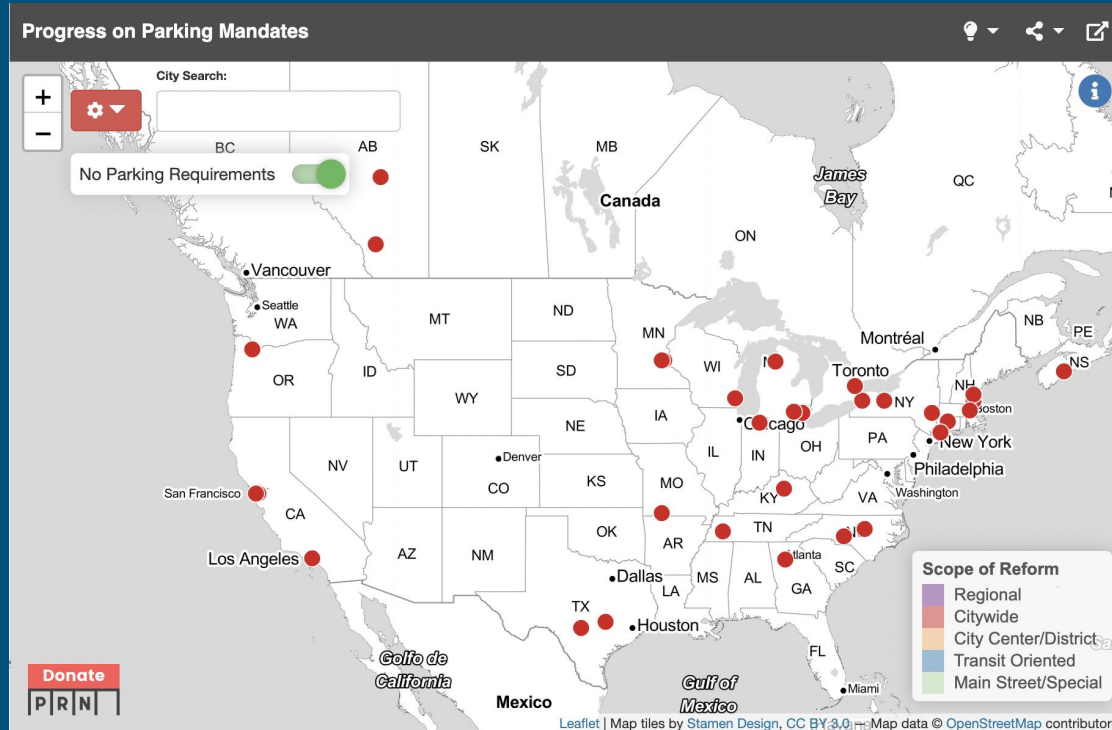


# Solution: End Parking Minimums

In 2015, Fayetteville, AK was the first city to end parking minimums citywide



# Have other cities done this? Yes!



<https://parkingreform.org/resources/mandates-map/>

# Have other cities done this? Yes!

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Edmonton, Alberta

Minneapolis & St. Paul, Minnesota

Ann Arbor, Michigan

South Bend Indiana

Toronto, Ontario

Buffalo, New York

Cambridge, Massachusetts

Hartford & Bridgeport, Connecticut

Raleigh, North Carolina

Lexington, Kentucky

San Francisco & Alameda, California

Portland, Oregon

Jackson, Tennessee

West Allis, Wisconsin

# What are parking minimums?

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# Things to consider:

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1. Removing parking minimums  $\neq$  Removing existing parking
2. Builders, developers, and business owners are not prohibited from including parking - it leaves the decision up to them.
3. ROW and Street Maintenance concerns are often separate issues that impact parking but are not directly related to parking minimums.



# Policy Goals of the S Version

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1. Make it more affordable to build housing & commercial development
2. Give designers & developers more flexibility
3. Simplify proposed changes to Title 21
4. Encourage adaptive re-use of vacant properties
5. Prioritize the creation of connected spaces over empty swaths of pavement
6. Accommodate non-motorized, multimodal travel

# After parking minimums were repealed, the Woody Guthrie building provided almost 3x more affordable homes than Reedway Place.

## Reedway Place

24 units  
24 parking spaces



## Woody Guthrie

64 units  
29 parking spaces



# Johnson Tire - A Case Study

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## Adaptive Reuse -

- Apartments on the top floor - building up to add more sq. footage - with decks
- Indoor Market: Cheese Shop, Butcher, Panderia, Organic Veggies
- Brewpub

# Anchorage Food Hall - A Case Study

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# What does the S Version do?

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Eliminates Parking Minimum requirements citywide

Increases ADA parking ratios when parking is provided

Creates Requirements for Bicycle Parking (previously part of an incentive program in the original version)

Establishes a menu of Alternative Transportation Amenities that developers can choose from for larger developments

*See unnumbered Assembly Memorandum for comparison between original AO and S version*

# ORIGINAL VS. S VERSION

Parking Regulation	A.O. 2022-80 Amendment <i>(as introduced on 9-13-2022)</i>	S-version Amendment
Minimum Off-Street Parking Requirements <i>(21.07.090A. - E.)</i>	Set area-specific minimum parking requirements that are 10% to 35% lower for urban neighborhoods and public transit corridors.  Remove parking requirements in the future within yet-to-be-created parking management districts.	Completely remove off-street parking requirements in all parts of the Municipality.  No longer regulate the usage or availability of parking spaces. Allow shared and off-site parking, by-right.
Applicability of Parking Design Standards <i>(21.07.090E.1.)</i>	No change to current requirement that all parking facilities must comply with the Title 21 development standards for constructing parking facilities.	Require all areas <u>used</u> for off-street parking to meet the Title 21 development standards for parking facilities.
Maximum Allowed Parking <i>(21.07.090E.2.)</i>	No change to current maximum allowed number of parking spaces, which is 125% of the minimum parking requirement for most commercial uses.	Base the maximum allowed number of parking spaces on the size of the building.
Parking Reductions <i>(21.07.090F.)</i>	Streamline approvals of % reductions in the required number of parking spaces, to become by-right approvals for developments that incorporate parking management strategies or that use less parking (e.g., affordable housing).  Add to the menu of parking reduction strategies, through which developments may earn percentage reductions in the parking requirement.	Allow developments to provide little or no parking, by-right, without having to earn percentage reductions.  Beginning in 2024 after a transition period, require large developments to select one parking demand reduction strategy from a simplified list of parking reduction strategies. Exempt smaller projects, affordable housing, etc.

Accessible (ADA) Parking Spaces <i>(21.07.090J.)</i>	No change to current required number of accessible (ADA) parking spaces, which is set as a ratio of the total amount of (required) parking provided, except in the urban neighborhoods with a lower overall parking requirement.	Fewer ADA spaces (or none) will be required in developments that choose to build fewer or no parking spaces. Therefore, increase the number of required ADA spaces as a ratio of the total amount of parking provided.
Bicycle Parking Requirements <i>(21.07.090K.)</i>	Require most smaller developments to provide at least one U-rack. Increase the bike parking requirement in urban neighborhoods and transit corridors.  Require a percentage of bike parking to be in secure and sheltered areas for employee and resident bike parking.	Wait until 2024 to apply the amended bike parking requirements, after a transition period.  Increase the bike parking requirement by the same amount in all areas, rather than in just the urban neighborhoods.  Allow co-location of bike parking among uses.

The net effect of these changes is to simplify the parking regulations in Title 21, cutting the code sections devoted to off-street parking requirements (21.07.090A. through F.) from 20 pages down to 7 pages. These changes can be expected to reduce the time that developers and municipal zoning plan reviewers must devote to ensuring conformance with Title 21. For many kinds of developments, parking minimums also comprise the largest site development costs and site area requirements mandated by Title 21.

# Tables of Interest: ADA Requirements

(Note to Code Revisor: The following subsection 21.07.090J. was not included in AO 2022-80 as introduced by the Assembly, but is included in the S-Version and amended as shown below.)

## J. Accessible Parking Spaces

1. **Required Number of Accessible Parking Spaces.** A portion of the total number of parking spaces provided in each parking facility for commercial, industrial, community, multifamily, and mixed-use residential uses shall be accessible parking spaces. **These requirements are intended to reflect current national data on prevalence of mobility disabilities.** However, buildings in multifamily or mixed-use developments that are single-family, two-family, or townhouse style structures are not subject to the accessible parking space requirement. The number of accessible parking spaces shall be determined based on the total

AO (S) regarding Title 21 Text Amendment to Parking and Site Access Development Standards  
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number of parking spaces provided, in accordance with table 21.07-~~Z~~**[8]**, Accessible Parking Spaces, except where otherwise stated in this section.

AO (S) regarding Title 21 Text Amendment to Parking and Site Access Development Standards  
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**TABLE 21.07-~~Z~~**[8]**: ACCESSIBLE PARKING SPACES**

Total Parking Spaces Provided	Total Accessible Spaces Required	Number of Accessible Spaces that shall be Van-Accessible
<b>1 to 10</b>	<b>1</b>	<b>1</b>
11 to 25	<b>2</b> [1]	<b>2</b> [1]
26 to 50	<b>4</b> [2]	<b>2</b> [1]
51 to 75	<b>6</b> [3]	<b>2</b> [1]
76 to 100	<b>8</b> [4]	<b>2</b> [1]
101 to 150	<b>11</b> [5]	<b>2</b> [1]
151 to 200	<b>14</b> [6]	<b>2</b> [1]
201 to 300	<b>14</b> [7]	2
301 to 400	<b>14</b> [8]	2
401 to 500	<b>14</b> [9]	2
501 to 1000	<b>3</b> [2] percent of total	1 for every 6 accessible spaces
1001 and over	20 plus <b>2</b> [1] for each 100 over 1000	1 for every 6 accessible spaces

\*\*\* \*\*

# Tables of Interest: Required Bicycle Parking

- a. A minimum of two bicycle parking spaces shall be provided for each use in Table 21.07-8. For commercial and community uses, group living uses with 10 or more beds, and household living uses with 10 or more dwellings, the two spaces shall be located outdoors and publicly accessible for customers and short-term visitors.

TABLE 21.07-8: Bicycle Parking Spaces Required		
Use Category/Type	Minimum Number of Bicycle Spaces <sup>1</sup> (*sf = square feet; *gfa = gross floor area)	Minimum Percentage for Long-Term Spaces (for required bicycle parking in excess of 2 spaces) <sup>2</sup>
Multifamily and mixed-use dwellings	1 space per two dwellings	90 percent
Group living uses, Roominghouses, Homeless and transient shelters	1 space per 5 beds	90 percent
Government administration & civic facility, Offices, Hospitals/Healthcare facilities	1 space per 5,000 sf gfa	75 percent
Cultural Facilities, Entertainment & Recreation Facilities	1 space per 10,000 sf gfa	10 percent
Schools, Colleges	4 spaces per classroom	25 percent

Attachment A: Simplified Version of AO 2022-80 (S) for REFERENCE ONLY

AO 2022-80(S) Attachment A: Simplified S-Version – For Reference Only  
11/09/2022  
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TABLE 21.07-8: Bicycle Parking Spaces Required		
Restaurants, Bars	1 space per 3,000 sf gfa	10 percent
Retail Sales, Personal Service, Repair & Rental	1 space per 5,000 sf gfa	10 percent
Visitor Accommodations	1 space per 23,000 sf gfa	75 percent
Industrial uses	1 space per 25,000 sf gfa	75 percent
Uses not included above, except as provided in subsection K.3. below	Minimum of 2 spaces	Not required

<sup>1</sup>A minimum of 2 spaces are required for each use. After the first 40 bicycle parking spaces, no additional bicycle parking is required for any individual non-residential use.  
<sup>2</sup>The first 2 required spaces are not used in calculating the percentage of required long term spaces. The number of required long-term bicycle parking spaces is calculated as a percentage of the overall number of required spaces beyond the first two required spaces.

3. Exemptions. The bicycle parking [THIS] requirements in subsection 1. shall not apply to:

Note: This is from Simplified copy

# Tables of Interest: Alternative Transportation Amenities/Parking Use Reduction Strategies

F. Parking usage reductions; [AND] alternative transportation incentives.

1. Purpose. Incentivize and improve access to walking, bicycling, ride-sharing, and public transit for residents, employees, and visitors of developments, in order to:

- a. Save development costs through less parking;
- b. Support efficient use of land and development;
- c. Relieve traffic and parking congestion; and
- d. Reduce parking conflicts between neighbors.

2. Applicability. This subsection is effective beginning January 1, 2024, and applies to multifamily developments with 20 or more dwelling units, and commercial and community service developments of 20,000 or more square feet of gross floor area. Affordable housing units and senior housing units are exempt.

3. Standard. Applicants shall select one choice from the alternative transportation incentives in Table 21.07-4, or propose an alternative under subsection 4.

Table 21.07-4: Alternative Transportation Amenities and Incentives	
<b>Parking Management</b>	
Unbundled Parking	Off-street parking for the use consists only of unbundled parking as defined in 21.15.040.
Parking Cash-out	The non-residential use implements a parking cash-out program as defined in 21.15.040 and informs all employees of the program.
<b>Pedestrian Amenities</b>	
Additional Bicycle Parking	The development provides twice the number of bicycle parking spaces required by subsection 21.07.090K.
Pedestrian Amenities	The development provides two of the following pedestrian amenities from subsection 21.07.060F, that are not otherwise required for the development: primary pedestrian walkway, transit stop or shelter, pedestrian-interactive use, enhanced sidewalk.
<b>Transportation Programs</b>	

Attachment A: Simplified Version of AO 2022-80 (S) for REFERENCE ONLY

AO 2022-80(S) Attachment A: Simplified S-Version – For Reference Only  
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Rideshare Program	The non-residential use participates in a rideshare program that is available to all employees at no cost and provides designated and signed rideshare parking spaces that meet the passenger loading space standards of 21.07.090L2.
Car Share Program	The residential use sponsors memberships to a car share program as defined in 21.15.040 that is available to all households and provides designated and signed car share spaces.
Free Transit Pass	The employer or property owner sponsors public transit passes cost-free to all employees or residents.

4. Other alternatives. Applicants may propose a different amenity or incentive to reduce parking utilization or modify any of the strategies in table 21.07-4, subject to approval by the traffic engineer and planning director.



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# Building Height

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**15.10.220 Development requirements.**

- A. Table 15.10.222, development requirements, is incorporated herein by reference and the restrictions and annotations contained therein are mandatory unless otherwise modified by this chapter. (See table at the end of this section; see also section 15.10.210.)
- B. Building height. The purpose of building height standards is to prevent loss of life or excessive property damage through the inability of the City fire department to reach upper stories or roofs and to help maintain the character of neighborhoods.
- C. Setbacks—Yards.
  1. Setbacks are required to insure sufficient open area for snow accumulation, sunlight, views, privacy, fire separation and visual relief between structures.
  2. No yard or other open space provided about any building for the purpose of complying with the provisions of this chapter shall be considered as providing a yard or open space for any other building, and no yard or open space on one lot shall be considered as providing a yard or open space on any other lot.
  3. No yard or lot shall be reduced in size or area below the minimum requirements set forth herein. Yards or lots created after December 5, 1978 shall meet at least the minimum requirements established by this chapter.
  4. In cases of corner lots with multiple frontages, the administrative official shall designate the front yard, and all other frontages shall be designated as a side to a street.
  5. All structures shall be designed and constructed to prevent roofs from shedding snow onto adjacent lots, structures, fences, or other property.

(Ord. 99-10, § 3; Ord. No. 2018-004, § 1)

TABLE

Zoning District Designations

The following zoning district abbreviations are provided for information and interpretation:

RR =	Rural, very low density single-family residential
R1 =	Single-family, low density residential
R2 =	Single and two-family, medium density residential
R3 =	Single, two and multi-family, high density residential
UR =	Urban residential, a mix of residential uses and low impact home professional offices
OR =	Office residential
AC =	Auto and neighborhood oriented, light commercial
HC =	Harbor commercial
CB =	Central business district - dense downtown commercial
I =	Industrial
RM =	Resource management - partially developable lands subject to floodplains and steep slopes
INS =	Institutional, public, quasi-public uses
P =	Parks

**Table 15.10.222. Development Requirements**

Zoning Districts	Principally Residential					Principally Commercial					Principally Public		
	RR	R1	R2	R3	UR	OR	AC	HC	CB	I	RM	INS	P
Maximum Building Height (ft.) (See Note 1, next page)	34	34	34	34	34	34	34	Varies 26 or 34*	34	34	34	34	34
Minimum Buildable Lot Size (sq. ft.) (See Notes 2 and 7, next page)	20,000	Varies 3,000 to 6,000*	Varies 3,000 to 6,000*	Varies 3,000 to 9,000*	Varies 3,000 to 9,000*	Varies 3,000 to 9,000*	Varies 6,000 to 9,000*	None	Varies 3,000 to 9,000*	10,000	20,000	None	None
Minimum Lot Width (ft.) (See Notes 3 and 7, next page)	100	Varies 30 to 60*	Varies 30 to 60*	Varies 30 to 90*	Varies 30 to 90*	Varies 30 to 90*	60 or 90*	30	Varies 30 to 90*	100	100	None	None
Minimum Front Yard Setback (ft.) (See Note 7, next page) except Leirer and Tract C-1 below	20	20	20	20	20	20	10	None	None	20	20	20	20
Minimum Front Yard Setback (ft.) for Leirer Industrial Subdivision and Alaska Skill Center Tract C-1 only. (See Note 7, next page)	20	20	20	20	20	20	10	None	None	10	20	20	20
Minimum Side Yard Setback (ft.) (See Notes 4 and 7, next page)	10	5 or 5 min. with 15 total*	5 or 5 min. with 15 total*	10	5	5	5	5	None	10	10	10	20
Minimum Side Yard Setback Adjacent to Street (ft.) (See Note 7, next page)	10	10	10	10	10	10	10	None	None	20	10	10	20
Minimum Rear Yard Setback (ft.) (See Notes 5 and 7, next page)	10	10	10	10	10	10	10	None, 5 and 10*	None	10	10	15	20
Maximum Accessory Building Height (ft.)	20	20	20	20	20	20	20	20	34	34	20	34	20

Seward City Code

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Maximum Lot Coverage (%) (See Notes 2G and 6, next page)	30	35	35	40	40	50	50	100*	100	100*	30	50	10
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Table 15.10.222. Development Requirements—Table Notes

NOTE 1. Within the HC District, in the area bounded by Fourth Avenue, the southern boundary of the South Harbor Uplands - Tract H, Waterfront Park Replat, the harbor basin and J Float Ramp, building height is limited to 26 feet.

NOTE 2.

- A. Buildable/useable area—Lot may have to be larger to have minimum buildable area available.
- B. In the R1, R2, R3, UR, OR, AC and CB Districts, from the Seward Highway/Phoenix Road intersection South, to include the Bayview Subdivision, a minimum of 3,000 SF lots and 30 foot minimum frontages and north of the Seward Highway/Phoenix Road intersection, a minimum of 6,000 SF lots and 60 foot minimum frontages
- C. Lots located on a cul-de-sac bulb shall have a minimum of 8,000 square feet and a 40-foot minimum lot frontage.
- D. Flag lots shall have a minimum of 15,000 square feet and a 30-foot minimum lot frontage on the staff portion of the lot.
- E. A single RR lot may be divided into two lots of less than 20,000 SF each if the reduction below 20,000 SF is to accommodate required widening of an adjacent right-of-way.
- F. In the R1, R2, R3, UR, OR, AC and CB Districts, individual lots of at least 3,000 SF in the Original Townsite, Federal Addition, Laubner Addition, Cliff Addition and Bayview Addition may be developed for single-family residences provided all other development requirements of this chapter are met.
- G. Multiple-Family developments (except studio apartments) with three or more units require a minimum of 9,000 SF in the R3, UR, OR, AC and CB Districts and 20,000 SF in the RM District. All said districts require an additional 1,200 SF per unit of five or more units.
- H. Two-Family or duplex developments require a minimum of 6,000 SF in the R2, R3, UR, OR, AC and CB Districts and 20,000 SF in the RM District. Duplex developments within the Federal Addition Subdivision require 5,000 SF. All other development requirements of this chapter shall be met.
- I. Multiple-Family, studio apartments in the OR, AC, CB, HC, I and RM districts require a minimum of 9,000 SF. The total square footage required for lot setbacks shall be reserved as open area. All other requirements set forth in this chapter shall be met.

NOTE 3. See Notes 2-F and 2-G above.

NOTE 4. From Seward Highway/Phoenix Road intersection—South, a five-foot setback, each side; north, a minimum five-foot setback each side as part of a combined 15-foot setback total between both sides.

NOTE 5. In the HC District, parcels abutting mean high tide—No rear yard setback; parcels abutting the waterfront boardwalk—Five feet; and parcels not abutting the waterfront boardwalk or mean high water mark—Ten feet.

NOTE 6. Excludes setbacks in HC and I.

NOTE 7. In the Industrial District, no minimum lot size, width or setbacks are required for unmanned electronic sites.

NOTE 8. Tract D of USS 1864 Jesse Lee Home Subdivision shall not be used for any uses other than those allowed in an R1 district, except for a long term care facility, aka skilled nursing care facility.

(Ord. 2007-009, § 1; Ord. 2008-006, § 1; Ord. No. 2012-002, § 1; Ord. No. 2016-009, § 1; Ord. No. 2017-002, § 1; Ord. No. 2018-004, § 1; Ord. No. 2023-019, § 1, 7-10-2023)



## Building Height Restrictions in Other Communities:

Juneau	Zoning districts	Height Allowance	Description
	Rural Reserve (RR)	45'	Rural Reserve: public ownership, conservation, future community growth, etc
	Residential (D's)	35'	Range of residential from more low to high density
	Mixed Use (MU2)	45' (with payment of 5 bonus points*)	Mixed use with higher emphasis on residential development
	Mixed Use (MU3)	35'	Mixed use with greater emphasis on the integration of small-scale commercial uses within high-density residential structures
	Commercial (NC)	35'	Neighborhood commercial
	Commercial (LC)	45'	Light commercial
	Commercial (GC)	55'	General commercial
	Industrial	None	
	Waterfront - Commercial	35'	
	Waterfront - Industrial	45'	

\*Bonus Points: Juneau has a 'bonus policy' which awards developers a certain amount of bonus points for specific types of development. Then, those bonus points can be used to be granted the allowance to build a taller structure.

<b>Cordova</b>	<b>Zoning districts</b>	<b>Height Allowance</b>	<b>Description</b>
	Conservation (C)	35'	
	Parks and Open Space	20'	
	Unrestricted (UR)	35'	
	Residential (low density)	35'	
	Residential (medium density)	45'	
	Residential (high density)	None	Subject to approval by planning commission to determine that there are no significant scenic obstructions
	Business	50'	
	Industrial	None	
	Waterfront Industrial	50'	
	Waterfront Historic	75' (principal) 50' accessory	
	Public Lands and Institutions	None	
	Waterfront Commercial Park	30' (principal) 20' accessory	
	Accessory Buildings	20'	
	Agriculture buildings	50'	

<b>Homer</b>	<b>Zoning districts</b>	<b>Height Allowance</b>	<b>Description</b>
	Residential (low-high density)	35'	
	Medical District	35'	
	Business	35'	
	Town Center	35'*	height may exceed 35' with the approval of a CUP
	General Commercial 1	35'	
	General Commercial 2	35'*	buildings up to 55' may be approved with a CUP
	Mixed use	35'*	buildings solely for commercial purposes may be built up to 75' with an approved CUP
	Marine Commercial	35'	

<b>Kenai</b>	<b>Zoning districts</b>	<b>Height Allowance</b>	<b>Description</b>
	All Districts	35'	

<b>Seldovia</b>	<b>Zoning districts</b>	<b>Height Allowance</b>	<b>Description</b>
	Residential	28'	
	Industrial	35'	
	Commercial	28'	

<b>Valdez</b>	<b>Zoning districts</b>	<b>Height Allowance</b>	<b>Description</b>
	Residential (low density)	35'	
	Residential (high density)	40'	
	Mixed use	40'	
	Business / Commercial	40'	
	Waterfront Industrial	40'	
	Light Industrial	40'	
	Heavy Industrial	None	
	Airport	None	
	Public Lands	40'	

<b>Whittier</b>	<b>Zoning districts</b>	<b>Height Allowance</b>	<b>Description</b>
	Residential	40'	
	Commercial	40'	
	Industrial	60'	
	Boat Harbor	40'	

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## Land Uses Allowed

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**15.10.226 Land uses allowed.**

- A. Table 15.10.226 Land Uses Allowed is incorporated herein by reference and the restrictions contained therein are mandatory unless otherwise modified by this chapter (See Table 15.10.226)
  - B. Lodging as defined in section 15.10.140B. is allowed in accordance with table 15.10.225 of this chapter and subject to the following conditions:
    - 1. Regardless of the date such use began, an annual administrative permit is required. Prior to issuing the permit, the City shall conduct an annual life safety inspection of each guest room to assure compliance with the current adopted building code door/window egress standards, the presence of an operable and inspected fire extinguisher and adequate smoke detection systems, a posted evacuation plan, and visible signs showing exit locations.
    - 2. The application for an annual administrative permit shall be accompanied by a fee established by City Council resolution. A fee will be issued for each separate, advertised, rentable lodging unit.
    - 3. Before any permit is issued, the applicant shall furnish evidence of the existence of one or more policies of insurance, issued by an insurance company satisfactory to the City, providing insurance coverage for lodging. Policies shall stipulate that the insurer will give written notice to the City at least 30 days prior to the cancellation, expiration, lapse or other termination of the insurance coverage.
    - 4. Parking will be provided in accordance with section 15.10.215 of this chapter.
    - 5. No cooking or cooking facilities are permitted in individual guest bedrooms.
    - 6. Within principally residential districts RR, R1, R2, R3, UR lodging is limited to a home occupation within an owner-occupied dwelling which is the owner's principal place of residence and to the rental of not more than 50 percent of the bedrooms to a maximum of three.
    - 7. Within principally residential districts R2, R3, UR, lodging in multifamily dwellings is limited to not more than 50 percent of the dwelling units with one of the units being the owner's principal place of residence.
    - 8. Within commercial districts lodging within a dwelling unit is limited to the rental of not more than five guest bedrooms regardless of building or business ownership.
    - 9. Within principally commercial districts OR, AC, HC, and CB, excluding the Industrial zoning district, multifamily dwellings used for lodging purposes are not required to be the business or property owner's principal place of residence. The use shall be limited to not more than five dwelling units.
    - 10. The rental of individual rooms for lodging purposes is not extended to apartment unit tenants.
    - 11. Regardless of business name, the use of more than five guest bedrooms or apartments is considered a motel or hotel for building and other code interpretation purposes.
- .....
- I. Camping is allowed subject to the following:
    - 1. Camping for a fee shall be allowed within the City limits only in municipal campgrounds, as defined in section 7.15, or in private camper parks operating under a permit, as defined in section 8.15.
    - 2. Other than permitted camper parks, camping on privately owned lots as an accessory use to an occupied, single family home is limited to private non-commercial use and for no fee. Such occupancy shall be limited to one camping unit at a time and shall be for recreational or vacationing purposes only. Camping as provided in this section shall not occur earlier than April 15<sup>th</sup> and no later than September 30<sup>th</sup>



- J. Employee Campgrounds are allowed in accordance with table 15.10.226 of this chapter subject to the following:
1. Employee campgrounds are for established businesses with high seasonal employment of transient workers, and are not to be construed as construction camps. No employee campground may be open for more than 180 days per calendar year, and may not open earlier than April 15, nor remain active later than September 30, except by resolution of the City Council based on specific findings that a longer term, earlier opening date and/or later closing date is warranted because of special circumstances.
  2. Camping units as described in [section] 15.10.140 are not permitted. For the purposes of this section, a camping unit is described as a modified camping Connex, providing living facilities for one or more persons.
  3. Occupancy in an employee campground is limited to the transient workers of that industry or business granted a conditional use permit.
  4. Garbage and refuse. The requirements of section 8.15.340 shall also apply to employee campgrounds.
  5. Sanitary facilities shall be provided and include either permanent or portable toilets on-site. If permanent facilities are constructed, they shall conform to section 8.15.425(b). Shower facilities shall be provided and may either be on-site in conformance with section 8.15.425(b), or provided on the job site of the employer.
  6. The requirements for spacing shall be at least ten feet clear space between camping units. Camping units, other than those being used for living accommodations, shall not be parked within the campground area proper.

TABLE

Zoning District Designations

The following zoning district abbreviations are provided for information and interpretation:

RR =	Rural, very low density single-family residential
R1 =	Single-family, low density residential
R2 =	Single and two-family, medium density residential
R3 =	Single, two and multi-family, high density residential
UR =	Urban residential, a mix of residential uses and low impact home professional offices
OR =	Office residential
AC =	Auto and neighborhood oriented, light commercial
HC =	Harbor commercial
CB =	Central business district - dense downtown commercial
I =	Industrial
RM =	Resource management - partially developable lands subject to floodplains and steep slopes
INS =	Institutional, public, quasi-public uses
P =	Parks

Table 15.10.226. Land Uses Allowed

Key:

O – Use Permitted Outright

H – Home Occupation

C – Use Requires Conditional Use Permit

P – Use Requires Administrative Permit

Blank – Use Prohibited

Zoning Districts	Principally Residential					Principally Commercial					Principally Public		
	RR	R1	R2	R3	UR	OR	AC	HC	CB	I	RM	INS	P
Campground, employee										C/P			
Dwelling, apartment in a commercial building (limited to one unit)						O	O	O	O	O	C		
Dwelling, apartment in a commercial building (two or more units)						O	O	C	C				
Dwelling, apartment, efficiency or accessory	O	O	O	O	O	O	O						
Dwelling, apartment, studio						C	C	C	C	C	C		
Dwelling, attached single-family, i.e., townhouse, row				C	C	C	C	C	C		C		
Dwelling, condominium				C	C	C	C	C	C		C		
Dwelling, detached single-family	O	O	O	O	O	O	O		C		C		
Dwelling, group home	O	O	O	O	O	O					C		
Dwelling, guest house	O	O									C		
Dwelling, multi-family (3 or more units)				C	C	C	C	C	C		C		
Dwelling, two-family or duplex			O	O	O	O	O		C		C		

Seward City Code

Dwelling, watchman or caretaker										O	C		
Housing, bunkhouse							C			C		C	
Housing, dormitory						O						O	
Housing, nursing, retirement, convalescent				C			C					C	
Lodging, B&B	H/P	H/P	H/P	H/P	H/P	O/P	O/P	O/P	O/P				
Lodging, hostel				P	P	P	P	P	P				
Lodging, hotel, motel, lodge, inn				C			O	C	C				
Lodging, short-term rental	H/P	H/P	H/P	H/P	H/P	P	P	P	P				
Mobile home park							C/P						
Mobile home, residential, not in park	INTENTIONALLY LEFT BLANK												
Planned unit development		C	C	C			C		C		C		
Rental, Long-term	O	O	O	O	O	O	O	O	O	O	C	C	
Rooming or boarding house				O/P	O/P	O/P	O/P						