

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2009-060

A RESOLUTION RECOMMENDING ADOPTION OF TITLE 21 CHAPTER 14, RULES OF CONSTRUCTION AND DEFINITIONS.

(Case 2007-153)

WHEREAS, Anchorage Municipal Code Title 21 is being rewritten to implement recently adopted plans and policies; encourage more innovative development, infill, and redevelopment; to restructure and reformat the code for better usability; and to allow for more consistent interpretation and application; and

WHEREAS, definitions are a vital element of a code, to provide a meaning and explanation of terms used in the code; and

WHEREAS, chapter 14 will not become effective until the remaining chapters of the Title 21 rewrite are passed; and

WHEREAS, adoption of the code in sections will be more manageable for the public and the decision-makers; and

WHEREAS, the Planning and Zoning Commission held public hearings on Chapters 3, 7, and 14 on November 5, 7, and 8, 2007; and

WHEREAS, Planning Department staff proposed a number of amendments responding to issues raised by the public and by Commission members.

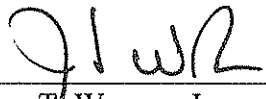
NOW, THEREFORE, BE IT RESOLVED by the Anchorage Planning and Zoning Commission that:

- A. The Commission makes the following findings of fact:
1. Adoption of the revised Title 21 will help implement the vision of the Municipality's comprehensive plan.
 2. Chapter 14, *Rules of Construction and Definitions*, explains how terms and provisions in Title 21 shall be interpreted, and defines terms used throughout Title 21.
 3. Planning Department staff has done a careful and thorough job of addressing the questions and concerns of the Planning and Zoning Commission.
 4. The chapter provides a clear and concise set of definitions that have been vetted against Alaska state code and national standards.

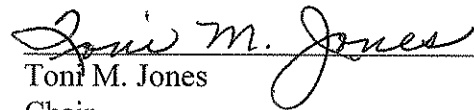
- B. The Commission recommends that Chapter 14 be adopted with amendments as shown in Attachment A.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission on the 14th day of December 2009.

ADOPTED by the Anchorage Planning and Zoning Commission this 1st day of March 2010.



Jerry T. Weaver, Jr.
Secretary



Toni M. Jones
Chair

Attachment: A. Planning and Zoning Commission Recommended Amendments to Chapter 21.14

Attachment A
Planning and Zoning Commission Resolution No. 2009-060

TABLE OF CONTENTS

1		
2		
3	CHAPTER 21.14: RULES OF CONSTRUCTION AND DEFINITIONS.....	2
4	21.14.010 Interpretations	2
5	A. General	2
6	B. Record of Interpretations	2
7	C. Appeal.....	2
8	21.14.020 Rules of Construction and Interpretation.....	2
9	A. Meanings and Intent.....	2
10	B. Headings, Illustrations, and Text	2
11	C. Lists and Examples	2
12	D. Computation of Time	2
13	E. References to Other Regulations/Publications	2
14	F. Delegation of Authority	3
15	G. Technical and Non-Technical Terms.....	3
16	H. Public Officials and Agencies	3
17	I. Mandatory Terms	3
18	J. Conjunctions	3
19	K. Tenses, Plurals, and Gender.....	3
20	L. Measurement of Distances For Separation of Land Uses	3
21	M. Fractions	3
22	N. Illustrations	4
23	21.14.030 Definitions.....	5

CHAPTER 21.14: RULES OF CONSTRUCTION AND DEFINITIONS

21.14.010 INTERPRETATIONS

A. General

The director has final authority to determine the interpretation or usage of terms used in this title, pursuant to this section. Any person may request an interpretation of any term by submitting a written request to the director, who shall respond in writing within 30 days. The director's interpretation shall be binding on all officers and departments of the municipality.

B. Record of Interpretations

The director shall maintain a file of all interpretations made pursuant to this subsection.

C. Appeal

Any person may appeal an interpretation by the director regarding a term used in this title to the zoning board of examiners and appeals in accordance with section 21.03.050B.

21.14.020 RULES OF CONSTRUCTION AND INTERPRETATION

The following rules shall apply for construing or interpreting the terms and provisions of this chapter.

A. Meanings and Intent

All provisions, terms, phrases, and expressions contained in this title **[CHAPTER]** shall be construed according to the general purposes set forth in section 21.01.030 and the specific purpose statements set forth throughout this title **[CHAPTER]**. When, in a specific section of this title **[CHAPTER]**, a different meaning is given for a term defined for general purposes in this chapter 21.14, the specific section's meaning and application of the term shall control.

B. Headings, Illustrations, and Text

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

C. Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities. Unless stated otherwise, a list does not imply a priority or chronological order.

D. Computation of Time

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the municipality, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or holiday observed by the municipality. References to days are calendar days unless otherwise stated.

E. References to Other Regulations/Publications

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

F. Delegation of Authority

Any act authorized by this chapter to be carried out by a specific official of the municipality may be carried out by a designee of such official.

G. Technical and Non-Technical Terms

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that have acquired a peculiar and appropriate meaning in law or practice shall be construed and understood according to such meaning.

H. Public Officials and Agencies

All public officials, bodies, and agencies to which references are made are those of the municipality, unless otherwise indicated.

I. Mandatory Terms

The word "shall" is mandatory in nature, establishing an obligation or duty to comply with the particular provision. The word "may" is permissive, indicating compliance is optional.

J. Conjunctions

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

1. "And" indicates that all connected items, conditions, provisions or events apply; and
2. "Or" indicates that one or more of the connected items, conditions, provisions or events apply.

K. Tenses, Plurals, and Gender

Words used in the present tense include the future tense. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise. Words used in the masculine gender include the feminine gender, and vice versa.

L. Measurement of Distances For Separation of Land Uses

Except where stated otherwise, whenever this title requires measurement of distance between use types, development sites, or lots, such measurement shall be made from the nearest property line of the first reference point to the nearest property line of the second reference point.

M. Fractions

1. Generally

Except where stated otherwise, when any calculation for determining a number of items (such as parking spaces, trees, etc.) results in a fraction, any fraction less than one-half (0.5) shall be rounded down to the preceding whole number, and any fraction of one-half (0.5) or greater [ANY CALCULATION WITH A FRACTIONAL RESULT] shall be rounded

up to the next consecutive whole number. Where the calculation results in a fraction less than one, the fraction shall be rounded up to one.

2. Dimensions

When any calculation for determining required minimum or allowed maximum dimensions (such as height, lot coverage, open space, etc.) results in a fraction, the dimension shall be measured to the nearest inch. Any fraction of an inch shall be rounded as provided in M.1. above.

3. Floor Area Ratio

Any calculation for determining required minimum or allowed maximum floor area ratio shall be rounded to two numbers past the decimal point. For example, 2.4287 is rounded to 2.43, and 4.5324 is rounded to 4.53.

N. Illustrations

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

21.14.030 DEFINITIONS

When used in this title, the following words and terms shall have the meaning set forth in this section, unless other provisions of this title specifically indicate otherwise.

Abutting

Touching or bordering.

Abutting Lots

Two lots abut when they share a common lot line.

Access

A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

ACCESSIBILITY

THE EXTENT TO WHICH A PROPERTY IS EASILY ACCESSED OR APPROACHED.

Adjacent

Abutting or across an alley, a **OR A LOCAL OR PRIVATE** street (public or private, local and collector classification on the *Official Streets and Highways Plan*), or pedestrian right-of-way. *[Illustration Recommended]*

Adjacent Lots

Two lots are adjacent where they have a common lot line (abutting) or where they are separated only by an alley or a local or private street or pedestrian right-of-way.

Affordable Housing

See **Housing, Affordable**.

Airport Elevation

The highest point of an airport's usable landing area, measured in feet above mean sea level.

Aisle, Circulation

A private travel way within a parking facility, providing motor vehicle access to parking bays.

Aisle, Parking

A circulation aisle that abuts parking spaces, providing automobile access and permitting maneuvering of automobiles entering and leaving such spaces.

Alley

A permanent service right-of-way providing a secondary means of access to abutting properties.

AMC

Anchorage Municipal Code.

Amortization

A process where a nonconformity is required to be brought into compliance with the requirements of this title after a specified **OVER A** period of time. Amortization allows the owner of a legal nonconformity to recoup the value of the nonconformity within the particular time period. After that time, the municipality may require the owner to come into compliance without the payment of compensation. WITH SUFFICIENT LENGTH TO ALLOW THE OWNER OF THE LEGAL NONCONFORMITY TO REALIZE ANY REASONABLE INVESTMENT-BACKED EXPECTATIONS REGARDING THE LEGAL NONCONFORMITY.

Antenna or Antenna Array

Any exterior transmitting or receiving device mounted on a tower, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), amplitude modulation arrays, wireless telecommunications signals, or other communications signals.

Approach, Transitional, Horizontal, and Conical

Surfaces or zones that are airspace zones defined as set forth in FAR part 77, subpart C, paragraph 77.25.

Appurtenance

The visible, functional, or ornamental objects accessory to, and part of, building or structures.

Architectural Feature (as used in chapter 21.11, *Signs*)

Any construction attendant to, but not an integral part of the sign, which may consist of landscape, building, or structural forms that enhance the site in general; also, graphic stripes and other architectural painting techniques applied to a structure that serves a functional purpose, or when the stripes or other painting techniques are applied to a building provided such treatment does not include lettering, logos or pictures.

Architectural Feature

A part, portion, or projection that contributes to the aesthetic quality of a building or structure, exclusive of signs, that is not necessary for the structural integrity of the building structure or to make the building or structure habitable.

Architectural Bay

A spatial division of a wall, roof, or other part of a building. It is usually repeated at intervals as part of a series, and is defined as the zone or wall plane between the outside edges of engaged columns, pilasters, posts, or projecting vertical wall areas. In an exterior building facade, a bay is often simply an opening in a wall, usually occupied by windows or a doorway. **[MARKED OFF BY VERTICAL SUPPORTS OF A STRUCTURE]** (Illustrate)

Area, Building

The total of areas taken on a horizontal plane in plan view of the principal building and all accessory buildings or structures exclusive of exterior steps.

Area Lighting

Lighting located on public or private property that is designed to light outdoor spaces. Area lighting does not include façade or landscape lighting.

Assembly

The assembly of the municipality.

Attendant Parking (also **Valet Parking**)

A parking facility that relies on attendants (or valets) to park and retrieve vehicles rather than on drivers to park and retrieve their own vehicles.

Average

The **[EQUALING OF AN]** arithmetic mean.

Average Slope

Average slope is calculated by the following formula:

$$S = (I \times L \times 0.0023) / A$$

Where:

S = Average slope of lot or tract in percent.

I = Contour interval (20 feet or less).

L = Sum of the length of all contours on lot or tract in feet.

A = Area of the lot or tract in acres.

Backlight

For an exterior luminaire, flux radiated in the quarter-sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaries with symmetric distribution, backlight will be the same as frontlight.

Balcony

An elevated platform projecting from the wall of a building, enclosed by a railing or parapet, and supported entirely by the building without support on the ground by posts, columns, or similar structural members. For the purposes of this title, common access passageways are not balconies. *[Illustrate]*

Base Flood (100-Year)

The flood having a one percent chance of being equaled or exceeded in any given year.

Basement

See **Story Below Grade Plane**

Bay Window

A window or series of windows projecting outward from the wall plane of a building and forming a habitable space such as a bay or alcove in a room within.

Billboard

A sign structure advertising an establishment, merchandise, event, service or entertainment that is not sold, produced, manufactured or furnished at the property on which the sign is located. Any other outdoor advertising prohibited by the provisions of Alaska statutes sections 19.25.075 – 19.25.180 shall also be considered billboards.

Blank Wall

Any portion of a wall that is not a window or a primary entrance.

Block

A block is defined by an area of land bounded by streets, or a combination of streets, railroad utility corridor, shorelines of waterways, or municipal boundary lines.

Block Length

The distance between intersections of through streets, such distance being measured along the longest street bounding the block and from right-of-way line to right-of-way line of the two intersecting streets.

[BOARD OF ADJUSTMENT]

THE BOARD OF ADJUSTMENT OF THE MUNICIPALITY

BOARD OF EXAMINERS AND APPEALS

THE ZONING BOARD OF EXAMINERS AND APPEALS OF THE MUNICIPALITY

Brightness

The human perception of luminance. See **Luminance** and **Candela**

Buffer, Perimeter

A unit of land and any plants and structures (i.e., walls, fences) thereon that is used to separate land uses from each other.

BUG

A luminaire classification system that evaluates backlight (B), uplight (U), and glare (G).

Building

Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

Building, Accessory

A building **OR STRUCTURE** that is on the same lot as, and of a nature customarily incidental and subordinate to, a principal building or structure, and the use of which is clearly incidental and subordinate to that of the principal building or structure.

Building Code

The building code which is adopted in the AMC title 23.

Building Envelope

The three-dimensional space within which a structure is permitted to be built on a lot and which is defined by regulations governing setbacks, maximum height and bulk; by other regulations; or any combination thereof.

Building, Principal

A structure in which is conducted the main use of the lot on which the structure is situated.

Building Permit

See **Permit, Building**

Building Wall (as used in chapter 21.11, *Signs*)

Any vertical surface of a building or structure (other than a pitched roof) that is integral to and could reasonably be constructed as part of the architecture of the building when a sign(s) is not being contemplated. Examples of building walls include but are not limited to: awnings, canopies, marquees, the vertical portion of gable roofs, parapets, mechanical penthouses, etc.

Business

An enterprise that for consideration will provide for the sale or the rental of any article, substance, or commodity, including but not limited to business services and personal services.

Caliper

The diameter of a tree trunk measured at six inches above the ground, unless this dimension exceeds four inches; then the diameter is measured at four and one-half feet above the ground.

Camper

A portable structure mounted on a truck or truck chassis or a converted hearse, bus, station wagon or panel truck designed for use as a temporary travel dwelling.

Candela

A unit measuring luminous intensity of a lighting source. An ordinary candle has a luminous intensity of one candela. See **Luminance**

Canopy

A fixed and permanent roof-like structure; either an architectural element projecting out from the wall of a building **[FACADE]** or a freestanding cover that shelters an outdoor area from precipitation or wind **[OVER A SIDEWALK OR WALKWAY]**.

CATV

A utility that operates non-broadcast facilities that distribute to subscribers the signals of one or more television broadcast stations.

Certificate to Plat

A certificate prepared by a title company authorized by the laws of the state to write the title, showing the names of all persons having any record title interest in the land to be platted, together with the nature of their respective interests therein.

Certificate of Occupancy

A certificate of zoning compliance issued by the municipality allowing the occupancy or use of a building in the building safety service area, and certifying that the structure or use has been constructed and ~~OR~~ will be used in compliance with all applicable municipal codes and ordinances.

Certificate of On-Site Systems Approval

A written confirmation signed by an engineer and the development services department certifying that the on-site sewer and water system serving a single-family dwelling is functional and complies with all state and local regulations and codes.

Certificate of Zoning Compliance

A document issued by the municipality indicating that a structure or use meets the applicable zoning requirements at the time of issuance. A certificate of occupancy is considered a certificate of zoning compliance.

Certified Lighting Professional

A professional who is Lighting Certified (LC) by the National Council on Qualifications for the Lighting Professions.

Change of Use

A change of use occurs when the type of use is not the same as the immediate prior use type, as determined by tables 21.05-1 and -2, *Tables of Allowed Uses*, or tables 21.05-3 and -4, *Tables of Accessory Uses*.

Characteristic of Use

Improvements or amenities required by this title in relation to specified uses of land, water areas, structures, or premises such as parking, lighting, landscaping, or other such features.

Civil Penalty

A fine levied by the municipality for a violation of this title.

Class A Districts

A group of zoning districts where more dense population and/or intensive development exists or is allowed, requiring a more urbanized level of improvements. See subsection 21.08.050B.

Class B Districts

A group of zoning districts that are less densely populated and/or intensively developed, requiring a less urbanized level of improvements. See subsection 21.08.050B.

Clear Width, Walkway

See Walkway Clear Width

Clearing

The removal of woody plants over six inches above the ground ~~using any method that does not~~ ~~WITHOUT~~ disturbing the vegetative mat ~~USING ANY METHOD~~.

Collocation

The location of antennae on existing structures, including but not limited to towers occupied by another provider, buildings, water towers, utility substations, utility poles, and church steeples.

Color Rendering Index (of a light source) (CRI)

A measure of the degree of color shift that objects undergo when illuminated by the light source as compared with those same objects when illuminated by a reference source of comparable color temperature.

Commercial

An enterprise involved in the production, processing, or merchandising of a commodity for, usually, but not necessarily, a profit. Generally, wholesale, retail trade, and services are considered commercial.

[COMMERCIAL PARKING

SEE PARKING, COMMERCIAL]

[COMMERCIAL TRACT SITE PLAN

A MAP OF A COMMERCIAL TRACT DEPICTING BUILDING FOOTPRINTS, PARKING AREAS, LANDSCAPING, DRIVEWAY ACCESS POINTS TO THE PROPERTY, SITE DRAINAGE AND ANY FRAGMENT LOTS TO BE CONTAINED WITHIN THE COMMERCIAL TRACT.]

[COMMON AREAS AND FACILITIES

THOSE AREAS OF A SUBDIVISION, BUILDING, PLANNED UNIT DEVELOPMENT OR CONDOMINIUM, INCLUDING THE PROPERTY UPON WHICH IT IS LOCATED, THAT ARE FOR THE COMMON USE AND ENJOYMENT OF THE OWNERS AND OCCUPANTS OF THE SUBDIVISION, BUILDING, PLANNED UNIT DEVELOPMENT OR CONDOMINIUM. THE AREAS MAY INCLUDE THE LAND, ROOFS, MAIN WALLS, ELEVATORS, STAIRCASES, LOBBIES, HALLS, PARKING SPACE, OPEN SPACE, AND COMMUNAL FACILITIES.]

Community Council

Established as part of Anchorage municipal government in Anchorage Charter Article VIII to 'afford citizens the opportunity for maximum community involvement and self determination', community councils are n[on]profit, voluntary, self-governing associations composed of residents, property owners, business owners, and representatives from nonprofit associations and other entities located within geographical areas designated as districts by the assembly. [RESIDENTS, FOR THE PURPOSE OF THIS CHAPTER, ARE DEFINED AS RESIDENTS, PROPERTY OWNERS, AND REPRESENTATIVES FROM NONPROFIT ASSOCIATIONS AND OTHER ENTITIES LOCATED WITHIN GEOGRAPHICAL AREAS DESIGNATED AS DISTRICTS BY THE ASSEMBLY.]

Compatible (or Compatibility)

The characteristics of different uses, activities, or designs which allow them to be located near or next to each other in harmony. Some elements affecting compatibility include the height, scale, mass, bulk, and setbacks of structures. [THAT, IN TERMS OF DEVELOPMENT INTENSITY, BUILDING COVERAGE, ARCHITECTURAL ELEMENTS, BULK AND OCCUPANCY,] Other characteristics include traffic [GENERATION], parking [REQUIREMENTS], access and circulation, landscaping and buffering, drainage and storm water runoff, exterior lighting, dust, noise, hours of operation [SITE IMPROVEMENT], and demand on public facilities and services [DEMANDS, IS CONSISTENT WITH, MAINTAINS THE CHARACTER OF, AND DOES NOT CREATE ADVERSE IMPACTS ON NEIGHBORING USES.] Compatible does not necessarily mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of the surrounding context and avoiding adverse impacts on neighboring uses.

Comprehensive Plan

The adopted official statement(s) of the municipal assembly that sets forth (in words, maps, illustrations, and/or tables) a collection of goals, objectives, policies, and strategies to [LONG-RANGE MUNICIPAL PLANNING DOCUMENTS AND MAPS THAT SERVES AS THE OFFICIAL POLICY] guide [FOR] the [LONG-RANGE] physical, social, and economic development of the municipality, including the provision

of its public infrastructure and services. The comprehensive plan is comprised of a series of distinct plans adopted by the assembly as comprehensive plan elements ~~[OF THE COMPREHENSIVE PLAN]~~, each of which address specific geographic management areas or specific functional ~~[THAT EACH DEAL WITH SEPARATE]~~ aspects of community planning. ~~[THE TERM "COMPREHENSIVE PLAN" AS USED IN THIS TITLE REFERS TO ANY OR ALL OF THESE LONG-RANGE PLANS THAT TAKEN TOGETHER CONSTITUTE THE COMPREHENSIVE PLAN FOR THE MUNICIPALITY]~~ When practically applied to decision-making, the term is intended to mean those comprehensive plan elements that are applicable and pertinent to the decision at hand, in terms of specific geographic area and/or functional topic.

Comprehensive Plan Amendment, Cosmetic

An amendment that affects the appearance, style, wording, or presentation of the comprehensive plan, but does not alter its meaning, interpretation, or recommendations. Examples of cosmetic amendments include, but are not limited to: revising map or document style, format, or layout to enhance clarity; revising map or text content to accurately reflect additions to municipal facilities or revisions to adjoining jurisdictions' adopted plans; adding explanatory text or labels; and correcting spelling or grammar.

Comprehensive Plan Amendment, Substantive

An amendment that affects the intent of the comprehensive plan. Examples of substantive amendments include, but are not limited to: revising text to address a new policy direction or the addition of a new zoning district.

Comprehensive Plan Map

An element of the Anchorage Comprehensive Plan, comprised of one or more land use plan maps, residential intensity maps, and other maps, as well as supporting text and tables. The comprehensive plan map provides a geographically explicit statement of the adopted plan's policies for future land use and growth. It designates the ultimate future location, density, and general character of land uses in the community. It also serves as a guide for the official zoning map.

Construction

On-site fabrication, installation, alteration, erection, or placement of materials in a permanent fashion for an improvement.

CRI

See **Color Rendering Index**

Cupola

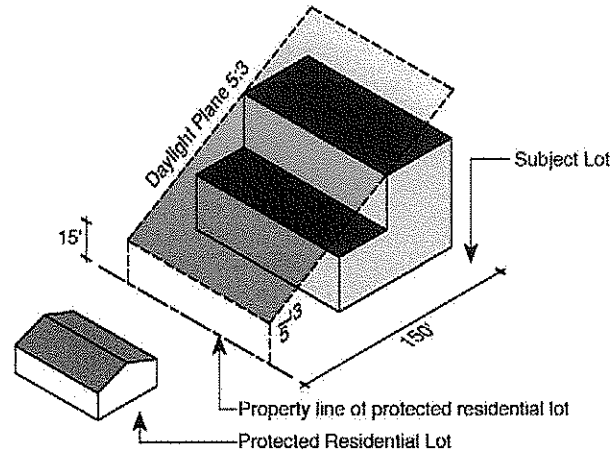
A small roof tower, usually rising from the roof ridge.

Date of Service

The date that the secretary mails or otherwise distributes the summary of action or approved resolution to the applicant.

Daylight Plane

A virtual sloping plane that begins at a specified height and rises inward over a site at a specified ratio of vertical distance to horizontal distance. It is designed to provide light, air and openness to the sky at ground floor level, and shall not be penetrated by a building as set forth in this title. It may limit the height or horizontal extent of structures at any specific point on the site where the daylight plane is more restrictive than the height limit or the minimum setback applicable at such point on the site.



Decision-Making Body

The person, board, or commission with the authority to approve, modify, or deny an entitlement application, as stated in section 21.02.020 and elsewhere in this title.

Deck

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

Dedication

The intentional appropriation or conveyance of land or an interest in land by the owner to the municipality for public use. A dedication under the terms of this subsection is a conveyance of an interest in property, either through conveyance of a fee interest in the area dedicated, or through the creation of an easement in gross to perform the indicated function in the area depicted. [THE DEVOTION OF LAND TO A PUBLIC USE BY THE OWNER MANIFESTING THE INTENTION THAT IT SHALL BE ACCEPTED AND USED PRESENTLY OR IN THE FUTURE FOR SUCH PUBLIC PURPOSE. A DEDICATION BY THE OWNER UNDER THE TERMS OF THIS SUBSECTION IS A CONVEYANCE OF AN INTEREST IN PROPERTY, WHICH SHALL BE DEEMED TO INCLUDE THE WARRANTIES OF TITLE LISTED IN AS 34.15.030. THE DEDICATION OF STREETS, ALLEYS, SIDEWALKS, OR PUBLIC OPEN SPACE SHALL CONVEY A FEE INTEREST IN THE AREA DEDICATED. THE DEDICATION OF ALL OTHER PUBLIC RIGHTS-OF-WAY, INCLUDING UTILITY RIGHTS-OF-WAY, SHALL BE DEEMED TO CREATE AN EASEMENT IN GROSS TO PERFORM THE INDICATED FUNCTION IN THE AREA DEPICTED.]

Defined Bank

The usual boundaries, not the flood boundaries, of a stream channel.

Density, Gross

The total number of dwelling units per acre within any defined geographic area.

Density, Net

The total number of dwelling units per acre on a particular tract or parcel of land, not taking into account portions of the tract or parcel that contain rights-of-way for streets, water bodies, wetlands, or other areas restricted from development.

Department

Unless otherwise indicated in the text of this code, the planning department (or successor organization) of the municipality.

Depth

When viewed from the front of an object or a three-dimensional space, the measurement from a forward plane to a rearward plane.

Developer

That person or entity improving or developing land, who may or may not be the owner of the property.

Development

The initiation, construction, change, or enlargement of any use or structure, the disturbance of land, or the division of land into two or more parcels. "Development" shall include, but not be limited to, the following:

- Construction or enlargement of a building or structure;
- Change in the type of use of a building, structure, or land;
- Material increase in the intensity of use of land, such as an increase in the number of businesses, offices, manufacturing establishments, or dwelling units located in a building or structure or on the land;
- Commencement or expansion of resource extraction, agricultural, horticultural, or forestry activities on a parcel of land;
- Demolition of a structure or the removal of vegetation from a parcel of land;
- Deposition of refuse, solid or liquid waste, or fill on a parcel of land;
- Alteration, either physically or chemically, of the shore, bank, or channel of any stream, lake, or other body of water or alteration of any wetland; and
- Any land-disturbing activity that adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil.

Director

Unless otherwise indicated in the text of this code, the director of the planning department or designee.

Double-Frontage Lot

See **Lot, Double-Frontage**

Drainageway

A watercourse that does, or under developed conditions is likely to, convey storm water flows for short durations. Drainageways include constructed channels and conduits (including storm drain pipes), ephemeral channels **[STREAMS]**, and non-channelized drainage paths along topographic flow lines whether constructed or natural, vegetated, or non vegetated.

Driveway

A private travel way providing motor vehicle access from a parking space or parking facility to a street. A driveway is not a street. It does not provide primary frontage or address for buildings, nor is it primarily designed for non-motorized pedestrian access.

Dwelling

See **Dwelling Unit** **[A BUILDING OR PORTION OF A BUILDING DESIGNED OR USED EXCLUSIVELY AS THE LIVING QUARTERS FOR ONE FAMILY.]**

Dwelling Unit

A building **[STRUCTURE]** or portion thereof designed or used exclusively as the separate residence for one household and providing independent and complete living facilities, generally including provisions for sleeping, eating, cooking, and sanitation. **[COOKING, LIVING, SLEEPING AND TOILET FACILITIES FOR ONE FAMILY]**

Easement

An interest in land owned by another that entitles the easement holder to a specified limited use or enjoyment.

Efficiency Dwelling

A dwelling unit that has only one combined living and sleeping room. The dwelling may have a separate room containing only kitchen facilities, and a separate room containing only sanitary facilities.

Elevation, Building

A flat scale drawing of one side or view angle of a building, such as the front, rear, or side **[OF A BUILDING]**.

Encroachment

The projection or intrusion of a building, structure, or other land-disturbing activity into an area where such projections or intrusions are typically prohibited.

[ENGINEER]

A REGISTERED PROFESSIONAL CIVIL ENGINEER AUTHORIZED TO PRACTICE ENGINEERING IN THE STATE OF ALASKA.

Entitlement

Any permit or approval granted under this title, including, but not limited to zoning map amendments, conditional use permits, preliminary or final plat approval, site plan approval, and variances. For purposes of administering and enforcing this title, the term also includes building and land use permits.

Entrance, Primary

A principal entry through which people, including customers, residents, or members of the public enter a building. For any commercial or institutional establishment which serves the visiting public, a primary entrance is open to the public during all regular business hours and directly accesses lobby, reception, retail, or other interior areas designed to receive the public. Fire exits, service doors, vehicle entrances, doors leading directly into a garage or storage space accessory to the use, and employee entrances are not primary entrances. A building or establishment may have more than one primary entrance.

Ephemeral Channel [STREAM]

A natural drainageway that is channelized over part or all of its length and conveys surface water flows for short durations only. Ephemeral channels **[STREAMS]** are transitional to streams but lack the overall geomorphic, hydrologic, and biologic characteristics commonly associated with stream features. Prolonged flow may occur along very short and isolated segments of an ephemeral channel **[BUT TAKEN AS A WHOLE EPHEMERAL CHANNELS CONVEY SURFACE WATER FLOWS FOR SHORT DURATIONS ONLY].**

Erosion

The wearing away of land surface by the action of wind, water, gravity, or any combination thereof.

Erosion Control

A measure, structure, or device that controls the soil material within the land area under responsible control of the person conducting a land-disturbing activity.

Existing Vegetation

Vegetation that predates a development application by at least two years.

Extent Reasonably Feasible

Feasible in light of overall project purposes after considering cost, existing technology, and logistics of compliance with the standard. Under the circumstances, reasonable efforts have been undertaken to comply with the regulation; **[THAT]** the costs of full compliance clearly outweigh the potential benefits to the public and **[OR]** would unreasonably burden the proposed project based on the percentage of total

project costs. and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from noncompliance with the regulation.

Façade, Building

A vertical wall plane of a structure.

Family

One or more persons occupying premises and living as a single housekeeping unit, as distinguished from a group occupying a roominghouse, club, fraternity house, or hotel.

FAR

See **Floor Area Ratio**

Feature, Architectural

See **Architectural Feature**

Fence

A constructed barrier which is erected to enclose, screen, buffer, enhance, or separate areas.

Fence, Open

A fence constructed with openings between materials used in its construction, such that **THREE FOURTHS** (75 percent) or more of a visual image or light source may be seen through the fence.

Fence, Ornamental

A fence that utilizes wood, metal, or other permanent materials and is primarily designed for its beauty, or for decorative purposes, although it may also serve other purposes, such as a screening structure. Ornamental fences do not include chain link fences.

Fence, Screening (Opaque)

A fence, including any gates, constructed of solid material, typically consisting of wood, through which no visual images or light sources may be seen.

Fence, Semi-Open

A fence constructed with openings between materials used in its construction, such that less than 75 percent of a visual image or light source may be seen through the fence.

Fence, Sight Obscuring

A fence constructed such that less than 25 percent of a visual image or light source may be seen through the fence. Openings in such fence shall not exceed 25 percent in any one square foot of vertical surface area that is more than eight inches above grade.

Final Acceptance

Acceptance by the municipality, at the successful completion of the warranty period, of a public improvement, constructed under terms of a subdivision agreement or development agreement.

Flag

Any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision, corporate or commercial entity, or institution. A corporate or commercial, or institutional flag may only display the name, trademark, or logo of the business or institution on the parcel and such flag may not be used for other business or advertising purposes.

Flag Lot

See **Lot, Flag**

Fleet Vehicle

1 A group of vehicles owned or operated as a unit, used for operation of an establishment, and often
2 parked and/or maintained on the premises. Examples include tow trucks, taxis, buses, limousines,
3 commercial trucks or vans, and police and fire vehicles.

4 **Flood and Flooding**

5 A general and temporary condition of partial or complete inundation of normally dry land areas from:

- 6 • The overflow of inland or tidal waters.
- 7 • The unusual or rapid accumulation or runoff of surface waters from any source.
- 8 • Mudslides that are proximately caused or precipitated by accumulations of water on or under the
9 ground.
- 10 • The collapse or subsidence of land along the shore of a lake or other body of water as a result of
11 erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or
12 suddenly caused by an unusually high water level in a natural body of water, accompanied by a
13 severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tide surge,
14 or by some similarly unusual or unforeseeable event which results in flooding as defined in this
15 subsection.

16 **Flood Insurance Rate Map (FIRM)**

17 The official map on which the Federal Insurance Administration has delineated both areas of special flood
18 hazards and the risk premium zones applicable to the community.

19 **Flood Insurance Study**

20 The official report provided by the Federal Insurance Administration that includes flood profiles, the flood
21 boundary/floodway map, and the water surface elevation of the base flood.

22 **Flood Hazard Area**

23 Land adjacent to a watercourse that includes the streambed, floodway, flood fringe, and the floodplain.

24 **Floodplain**

25 That area of land adjoining the channel of a river, stream or other similar body of water which may be
26 inundated by a flood that can reasonably be expected to occur. The floodplain, shall include all the land
27 within the limits of the 100-year flood, and the floodway within it if such floodway is delineated.

28 **Floodproofing**

29 Any combination of structural and nonstructural additions, changes or adjustments to structures which
30 reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities,
31 structures and their contents.

32 **Floodway, Regulatory**

33 The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to
34 discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
35 The boundaries of this area shall be established on the basis of the maps and reports adopted by section
36 21.04.060D., *Flood Hazard Overlay District*.

37 **Floodway Fringe**

38 That area of land lying between the outer limit of the regulatory floodway and the outer limit of the base
39 flood elevation. The boundaries of this area shall be established on the basis of the maps and reports
40 adopted by section 21.04.060D., *Flood Hazard Overlay District*.

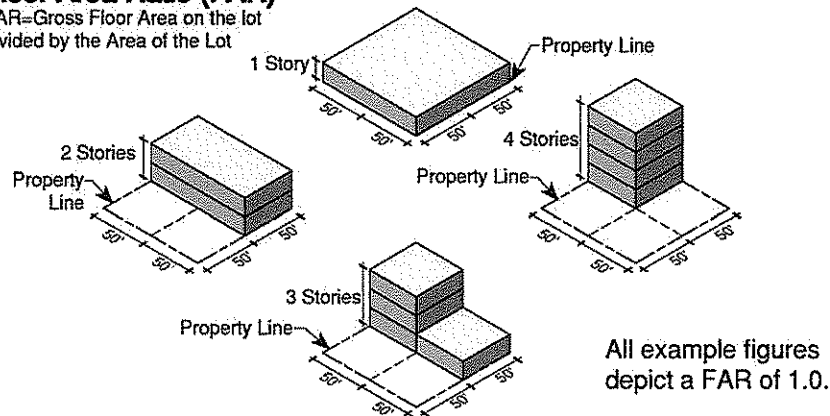
41 **Floor Area Ratio (FAR)**

42 The ratio of the total [BUILDING] gross floor area of all building(s) on a lot, to the area of the [ITS] lot.
43 Floor area ratio[AR] is calculated by dividing the total gross floor area of all buildings on a lot [OR
44 PARCEL] by the area of the lot [OR PARCEL]. For example, a floor area ratio of 1.0 yields 12,000

square feet of building gross floor area on a lot with an area of 12,000 square feet. A floor area ratio of 2.0 on the same lot would yield 24,000 square feet of building gross floor area.

Floor Area Ratio (FAR)

FAR=Gross Floor Area on the lot
divided by the Area of the Lot



Floor Plate

The total indoor and outdoor horizontal floor area of any given story of a building, measured to the exterior of the wall, terrace, or balcony, and including the horizontal area of any open air interior space such as a multistory atrium that is open to the floor(s) below.

Footcandle

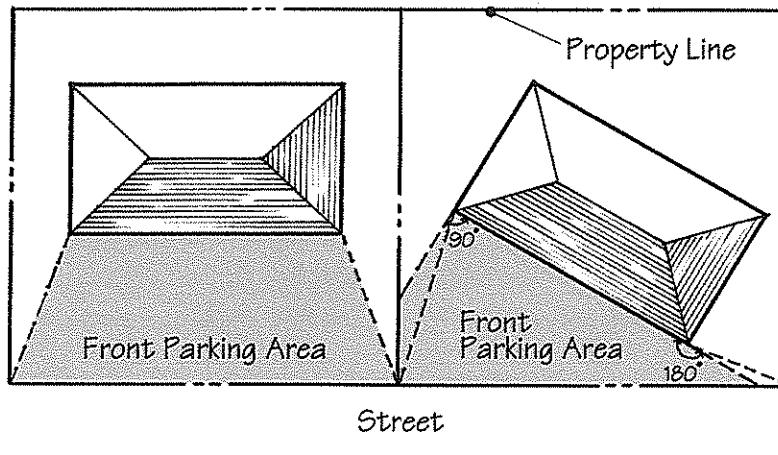
A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot and originally defined with reference to a standardized candle burning at one foot from a given surface.

Fragment Lot

A division of a commercial tract for purposes of facilitating construction or financing of a commercial development requiring multiple phases of construction. The term "fragment lot" does not include properties outside of the boundaries of an approved commercial tract. Fragment lots may be described in metes and bounds descriptions.

Front Parking Area

The portion of a site's parking facilities **AREAS** that are between the façade of the principal building and an abutting street. The front parking area shall be determined by drawing a line from the front corners of the building to the nearest property corners. If any such line, when connected to the plane of the front façade of the building, creates an angle that is greater than 180 degrees, then the line shall be adjusted to create an angle of 180 degrees. If any such line, when connected to the plane of the front façade of the building, creates an angle that is less than 90 degrees, then the line shall be adjusted to create an angle of 90 degrees when connected to the plane of the front façade of the building. The front parking area includes all parking spaces that fall at least halfway into the boundaries of the front parking area, and all parking spaces associated with any pad sites located within the front parking area boundaries.



18 **Frontage**

19 The edge of something, usually a lot, building, or parking lot, that abuts a street. Also see **Frontage, Lot**.

20 **Frontage, Lot**

21 All property abutting a street or road easement, measured as the uninterrupted length of the lot line along
22 the right-of-way between the side lot lines of a lot. The measurement of lot frontage in the case of a
23 corner lot shall extend to the point of intersection of the front lot lines abutting the rights-of-way. In no
24 case shall the line along an alley be considered as frontage.

25 **Frontage Road**

26 A street adjacent to an arterial or higher order street that is intended to serve lots adjacent to the arterial.

27 **Frontage, Street**

28 See **Frontage, Lot**

29 **Full Cutoff**

30 See **Luminaire, Full Cutoff**

31 **Full Membership**

32 The total number of seats on a board or commission.

33 **GEOTECHNICAL ADVISORY COMMISSION**

34 **THE GEOTECHNICAL ADVISORY COMMISSION OF THE MUNICIPALITY**

35 **Glare**

36 Lighting that causes visual discomfort or reduced visibility.

37 **Grade**

38 The elevation of the surface of the ground, paving, or sidewalk around a building or structure.

39 **Grade, Existing**

40 The elevation of the surface of the ground or paving around a building or structure, prior to land-disturbing
41 activity or grading.

42 **Grade, Finished**

43 The final elevation of the surface of the ground or paving around a building or structure, after grading or
44 completion of a development.

Grade Plane

The reference plane representing the average grade around a structure, as measured in subsection 21.06.030D., which is used to determine the height of the structure. [ELEVATION OF THE HIGHEST ADJOINING SIDEWALK OR GROUND SURFACE WITHIN A FIVE-FOOT HORIZONTAL DISTANCE FROM THE EXTERIOR WALL OF THE BUILDING, WHEN SUCH SIDEWALK OR GROUND SURFACE IS NOT MORE THAN TEN FEET ABOVE LOWEST GRADE WITHIN A FIVE-FOOT HORIZONTAL DISTANCE FROM THE EXTERIOR WALL OF THE BUILDING OR

AN ELEVATION TEN FEET HIGHER THAN THE LOWEST GRADE WHEN THE SIDEWALK OR GROUND DESCRIBED ABOVE, IS MORE THAN TEN FEET ABOVE THE LOWEST GRADE (ILLUSTRATION)]

Grading

Any stripping, cutting, excavation, filling, or stockpiling of earth or land, including the land in its cut or filled conditions, to create a new grade.

[GREENBELT]

A LINEAR OPEN SPACE ESTABLISHED ALONG EITHER A NATURAL CORRIDOR, SUCH AS A RIVERFRONT, STREAM VALLEY, OR RIDGE LINE, OR OVER LAND ALONG A RAILROAD UTILITY CORRIDOR CONVERTED TO RECREATIONAL USE, A CANAL, A SCENIC ROAD, OR OTHER ROUTE.]

Grid

The 100-scale grid designation as established by the municipality.

Gross Floor Area

The total horizontal area of all of the floors of a building, measured [FROM EXTERIOR] to the exterior of the wall, including [INTERIOR BALCONIES,] mezzanines, stairwells, hallways, elevator shafts, and ventilation shafts, etc.

Ground Cover

Grasses or other low-growing plants and landscaping.

Ground Floor [LEVEL]

That portion of a building that is the first story above grade plane.

Ground Floor [LEVEL] Wall Area

Exterior wall areas up to the ceiling height of the first floor, or 10[9] feet above finished grade, whichever is less.

Grubbing

Removal, by any method, of stumps, roots, and vegetative matter from the ground surface [AFTER CLEARING], exposing bare soil.

Guest

Any person hiring or occupying a room for living or sleeping purposes.

Guest Parking Space

See Parking Space, Guest

Guestroom

A room intended or designed to be used for sleeping purposes.

Habitable Floor Area

In the case of residential uses, habitable floor area means floor area designed and used for living, sleeping, eating or cooking, or combinations thereof. Bathrooms, closets, storage rooms, unfinished attics, utility spaces and similar areas are not considered habitable floor area. In the case of non-residential uses, habitable floor area means building space, such as office, industrial or retail floor space, which use involves human presence, excluding parking garages, storage facilities, utility rooms, bathrooms, or display windows separated from retail activity.

Hard Surfaced

Covered with a material that provides a flat and stable surface. Concrete, asphalt, brick pavers, large stone pavers, and wood pavers are examples of hard surfacing. Gravel, river rock, mulch, and bare dirt are not hard surfacing.

Hardscape

For the purposes of the exterior lighting section in 21.07.100, paved areas of a site, including but not limited to parking lots, driveways, plazas, sidewalks, steps, and similar construction.

Hardscape Area

For the purposes of the exterior lighting section in 21.07.100, area in square feet of all hardscape including any medians, walkways, and landscape areas 10 feet or less in width within the hardscape area, which is used to calculate allowed lumens for the complete site method.

Hardscape Perimeter

For the purposes of the exterior lighting section in 21.07.100, perimeter in linear feet of all site hardscape plus perimeter of landscape areas, buildings, and structures that are greater than 10 feet in width, which is used to calculate allowed lumens for the complete site method.

Height (as used in section 21.04.060C., *Airport Height Overlay District*)

For the purpose of the airport height map, the distance above mean sea level, unless otherwise specified.

Height

When viewed from the front of an object or a three-dimensional space, the measurement of the vertical distance from a horizontal plane to another horizontal plane.

Height, Building

The height of a building as measured in subsection 21.06.030D. [VERTICAL DISTANCE ABOVE A GRADE PLANE MEASURED TO THE HIGHEST POINT OF A FLAT ROOF, NOT INCLUDING A PARAPET, OR TO THE DECK LINE OF A MANSARD ROOF, OR TO THE MIDPOINT OF THE HIGHEST GABLE OF A PITCHED OR HIPPED ROOF.]

High Rise

A building or portion of a building that exceeds 75 feet in building height.

Household

A domestic unit consisting of a person or group of people who share living arrangements. Members of a household have [THE MEMBERS OF A FAMILY WHO LIVE TOGETHER ALONG WITH ANY NON-RELATIVES AND HAVING] common access to, and common use of, all living areas and all [AREAS AND] facilities [FOR THE PREPARATION AND STORAGE OF FOOD] within the dwelling unit. A household occupies a single dwelling unit, so that its members live and eat separately from any other persons in the building, and have access to the outside of the building either directly or through a common hall.

Housing, Affordable

Housing that has a sales price or rental amount that is within the means of a household with a low or moderate income as defined by federal code. In the case of dwelling units for rent, affordable housing means housing for which the rent and utilities constitute no more than 30 percent of the gross annual

income of households earning less than 80 percent of the median annual income adjusted for household size, as determined by the Federal Department of Housing and Urban Development. In the case of dwelling units for sale, affordable housing means housing for which principal, interest, taxes, insurance, homeowners association fees, and assessments are no more than 30 percent of the gross annual income of households earning less than 80 percent of the median annual income, adjusted for household size, as determined by the Federal Department of Housing and Urban Development. [HOUSING RENTING FOR A MONTHLY RENT OF NOT MORE THAN 30% OF THE TOTAL MONTHLY HOUSEHOLD INCOME OF LOW-INCOME HOUSEHOLDS OR HOUSING THAT MAY BE PURCHASED WITH MONTHLY PAYMENTS INCLUDING PRINCIPAL, INTEREST, TAXES, INSURANCE, HOMEOWNERS ASSOCIATION FEES, AND ASSESSMENTS THAT DO NOT ADD UP TO MORE THAN 30% OF THE TOTAL MONTHLY HOUSEHOLD INCOME OF LOW INCOME HOUSEHOLDS. LOW INCOME HOUSEHOLDS ARE DEFINED TO BE A HOUSEHOLD EARNING LESS THAN 80% OF THE MEDIAN ANNUAL INCOME FOR THE ANCHORAGE METROPOLITAN STATISTICAL AREA (MSA), ADJUSTED FOR HOUSEHOLD SIZE, AS DETERMINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. A DEED RESTRICTION ENSURES THE PRESERVATION OF THE AFFORDABLE HOUSING UNIT AS AN OBLIGATION THAT RUNS WITH THE LAND AND IS BINDING ON SUBSEQUENT OWNERS FOR THE LIFETIME OF THE UNIT OR BUILDING.]

Housing, Senior

Senior housing is defined as follows, or according to successor portions of the federal code of definitions as adopted by the planning department. Housing that is (a) provided under any State or Federal program that HUD determines is specifically designed and operated to assist elderly persons (as defined in the State or Federal programs); or (b) intended for and solely occupied by persons 62 years of age or older; or (c) intended and operated for occupancy by persons 55 years of age or older and at least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older. A housing facility or community meets the definition of category (c) only if it publishes and adheres to policies and procedures that demonstrate the intent of category (c), and complies with rules issued by HUD for verification of occupancy (which shall provide for verification by reliable surveys and affidavits) and includes examples of the types of policies and procedures relevant to a determination of compliance with such rules issued by HUD. [HOUSING DESIGNED FOR, AND OCCUPIED BY AT LEAST ONE PERSON 62 YEARS OF AGE OR OLDER PER DWELLING UNIT, AND WHICH HAS SIGNIFICANT FACILITIES AND SERVICES SPECIFICALLY DESIGNED TO MEET THE PHYSICAL OR SOCIAL NEEDS OF OLDER PERSONS AS DESCRIBED IN §100.306, "SIGNIFICANT FACILITIES AND SERVICES SPECIFICALLY DESIGNED FOR OLDER PERSONS" 24 C.F.R. PART 100 (DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT – HOUSING FOR OLDER PERSONS) OR ANY AMENDMENTS THERETO.]

IESNA

Illuminating Engineering Society of North America.

Illuminance

The measure of light intensity striking a surface, measured in footcandles.

Impervious (or Impermeable) Surface

A surface that permits insignificant or no infiltration of runoff water over the duration of a single rainfall or water runoff event; any surface with little or no capacity to transmit water. [AN AREA OF GROUND THAT, BY REASON OF ITS PHYSICAL CHARACTERISTICS OR THE CHARACTERISTICS OF MATERIALS COVERING IT, DOES NOT ABSORB RAIN OR SURFACE WATER. ALL PARKING AREAS, DRIVEWAYS, ROADS, SIDEWALKS, AND WALKWAYS, WHETHER PAVED OR NOT, AND ANY AREAS COVERED BY BUILDINGS OR STRUCTURES, CONCRETE, ASPHALT, BRICK, STONE, WOOD, CERAMIC TILE, OR METAL, SHALL BE CONSIDERED TO BE IMPERVIOUS SURFACES.]

Improvement Areas

Portions of the municipality divided up into geographic areas for the purposes of determining public improvement requirements and providing public services.

Improvements

Any construction incident to servicing or furnishing facilities for a subdivision, such as grading, street surfacing, curb and gutter, driveway approaches, sidewalks, crosswalks, water mains and lines, sanitary sewers, storm sewers, culverts, bridges, utilities, waterways, lakes, bays and other appropriate items with an appurtenant construction.

Industrial

An activity which may involve **INCLUDING** manufacturing, processing, warehousing, storage, distribution, shipping, and/or other related or similar uses.

INDUSTRIAL DEVELOPMENT

A PLANNED INDUSTRIAL AREA DESIGNED SPECIFICALLY FOR INDUSTRIAL USE

Initial Lamp Lumens

Lumen rating of a lamp when the lamp is new and has not depreciated in light output (rated lamp lumens). Light loss factor equals 1.0.

Inside Dimension

The minimum **INSIDE** dimensions of an area or space such as a private open space or parking space, **DO** not including **INCLUDE** the width of walls, fences, railings, or other physical boundaries defining the perimeter of the area. For example, a private open space with a minimum inside dimension of 15 feet is such that a 15 by 15 foot square will fit entirely within it.

Joint Trench

A trench excavated for the underground placement of utility distribution lines owned or operated by two or more utilities.

Junk

Any worn-out, wrecked, scrapped, partially or fully dismantled, discarded tangible material, or combination of materials or items, including junk vehicles as defined in section 15.20.010. Also included are machinery, metal, rags, rubber, paper, plastics, chemicals, and building materials which cannot, without further alteration and reconditioning, be used for their original purpose.

LED

See Light Emitting Diode

Land-Disturbing Activity

Any use of the land by any person for any activity that results in a change in the natural cover or topography and that may cause or contribute to sedimentation or other forms of environmental degradation. **WITHIN WATERSHED MANAGEMENT AREAS, LAND-DISTURBING ACTIVITY SHALL INCLUDE THE CLEAR CUTTING OF TREES UNLESS SPECIFICALLY EXEMPTED BY THIS TITLE.**

Landowner

Any owner of a legal or equitable interest in real property, including the heirs, devisees, successors, assigns, and agent or personal representative of the owner. The person shown on the records at the Anchorage recording district shall be presumed to be the person in control of the property.

Landscaping

Trees, shrubs, ground covers, and related improvements, including furniture and other facilities intended to enhance public activity spaces both within and outside the affected development. This definition shall include spaces of varying degrees of enclosure from interior spaces to transitional spaces and outdoor spaces.

LANDSCAPING MAINTENANCE

1 INCLUDES BUT IS NOT LIMITED TO APPROPRIATE WATERING, PRUNING, WEEDING,
2 INSECTICIDE SPRAYING, FERTILIZING, PLANT REPLACEMENT, AND OTHER NECESSARY
3 FUNCTIONS AS REQUIRED TO KEEP ALL PLANT MATERIALS IN A VIGOROUS HEALTHY
4 GROWING CONDITION.]

5 **Large Domestic Animal**

6 Domestic or semi-domestic animals such as horses, ponies, miniature ponies, cows, pigs, llamas, musk
7 oxen, and other similar animals of similar size, but not dogs (*canis familiaris*).

8 **Legal Access**

9 Having legal access means being contiguous to a roadway as described in AMC section 9.04.010.

10 **Legal Nonconforming Status**

11 A state or condition where a documented nonconforming use, structure, lot, or sign, is allowed to remain
12 and be maintained pursuant to chapter 21.12, *Nonconformities*.

13 **Light Emitting Diode (LED)**

14 A semiconductor device that emits visible light when an electric current passes through it.

15 **Light Trespass**

16 Unwanted light that falls on neighboring properties or produces glare or distraction for observers away
17 from the area for which the light is intended (also called "nuisance glare").

18 **Loading Space, Off-Street**

19 A space located on premises for pickup and delivery at the premises.

20 **Lot**

21 A unit of land within a subdivision, bounded by streets and/or other lots, that is described and fixed
22 [PARCEL OF LAND SHOWN AS AN INDIVIDUAL UNIT] on the most recent plat of record. [THE TERM
23 "LOT" INCLUDES "PLOT," "PARCEL," OR "TRACT"]

24 **Lot Area**

25 The amount of horizontal land area contained inside the lot lines of a lot or site.

26 **Lot Coverage**

27 That percentage of the total lot area covered by buildings, except as provided in subsection
28 21.06.030B.2., *Structures Not Considered in Measuring Lot Coverage*.

29 **Lot, Corner**

30 A lot located at the intersection of two or more streets. A lot abutting on a curved street shall be
31 considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost
32 point of the lot meet at an interior angle of less than 135 degrees.

33 **Lot, Depth of**

34 The mean horizontal distance between the front and rear property lines of a lot, measured in the general
35 direction of its side property lines between the midpoint of such lines, except that such measurement shall
36 not extend outside the lot lines of the lot being measured.

37 **Lot, Flag**

38 An irregularly shaped lot in which the buildable section typically has no street frontage, but has an arm
39 that provides street access, called the "flag pole." The width of the arm does not meet the minimum lot
40 width standards in the zoning district in which it is located.

41 **[LOT, FRONT**

42 THE FRONT OF A LOT SHALL BE CONSTRUED TO BE THE PORTION NEAREST THE STREET.]

Lot Frontage

See Frontage, Lot

ALL PROPERTY ABUTTING THE RIGHT-OF-WAY OF A DEDICATED STREET, PRIVATE STREET, OR ROAD EASEMENT, MEASURED ALONG THE RIGHT-OF-WAY BETWEEN SIDE LOT LINES OF A LOT. IN NO CASE SHALL THE LINE ALONG AN ALLEY BE CONSIDERED AS LOT FRONTAGE.

Lot, Interior

A lot other than a corner lot, with frontage only on one street.

Lot Line

The fixed boundaries or property lines of a lot described by survey located on a plat filed for record.

Lot Line, Front

Any ~~THAT~~ boundary of a lot measured along the edge of a ~~THE~~ right-of-way of a dedicated street, private street or road easement that abuts that line. ~~IN THE CASE OF A CORNER LOT, ALL LINES THAT MEET THIS DESCRIPTION ARE FRONT LOT LINES.~~

Lot Line, Rear

That boundary of a lot that is most parallel to the front lot line and does not intersect the front lot line.

Lot Line, Side

That boundary of a lot that is neither a front or rear lot line.

Lot Line, Street

A lot line abutting a street.

Lot, Nonconforming

A lot that met all legal requirements when it was platted or otherwise recorded but that does not comply with the minimum lot area or minimum lot dimensions of this title, or a subsequent amendment hereto, for the zoning district in which it is located.

Lot of Record

A lot that is recorded by the district recorder's office.

Lot, Double-Frontage

A lot other than a corner lot with frontage on more than one street.

Lot, Townhouse

A lot subdivided for a townhouse use ~~THE PURPOSES OF ACCOMMODATING TOWNHOUSE-STYLE ATTACHED SINGLE-FAMILY RESIDENTIAL DWELLING UNITS.~~

Lot Width

The distance between straight lines connecting the front and rear lot lines at each side of the lot, measured between the midpoints of such lines, provided that such measurement shall extend to the side property lines and shall not extend beyond the lot lines of the lot being measured. Flag-shaped lot width shall be measured at the midpoint of the lot excluding the flagpole area of the lot.

Lowest Floor

The lowest floor of the lowest enclosed area, including basement or crawl space. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in any area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the application nonelevation design requirements of section 21.04.080D.

Lumen

The unit of luminous flux (radiant energy): a measure of the amount of light emitted by a lamp. See also
Illuminance

Luminaire

A complete lighting unit consisting of one or more electric lamps, the lamp holder, reflector, lens, ballast, and/or other components and accessories.

Luminaire, Full Cutoff

A luminaire emitting a light distribution where zero candela intensity occurs at or above an angle of 90 degrees above nadir. Additionally, the candela per 1,000 lamp lumens does not numerically exceed 100 (10 percent~~(%)~~) at a vertical angle of 80 degrees above nadir. This applies to all lateral angles around the luminaire.

Luminance

The luminous intensity (photometric brightness) of a light source or reflecting surface, measured in candelas per square meter.

M.A.S.S.

An abbreviation for the "*Municipality of Anchorage Standard Specifications*," which is a manual that identifies the approved common construction practices associated with subdivision development and public works projects.

Maintenance Easement

An easement on an APPURTENANT TO a lot or parcel permitting entry to that UPON ANOTHER lot or parcel for the purpose of maintaining, repairing, or reconstructing a structure or other feature on the FORMER lot or parcel, or an abutting lot or parcel.

Major Drainageway

That portion of any drainageway, constructed or natural, that either does, or will under full development, carry a significant peak flow; all ephemeral channels are major drainageways; STREAMS AND all constructed or natural drainageways with total contributing areas larger than 40 acres are major drainageways.

Manual of Uniform Traffic Control Devices (MUTCD)

The most current manual or successor document(s) addressing the design and use of traffic control devices, as published, amended and/or interpreted by the U.S. Department of Transportation.

Manufactured Home

A transportable, factory-built dwelling unit constructed after June 15, 1976, in conformance with the ENTIRELY IN A CONTROLLED FACTORY ENVIRONMENT, BUILT TO THE federal Manufactured Home Construction and Safety Standards, as evidenced by an affixed certification label in accordance with 24 CFR 3280.11 (AKA HUD CODE).

Manufactured Home Community

A parcel, or contiguous parcels, of land divided into two or more mobile home or manufactured home lots for rent or sale.

Maximum Extent Feasible

That no feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. "Feasible and prudent" means consistent with sound engineering practice and not causing environmental, social, or economic problems that outweigh the public benefit to be derived from compliance with the standard which is modified by the term "feasible and prudent."

Mean Sea Level

The average height of the sea for all states of the tide. Datum is Greater Anchorage Area Borough, Post Quake, U.S. Geodetic Survey of 1972.

Mechanical Penthouse

An enclosed structure above the roof of a building used exclusively for the shelter of mechanical equipment or shelter of vertical shaft openings in the roof.

Minor Amendment

An amendment to an approved permit or other form of approval granted under this title that involves a relatively small ~~ER~~ amount of change from the original approval. Specific rules for granting minor amendments are set forth in chapter 21.03, *Review and Approval Procedures*.

Minor Modification

A minor deviation from otherwise applicable standards of this title approved under section 21.03.120.

Mixed-Use

A single building containing more than one classification of land use (residential, office, retail, institutional, etc.) or a single development of more than one building and use, where the uses of different classifications (residential, office, retail, institutional, etc.) are in a compact urban form, planned as a unified complementary whole, and functionally integrated to facilitate the use of shared vehicular and pedestrian access and parking areas.

Modify Fuels

Reduce the amount of non-fire-resistant vegetation or alter the type of vegetation to reduce the fire risk.

Monument

A permanent survey control point.

Mounting Height

The height of a luminaire above grade.

Multimodal

Having or involving more than one mode of transportation.

Municipal Attorney

The official legal representative for the municipality.

Municipal Engineer

The chief engineer of the municipality; often the director of the project management and engineering department.

Municipality

The municipality of Anchorage.

New Structures (as used in section 21.04.060D., *FHO: Flood Hazard Overlay District*)

Structures for which the start of construction commenced on or after September 25, 1979. The start of construction means the first placement of a permanent foundation and appropriate structural framing.

Nonconforming Lot

A lot, the area and/or dimensions of which were lawful prior to the adoption, revision, or amendment of the zoning ordinance but that fail by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

Nonconforming Structure

A structure or building, the size, dimensions, and/or location of which were lawful prior to the adoption, revision, or amendment of the zoning ordinance but that fail by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning ordinance.

Nonconforming Use

A use or activity that was lawful prior to the adoption, revision, or amendment of the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

Nonconformity

Any legally approved structure, lot, sign, or use of land that no longer conforms with the requirements of this title.

Nursing Facility

Has the same meaning as set forth in Alaska Statutes chapter 18.20.

OS&HP

Official Streets and Highways Plan.

Obstruction (as used in section 21.04.060D., *FHO: Flood Hazard Overlay District*)

Any dam, wall, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure or matter in, along, across or projecting into any channel, watercourse or regulatory flood hazard area which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the material downstream to the damage of life or property.

Off-Street

Located outside the street or the right-of-way of a street.

On-Site Remediation

Removal of volatile and semi-volatile contaminants from soils, sediments, slurries and filter cakes within 300 feet of the location where the material was originally contaminated.

Open Space, Common

Open space for the common use and enjoyment of the owners and occupants of the subdivision, building, planned unit development or condominium. Common means shared by all tenants and is distinguished from space designated for private use.

Ordinary High Water Mark (OHWM)

The line on a shore or bank of a body of water established by the normal fluctuations of water and indicated by a relatively abrupt change in observable physical, hydrologic, and biologic characteristics above and below the line. For a stream or lake the OHWM is approximately equivalent to the 'bank.' For a marine shoreline, the OHWM is approximately equivalent to the 'mean high water line.' In all cases, an appropriate mix of indicators used to establish the OHWM at a particular location are selected using means and methods that consider the type of water body and the characteristics of the surrounding area.

Outdoor Trash Container

A container used for the temporary storage of rubbish, pending collection, that is stored outside of a walled structure for one or more nights per week.

Overlay District

A unique set of zoning regulations that are superimposed on one or more established zoning districts and shown on the zoning map, and subsequently impose additional or replacement **IN ADDITION TO OR IN PLACE OF THE** regulations to those of the underlying district. The overlay district may be used to

impose supplemental restrictions on uses in these districts, permit uses otherwise disallowed, or implement some form of site or architectural design program. Developments within an overlay district must conform to the requirements of the underlying district as modified by the overlay district and as set forth in the enacting ordinance.

Owner

Any person, agent, firm, corporation, or partnership that alone, jointly, or severally with others:

- 1) Has legal or equitable title to any premises, dwelling, or dwelling unit, with or without accompanying actual possession thereof; or
- 2) Has charge, care, or control of any premises, dwelling, or dwelling unit, as agent of the owner or as executor, administrator, trustee, or guardian of the estate of the beneficial owner. The person shown on the records of the district recorders office of the state of Alaska to be the owner of a particular property shall be presumed to be the person in control of that property.

Parapet

A low, protective wall at the edge of a roof that is part of an exterior wall, fire wall, or party wall that rises above the roof.

Parcel

See **Lot**

Parking Angle

The angle formed by a parking space and the wall or centerline of the facility, ranging from ninety degrees (perpendicular) to zero ~~THIRTY~~ degrees (parallel).

Parking Bay

A ~~THE~~ section or module of a parking facility that consists of ~~CONTAINING~~ a parking ~~DRIVING~~ aisle and a ~~ONE OR TWO~~ row[S] of parking spaces on one or both sides of the aisle. Parking bays are not loading berths.

Parking Cash Out

Allowing commuters to choose cash instead of a free parking space. For example, a commuter who is offered a parking cash-out might be able to choose to receive \$50 per month in cash if they use an alternative mode besides a single-occupancy vehicle.

~~PARKING, COMMERCIAL~~

~~PARKING OPERATED AS A COMMERCIAL ENTERPRISE FOR WHICH USERS PAY A DIRECT FEE~~

Parking District, Municipally Recognized

An area recognized or designated by the municipal Assembly in which a central authority such as an area improvement district or a parking authority supplies one or more centralized parking facilities, manages the parking supply and/or implements other parking management strategies to serve the area, rather than each individual development site having to supply all of its own parking.

Parking Facility

An area for off-street parking of motor vehicles, either a surface parking lot or structured parking, and including associated driveways, circulation and parking aisles, parking spaces, queuing lanes, and passenger loading areas.

Parking Lot

An at-grade, surface parking facility built directly on the ground. ~~AREA FOR PARKING MOTOR VEHICLES~~

Parking, On Street Curb

Parking spaces within the street or street right-of-way and abutting the curb of a street.

Parking, Shared

A parking facility that serves multiple uses or destinations.

Parking Space

A space for the parking of one automobile.

Parking Space, Bicycle

An area and facility such as a rack or locker used for parking and securing one bicycle.

Parking Space, Guest

A parking space that is available for exclusive use by guests in a residential development, and not exclusive to or physically associated with any individual dwelling.

Parking, Stacked

Vehicles parked one above the other using a mechanical car stacker.

Parking Structure, Automated

A parking structure operated by automatic mechanical parking equipment such as automobile elevator or lift systems.

Parking, Structured

A parking facility that is a multistory building or structure, under a building or structure, or a portion of a building, such as occupying a story within a multifamily building. Structured parking may be either on, above, or below grade.

[PARKING, SURFACE (OR PARKING LOT)]

A PARKING FACILITY BUILT DIRECTLY ON THE GROUND.]

Parking, Tandem

One vehicle parked behind another.

Parking, Unbundled

Parking rented and sold separately from building space, so occupants only pay for the amount of parking they want.

Party of Interest

The applicant, the owner of the subject property, the owner of property within the notification area for the subject application, and anyone that presented oral testimony at a public hearing or written testimony on the application.

Pathway

A stable surface, usually paved, located along a roadway, for multiple pedestrian and non-motorized uses and purposes.

Pedestrian Oriented

A characteristic of a development or district that emphasizes the street sidewalk and/or connecting pedestrian access to the site and building(s), such that a person can comfortably walk from one location to another, and optional pedestrian activities such as strolling, window shopping, or relaxing can take place. Pedestrian oriented features include: buildings placed within a short setback distance from the sidewalk; primary entrances and windows on building facades which face the street; a mix of civic, commercial, and/or residential uses; shared open spaces and plazas; architectural details and visual interest at the pedestrian scale; pedestrian amenities such as wide walkways, seating, bicycle facilities,

public art, landscaping, lighting, and wayfinding signs; and northern climate features such as atriums, canopies, transit shelters, wind protection, and orientation for sunlight access.

[PERMEABLE SURFACE]

AN AREA OF GROUND THAT, BY REASON OF ITS PHYSICAL CHARACTERISTICS AND THE CHARACTERISTICS OF MATERIALS COVERING IT, IS ABLE TO ABSORB RAIN OR SURFACE WATER AT A RATE EQUAL OR GREATER THAN THAT OF LAWN TURF. EXAMPLES INCLUDE NATURAL VEGETATION, LAWN TURF, LANDSCAPE BEDS, GARDENS, MULCH, DECORATIVE GRAVEL, AND SOME TYPES OF POROUS PAVEMENTS.]

Permit, Building

A land use permit issued by the municipality pursuant to the municipal code and the [STATE] building code authorizing the erection, construction, reconstruction, restoration, alteration, enlargement, conversion, remodeling, demolition, moving, or repair of a building or structure within the building safety service area.

Permit, Land Use

An official document issued by the municipality pursuant to this title required for the erection, construction, establishment, moving, alteration, enlargement, repair, placement, or conversion of any building, structure, or land in any district established under this title.

Permit, Sign

An official document issued by the municipality pursuant to this title required for the construction, installation, maintenance, and operation of signs within the municipality.

Permit, Flood Hazard

An official document issued by the municipality pursuant to this title for uses, structures, or activities listed in the floodplain regulations.

Person

Any individual, lessee, firm, partnership, association, joint venture, corporation, or agent of the aforementioned groups, or the state of Alaska or any agency or political subdivision thereof.

Physical Access

[HAVING PHYSICAL ACCESS MEANS B]Being adjacent to a street [ROAD] suitable for travel by passenger automobiles that is connected to the publicly dedicated and improved transportation network of the municipality.

Pillow

A sleeping accommodation for one person.

Plan, Landscape

A plan, drawn to scale, showing dimensions and details of the portion of a site devoted to planting materials and their maintenance.

Plan, Master

The maps, illustrations, and supporting text associated with a planned development which conveys the allowable uses, densities, non-residential intensities, and arrangement of uses within the boundaries of the planned development along with any associated conditions, phasing schedules, and other agreements.

Plan, Site

A plan depicting the proposed development of a property, in terms of the location, scale, and configuration of buildings, uses, and other features containing all the information required by this title. A site plan may include but is not limited to lot lines, adjacent lots and streets, building sites, required

[RESERVED] open space, buildings, interior vehicular, **[AND]** pedestrian, and bicycle access, parking lot design (calculations and layout), signage, lighting, **[AND]** screening devices, existing and proposed landscaping, topography, drainage, and, depending on requirements, floor plans, building elevations and locations of proposed utility services and lines, and any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

Plan, Subdivision

A proposed plan of development to establish a subdivision that contains all information such as lot lines, streets, easements, and other features required by this title.

Planning Commission

The planning and zoning commission of the municipality.

Plat

A map and associated text **[DOCUMENT]** prepared by a registered surveyor that delineates property lines and related information, prepared in compliance with the regulations of this title. **[REPRESENTING A TRACT OF LAND SHOWING THE BOUNDARIES AND LOCATION OF INDIVIDUAL PROPERTIES, STREETS, AND OTHER RELATED ITEMS FOR IDENTIFYING PROPERTY.]**

Plat, Final

A map and associated text of a subdivision of land, meeting all the requirements of this code, and **[MADE UP IN FINAL FORM]** ready for approval and recording.

Plat, Preliminary

A map and associated text prepared by a registered surveyor showing the required **[SALIENT]** features of a proposed subdivision of land and submitted to the platting authority for purposes of preliminary consideration and approval.

Platting Authority

The platting officer, municipal platting board, **[DIRECTOR]** or any other board so designated by the assembly.

**[PLOT
SEE LOT]**

Porch

A covered or partially enclosed exterior entrance space projecting from the façade of a building, having a floor and roof, and forming a covered approach or vestibule to an entrance doorway. The front of the porch is open, with only supporting posts, railings, and roof, or partially enclosed with solid walls or railings up to 36 inches high measured from the floor of the porch.

Pre-Application Conference

A meeting between an applicant and the municipal staff intended to familiarize both parties with conceptual plans or proposals presented by the applicant and applicable code provisions.

Primary Pedestrian Walkway

See subsection 21.07.060F.4.

Principal Building/Structure

A building/structure in which is conducted the main use of the lot on which the building/structure is located.

Prisoner

The same meaning as defined in AS 33.30.901 as to state prisoners, and includes persons convicted of a felony described in AS 11.41, *Offenses Against the Person*, in Alaska or of an offense with the same or

substantially similar elements in another jurisdiction until they have successfully completed all conditions of parole and probation and are no longer under the supervision of the court, the Alaska department of corrections, another state or municipal agency, or contractor to those entities. The term "prisoner" also includes federal offenders in the custody, control or under the care of supervision of the United States attorney general or the bureau of prisons.

Private Enforcement Action

A process by which a private individual, homeowner's association, or community council can request that the administrative hearings officer hear and investigate charges that another person or owner of land has violated the requirements of this title.

Profession

An occupation, such as law, medicine, or engineering, which requires considerable training and specialized study.

Projection, Wall Plane

A portion of a building wall—i.e., a wall plane or façade wall—that extends outward beyond the face of the adjacent wall plane or façade wall on the building, so as to create articulation of the building wall.

Property Line

A demarcation limit of a lot dividing it from right-of-way, or other lots or parcels of land.

Public Enforcement Action

An action brought by the municipality against owners or users of land for violating the provisions of this title.

Public Facility

Any buildings and structures (including streets and highways) owned or leased by a government agency not exempt by law from municipal land use regulation

Public Use Easement

A right of use over portion(s) of real property granted by a property owner for specific present or future uses of land by the public, or governmental entity, that is reserved, conveyed, or dedicated through the recording of a plat, deed, or easement document.

Public Utility

Any person or organization subject to regulation under AS 42.05.

Publicly Accessible

Open to the general public during regular business hours.

Recess, Wall Plane

A portion of a building wall—i.e., a wall plane or façade wall—which is set back from the adjacent wall plane or façade wall on the building, creating articulation of the building wall.

Record of Survey Map

A map prepared by a professional land surveyor that reestablishes survey controls, boundaries, locations of improvements, or the alignment of right-of-ways for recording.

Recreational Vehicle

A vehicle **VEHICULAR TYPE UNIT** primarily designed as temporary living quarters for travel, camping, recreational, or vacation usage, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are travel trailer, camping trailer, pickup truck camper, fifth-wheel, and motor home.

Redevelopment

The **REMOVAL AND REPLACEMENT** rehabilitation, **OR** adaptive reuse, or removal and replacement of an existing structure or structures, or of land from which previous improvements have been removed.

Reflectance

The fraction of solar radiation reflected by a material.

Regulatory Floodway

See **Floodway, Regulatory**

Reinforcement

Repair, replacement, or addition of a crossarm, guy, pole, stub, or conductor for a utility distribution facility.

Relocation (as used in section 21.07.050, *Utility Distribution Facilities*)

A change in alignment of more than six spans.

Reserve Strips

Narrow strips of privately-owned land adjacent and parallel to a street.

Residential

Activity involving the occupation of buildings for living, cooking, sleeping, and recreation.

Residential Subdivision

A subdivision, or that part of a subdivision, in a residential **THAT IS WITHIN AN R-1, R-1A, R-2A, R-2D, R-2F, R-2M, R-3, R-4, R-4A, R-5, R-6, R-7, R-8, R-9, R-10 OR TA** zoning district.

Restoration

Putting or bringing back into a former, normal, or unimpaired state or condition.

Rezoning (Zoning Map Amendments)

An amendment to the official zoning map **AND/OR TEXT OF THIS TITLE** to effect a change in the boundaries of any zoning district or the zone classification of any parcel of land in the municipality.

Right-of-Way

Streets, avenues, ways, boulevards, drives, circles, courts, alleys, sidewalks, walkways, trails, and other such areas granted or dedicated for the use of the public for the placement of utilities and/or for the passage of vehicles and/or pedestrians, including the space above and beneath such areas.

Roof

The cover of any building or structure, including the eaves and similar projections.

Runway

A defined area on land or water intended **PREPARED** for use for landing and takeoff of aircraft.

Salvageable Improvements

As used in section 21.08.060, *Subdivision Agreements*, and describes those portions of street improvements constructed within a dedicated right-of-way that are usable as a part of the finally constructed street. Salvageable improvements include such items of work as clearing and grubbing, removal of unsuitable material and placement of classified backfill, but do not include temporary surfacing and other work that would not be usable or beneficial to final street construction. This definition applies only to those streets that are not, during their initial construction, improved to the final paved standard of the municipality.

SECONDARY BUILDING

A BUILDING DETACHED FROM A PRINCIPAL BUILDING LOCATED ON THE SAME LOT AND CUSTOMARILY INCIDENTAL AND SUBORDINATE TO THE PRINCIPAL BUILDING OR USE.]

Senior Housing
See **Housing, Senior**

Setback

The horizontal [MINIMUM] distance [REQUIRED] between any [BUILDING OR] structure and a [STREET RIGHT-OF-WAY OR] lot line, or from some other feature or object [FROM WHICH A SEPARATION DISTANCE IS REQUIRED]. A required setback establishes a minimum required separation distance with the exception that a required maximum setback establishes a maximum allowed separation distance.

Setback, Front

A setback that extends across the full frontage of a lot or tract on a public or private street. The front setback is defined by the front lot line.

Setback, Rear

A setback that extends across the full rear of a lot or tract. The rear setback is defined by the rear lot line. Lots with two or more frontages [CORNER LOTS, DOUBLE-FRONTAGE LOTS, AND THREE-SIDED LOTS] do not have rear setbacks.

Setback, Side

Any setback that is not a front or rear setback. Generally, side setbacks extend from the inner boundary of the front setback (or from the front property line of the lot or tract where no front setback is required) to the inner boundary of the rear setback (or to the rear property line of the lot or tract where no rear setback is required.) For lots with two or more frontages [CORNER AND DOUBLE-FRONTAGE LOTS], setbacks remaining after front setbacks have been established shall be considered side setbacks.

Service Connection

Conductors transmitting utility service from a utility distribution line to a customer's riser or service entrance.

Shrub

A woody perennial plant having more than one main stem at the ground, usually attaining a height of less than 15 feet.

Sidewalk

A concrete pathway within a vehicular right-of-way, aligned with a road and constructed either adjacent to the curb or separated from the curb, for multiple pedestrian and non-motorized uses and purposes. Sidewalks are generally found in class A zoning districts. [AN IMPROVED RIGHT-OF-WAY FOR PEDESTRIAN CIRCULATION THAT IS PART OF THE STREET RIGHT-OF-WAY.]

Sight Distance Triangle

The land area regulated to ensure unobstructed visibility for motorists entering or leaving an intersection or driveway. [A TRIANGULAR SHAPED PORTION OF LAND ESTABLISHED AT STREET, DRIVEWAY, OR ALLEY INTERSECTIONS WHICH IS REGULATED SO THAT THE VISIBILITY OF MOTORISTS ENTERING OR LEAVING THE INTERSECTION IS NOT OBSTRUCTED.]

Sight Obscuring

As applied to landscaping, sight obscuring means that within three years of installation, the landscaping shall visually obscure the target to the extent that the majority of the field of view is plant material, rather than the target.

Sign

Any visual communication display, object, device, graphic, structure or part, situated indoors or outdoors, or attached to, painted on or displayed from a building or structure, in order to direct or attract attention to, or to announce or promote, an object, product, place, activity, person, institution, organization, or business or the like, by means of letters, words, model, banner, flag, pennant, insignia, device, designs, colors, symbols, fixtures, images, illuminations or representation used as, or which is in the nature of an announcement, direction, or advertisement.

Sign, Animated

A sign that contains animation or animated effects, changeable copy, flashing, or moving parts.

Sign, Banner

A sign made of lightweight fabric or similar material with no enclosing framework that is mounted to a building or other structure at one or more edges.

Sign, Building

Any sign attached to any part of a building and including wall, awning, canopy, and projecting signs. A wall sign is a building sign that is parallel to and does not extend from the wall more than 12 inches.

Sign, Changeable Copy

A portion of a sign with letters, characters, or graphics that are not permanently affixed to the structure, framing, or background allowing the letters, characters or graphics to be modified from time to time manually or by electronic or mechanical devices, such as a bulletin board or electronic message board.
[CHANGEABLE COPY SIGNS MAY NOT BE USED TO DISPLAY COMMERCIAL MESSAGES RELATING TO PRODUCTS OR SERVICES THAT ARE NOT OFFERED ON THE PROPERTY.]

Sign, Construction

A temporary sign identifying a project or facility during the time of construction. Such signs typically include the name of an architect, engineer, and/or contractor for a building or project located on the parcel.

Sign, Entrance or Exit

A sign located at the driveway entrance or exit and intended to provide for safe ingress and egress.

Sign, Freestanding

A sign supported from the ground and not attached to any building. A freestanding sign may be supported by one or more poles or a solid base. Pole signs are considered freestanding signs.

Sign, Historic

Any sign that has been designated as historic by the urban design commission.

Sign, Ideological or Political

Any temporary sign displaying or advocating an idea, opinion, or position on any social, cultural, religious, or political issue and containing no commercial message.

Sign, Illuminated

Any sign which is partially or entirely illuminated internally or externally so as to make the sign more visible.

Sign, Inflatable

Any inflatable shape or figure designed or used to attract attention to a business event or location. Inflatable promotional devices shall be considered to be temporary signs under the terms of this chapter and, where applicable, subject to the regulations thereof.

Sign, Instructional

A sign that has a purpose secondary to the use on the lot and that is intended to instruct employees, customers, or users as to matters of public safety or necessity such as specific parking requirements, the location or regulations pertaining to specific activities on the site or in the building, and including a sign erected by a public authority, utility, public service organization, or private industry that is intended to control traffic; direct, identify or inform the public; or provide needed public service as determined by the rules and regulations of governmental agencies or through public policy.

Sign, Nonconforming

A sign which was legally erected, but which is no longer in compliance with the requirements of this title.

Sign, Off-Premises

See **Billboard**

Sign Plate

A building sign which does not exceed two square feet indicating the street number, the name of the person, business, profession or activity occupying the lot, building, or part thereof; or other information pertaining to the use on the lot.

Sign, Portable

Any sign that is not permanently attached to the ground or other permanent structure, or a sign designed to be transported on wheels, skids, a bench, runners, brackets, or has a frame to which wheels, skids, runners, brackets, or similar mechanical devices can be attached to or support the sign. A portable sign also includes inflatable devices and mobile signs such as parked trailers or vehicles, which include signs which are visible from the public right-of-way unless such vehicle is used in the normal day-to-day operations of the business.

Sign, Pole

A sign that is mounted on a freestanding pole or poles, or other support structure that is visible.

Sign, Projecting

A sign that is attached to a building wall and extending perpendicular to (or approximately perpendicular to) the building wall and 12 inches or more beyond the face of the wall.

Sign, Roof

A sign, or any portion thereof, erected, constructed, painted, placed, or projecting upon or extending above the roof or parapet wall of any building whether the principal support for the sign is on the roof, wall or any other structural element of the building.

Sign, Temporary

A sign that is designed to be used only temporarily and is not intended to be permanently attached to a building, structure or permanently installed in the ground. These include, but are not limited to, political signs, special event signs, and for sale or leasing signs. Mobile and portable signs are temporary signs. Temporary signs may be displayed as window signs.

Sign, Traffic

A sign indicating federal, state, or municipal regulations for automobile, truck, bicycle, and/or pedestrian movement.

Sign, Window

A sign that is applied or attached to a window or door, or a sign located near a window within a building for the purpose of being visible to and read from the outside of the building except for signs that are not legible from a distance of more than three feet beyond the building in which such sign is located.

Single-Family Style Structure

A residential building containing one dwelling unit for one household and not attached to any other dwelling by any means—i.e., a house.

Site

A lot or group of contiguous lots that is proposed for development and is in single ownership or has multiple owners, all of whom join in an application for development.

Site Plan

See **Plan, Site**

Site Plan Review

The review of a site plan of a project, public or private, to ensure compliance with the development and design standards and provisions of this title, to ensure consistency with previous approvals, to minimize or mitigate negative impacts on adjacent properties, and to encourage quality development reflective of the goals, policies, and objectives of the comprehensive plan. [THE PROCESS WHEREBY THE REVIEWING AUTHORITY REVIEWS THE SITE PLANS AND MAPS OF A DEVELOPER TO ENSURE THAT THEY MEET THE STATED PURPOSES AND STANDARDS OF THE ZONE, PROVIDE FOR THE NECESSARY PUBLIC FACILITIES SUCH AS ROADS AND SCHOOLS, AND PROTECT AND PRESERVE TOPOGRAPHIC FEATURES AND ADJACENT PROPERTIES THROUGH APPROPRIATE SITING OF STRUCTURES AND LANDSCAPING.]

Site Selection

The process by which the municipality shall review and decide the selection of a site for specified public facilities.

Skylight

An opening in a roof or ceiling, glazed with a transparent or translucent material, for admitting daylight.

Soil Management

Maintenance of the soil to preserve and enhance the capacity of soil to function within ecosystem boundaries to sustain biological productivity, maintain environmental health, and promote plant and animal health.

Slope

The vertical elevation of a land area divided by the horizontal distance, expressed as a percentage.

Solar Access (Sunlight Access)

The availability of, or access to, unobstructed direct sunlight.

Solar Orientation

A south facing orientation of a property line, street frontage, right-of-way, fence, building wall, or window surface where the line, frontage, wall, or window faces within 30 degrees of south. This orientation of a surface in relation to the path of the sun may be used to maximize the amount of sunlight and heat gained from solar radiation.

Solar Reflector

An appurtenance designed to reflect the light and heat of the sun so that it augments the amount of solar radiation entering an interior habitable space, solar collector, or outdoor open space.

Space (as used in section 21.05.030A.8., *Manufactured Home Community*)

A defined land area in a manufactured home community on which a mobile home or manufactured home may be placed and which is described by boundary lines measured in terms of:

- Its depth expressed as a mean distance between the front and rear of the space, measured in the general direction of the side space lines.

- Its width expressed as a mean distance between the side lines of the space, measured in the general direction of the front and rear space lines.

Space, Reverse-Frontage (as used in section 21.05.030A.8., *Manufactured Home Community*)

A space which abuts a local street on one side and a street of Class I or greater classification on the opposite side.

[SPECIAL HAZARD AREA]

AN AREA HAVING SPECIAL FLOOD, MUDSLIDE, OR FLOOD-RELATED EROSION HAZARDS

Special Limitation

A provision of a rezoning **[ADOPTED BY]** ordinance which restricts some aspects of development to a greater degree than otherwise allowed by the applied zoning district. **[THE PERMITTED PRINCIPAL USES AND STRUCTURES OTHERWISE ALLOWED IN A ZONING DISTRICT OR WHICH REQUIRES COMPLIANCE WITH DESIGN STANDARDS NOT OTHERWISE REQUIRED BY ZONING DISTRICT REGULATIONS OR OTHER SECTIONS OF THIS TITLE.]**

Start of Construction

Includes substantial improvement, and means **[THE DATE THE BUILDING PERMIT WAS ISSUED, PROVIDED THE ACTUAL START OF CONSTRUCTION, REPAIR, RECONSTRUCTION, PLACEMENT OR OTHER IMPROVEMENT WAS WITHIN 180 DAYS OF THE PERMIT DATE. THE ACTUAL START MEANS]** either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets or walkways; nor does it include excavation for a basement, footings, piers or foundation, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Step-Back

A terrace in the vertical rise of a building form such that the upper mass or wall plane of the building is set back or recessed from the lower building mass or wall plane.

Storage

Temporary or permanent containment, holding, leaving, stockpiling, or placement of products, goods, or materials, usually with the intention of retrieving them at a later time; overnight parking of commercial vehicles.

Storm Water

Surface water runoff originating from surface water, rain, snowmelt, wash waters, street wash, subsurface drainage, or other drainage but excludes wastewater as defined in AMC title 15.

Story

That portion of a building included between the upper surface of a floor and the upper surface of the next floor or roof above.

Story Above Grade Plane

Any story having its finished floor surface entirely above finished grade plane, except that a basement shall be considered as a story above grade plane where the finished surface of the floor above the basement is:

- More than six feet above grade plane; or
- More than 12 feet above the finished grade at any point.

Story Below Grade Plane

Any story having its finished floor surface below finished grade plane, unless it meets the definition of story above grade plane. **THAT PORTION OF A BUILDING THAT IS A STORY BELOW GRADE PLANE**

Story, One-Half

A story under a gable, shed, or hipped roof that contains habitable floor area, including floor area under dormers, not exceeding 50 percent of the floor area of the floor below.

Stream

A watercourse **PERENNIALLY OR INTERMITTENTLY** conveying perennial or intermittent surface waters not solely the result of constructed subsurface drainage. When a stream does flow it conveys more water than that contributed from a single storm runoff event and includes natural ground water discharge as a component in its flow. A stream may be intermittent in time or space. **BUT WHEN FLOWS DO OCCUR A PROLONGED, HYDRAULIC CONNECTION MUST EXIST CONTINUOUSLY EITHER ALONG THE SURFACE OR AT SHALLOW DEPTHS. A STREAM SHALL** However it must generally retain its identity as a hydraulically **SINGLE** continuous drainage feature along **OVER** its whole length, **ACROSS PERENNIAL AND INTERMITTENT REACHES, THROUGH UNDERGROUND PASSAGES, OR ACROSS OTHER SURFACE WATER BODIES,** even though its surface flow may periodically break up or disappear along its alignment, **EITHER IN TIME OR IN SPACE.**

THOUGH SOME OF THESE FEATURES MAY NOT BE PRESENT LOCALLY WHERE FLOW IS SPATIALLY OR TEMPORALLY INTERMITTENT, OR WHERE THE STREAM HAS BEEN PIPED OR OTHERWISE SUBSTANTIALLY MODIFIED. OOverall a stream displays a distinctive combination of geomorphic, hydrologic, and biologic characteristics, though some of these features may be absent where flow is intermittent or where the stream has been piped or otherwise modified. Principal **THE CORE** defining characteristics include:

- Unique geometric, **CHANNEL** sedimentary, and other physical characteristics, including bed and banks, along part or all of the stream's alignment;
- Prolonged flow from natural sources conveyed along continuous surface **OR PERIODIC OPEN** channels **SEGMENTS**, or along a discontinuous but hydraulically connected series of surface channels; **AND HYDRAULIC CONTINUITY ALONG THE STREAM'S ENTIRE LENGTH;** and
- **OVERALL B**Biologic characteristics representative of prolonged surface flows along the open channel segments of the stream.

Stream Bed

That portion of a stream utilized for water flow during nonflood periods, normally extending from the thalweg (low point) to each bank.

Street

A thoroughfare **RIGHT-OF-WAY** improved for vehicular and pedestrian travel permanently open to general public use, that affords the principal means of access, frontage and address to individual buildings, lots and blocks. **ABUTTING PROPERTY SUCH AS AN** Streets include a road, avenue, place, drive, boulevard, highway or any other similar means of public thoroughfare, except an alley. A street is not a driveway. Unless otherwise indicated, the term street shall refer to both public and private streets. A street may be located on private property and not be publicly owned or maintained, if it performs the roles of a public street.

Street, Access

A street constructed to provide physical access to a subdivision.

Street, Arterial

Higher order streets with controlled access that are intended for through or regional traffic moving between urban centers and not intended for local or residential neighborhood traffic. These streets have

multiple travel lanes, provide access to regional travelways, and carry high volumes of traffic. Arterials are either "major arterials" or "minor arterials," as designated in the Official Streets and Highways Plan.

Street, Collector

Streets that penetrate various land use classifications to provide both land access and mobility within neighborhoods and commercial areas. Their primary function is traffic service, collecting traffic from intersecting streets and funneling it to major thoroughfares. A major collector roadway/street has limited direct access from individual lots/parcels. A minor collector roadway/street allows direct access of individual lots/parcels.

Street, Cul-de-Sac

A street having only one outlet, with provision for a turnaround at its termination, and which is not intended to be extended or continued to serve future subdivisions or adjacent land.

Street, Dead End

A right-of-way that terminates without a cul-de-sac or a temporary turnaround and the terminus of which has the same width as the width of the right-of-way.

Street Facing Building Elevation

The building elevation facing upon the street, comprised of all façade walls that are oriented toward the street at an angle of less than 90 degrees, and not separated from the street by another principal structure or site.

Street, Half

A portion of a right of way, including the street pavement that is directly adjacent to a lot's frontage as measured from the ultimate street centerline.

Street, Interior

A street contained entirely within the boundaries of a subdivision.

Street, Local

~~AN INTERIOR~~ street whose primary function and design is to provide access to abutting property. ~~IN A SUBDIVISION DESIGNED AND INTENDED TO SERVE LOCAL AREAS~~ Local streets feed traffic into collector and arterial street systems.

Street, Loop

A street that originates and terminates at intersections with the same street.

Street Lot Line

See Lot Line, Street

Street, Peripheral

A street parallel to the boundary of a subdivision and whose right-of-way abuts that boundary.

Street, Stub

A dead-end interior street provided for eventual extension onto unplatted land.

Street Typology

A street classification system that augments the functional classifications (arterials, collectors, local streets) with designations that relate the street design to the adjacent land use, development pattern, and its functions for users in addition to automobile traffic—pedestrians, bicyclists, and transit riders. Examples of street typology designations include residential street, main street, transit street, commercial street, and mixed-use street.

Structure

Anything that is constructed or erected and located on or under the ground, or attached to something fixed to the ground, including a walled and roofed building, and/or a gas or liquid storage tank that is principally above ground.

Structure, Accessory

A structure that is on the same lot as, and of a nature customarily incidental and subordinate to a principal building or structure, and the use of which is clearly incidental and subordinate to that of the principal building or structure.

Subdivider

A person, firm, association, partnership, corporation, governmental unit, or combination of any of these that may hold any recorded or equitable ownership interest in land being subdivided. The terms shall also include all heirs, assigns, or successors in interest, or representatives of the subdivider, owner, proprietor, or developer.

Subdivision

The division of a tract or parcel of land into two or more lots, sites or other divisions for the purpose, whether immediate or future, of sale, lease or building development, including any combining or resubdivision, and, when appropriate to the context, the process of subdividing or the land subdivided.

Subdivision Agreement

A document which is approved by the department of project management and engineering which specifies the tentative location, construction schedule, and estimated costs of public improvements to be constructed as part of subdivision development.

Survey, As-Built

A plan prepared by a professional land surveyor in such a manner as to accurately identify and depict the location of all on-site improvements. [SHOWING THE TRUE AND ACTUAL LOCATION AND NATURE OF BUILDINGS, STRUCTURES, PLANT MATERIALS, UTILITY EASEMENTS, AND OTHER FEATURES OR IMPROVEMENTS THAT HAVE BEEN INSTALLED ON OR OFF THE PROPERTY PURSUANT TO A SITE AND/OR SUBDIVISION PLAN APPROVED UNDER THIS TITLE, TO BE USED TO DETERMINE COMPLIANCE WITH THE REQUIREMENTS OF THIS TITLE]

Surveyor

A person [LAND SURVEYOR] who is registered in the state of Alaska as a professional land surveyor.

Substantial Improvement

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent [%] of the market value of the structure either:

- Before the improvement or repair is started; or
- If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:
 1. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to ensure safe living conditions; or
 2. Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

Surrounding Development

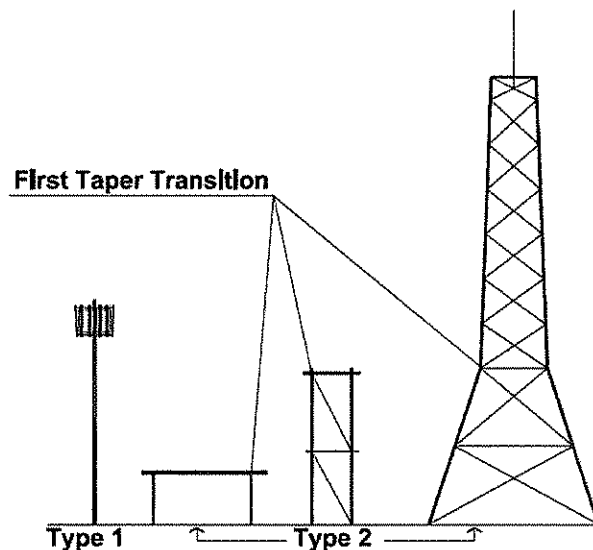
Immediately adjacent development on the same block face or on facing blocks as the subject site, as well as prevalent patterns established in the existing neighborhood located within one-quarter mile of the subject development site.

Take Action

To approve, approve with conditions, deny, refer to another body, or postpone a decision on an application for entitlement.

Taper Transition

A point on a telecommunication tower where the angle of the structure form changes, or the top of the tower, whichever point is lower.



Target Area

An area designated under section 21.07.050 as a location in which overhead distribution lines are to be placed underground as provided in this chapter.

Topographic Flow Line

A topographically-defined surface drainage path; a line of continuous fall in elevation across a land surface that will tend to accumulate and concentrate overland runoff from an area; the local flow path likely to be taken across a land surface by surface runoff as it integrates into a concentrated flow; any actual line of major surface flow conveyance. A topographic flow line is present solely as a result of the topography of the land surface itself and exists independent of the infiltration characteristics of the land surface or the presence or absence of vegetation along the flow line.

Topographic Map

A map showing the landform by the use of contour lines.

Tower, Amateur Radio

An antenna and structure of any type used exclusively by an LICENSED amateur radio operator licensed by the Federal Communications Commission. WHICH IS PART OF FEDERALLY LICENSED AMATEUR RADIO STATION FOR RADIO COMMUNICATION FOR THE PURPOSE OF SELF-TRAINING, INTERCOMMUNICATION, AND TECHNICAL INVESTIGATIONS CARRIED OUT BY AMATEURS SOLELY WITH A PERSONAL AIM AND WITHOUT PECUNIARY INTEREST.]

Tower, Community Interest

Any structure principally designed to support an antenna(e) where the height of the structure (not including any building height, if installed on top of a building) exceeds 100 feet, measured to the top of any antennae.

Tower, Local Interest

Any structure principally designed to support antennae and not meeting the definition of a community interest tower.

Tower Site

A lot, tract, or aggregate of abutting lots or tracts that has been planned and coordinated for development with separate community interest towers and/or local interest towers in any combination, including subordinate and related equipment and buildings in accordance with the applicable zoning district.

Townhouse Style Structure

A residential building with two or more dwelling units in a row, in which units are attached at the sidewall, no part of any unit is located over any part of another unit, each dwelling unit has its own front and rear access to the outside, and all dwelling units are separated from one another by common fire-resistant walls.

TOWNHOUSE UNIT

ONE OF THREE OR MORE ATTACHED DWELLING UNITS WHERE EACH UNIT IS ON ITS OWN LOT

Tract

A parcel of land which has been reserved for future development, future subdivision, or protection of open space or a specific natural feature(s). [A UNIT, OR CONTIGUOUS UNITS, OF LAND UNDER SINGLE OWNERSHIP]

Traffic Control Device

Includes all physical, mechanical and electrical equipment that directs, channelizes, commands or controls traffic movement. These devices include but are not limited to signs (including street name signs), channelization, signals, and striping.

Traffic Engineer

Unless otherwise indicated, the director of the Traffic Department, or designee.

Trail

A stable surface, usually either paved or consisting of compacted granular fill, within a dedicated easement or right-of-way, for the purposes of pedestrian and non-motorized (unless specifically designated for motorized uses) use. A trail is not aligned with a road. [A WAY DESIGNED AND USED FOR EQUESTRIAN, PEDESTRIAN, CROSS COUNTRY SKIING, AND /OR CYCLING, OR OTHER SIMILAR FORMS OF NON-MOTORIZED TRANSPORT.]

Trailer

Has the same meaning as set forth in AMC title 9.

Travel Trailer

A motor vehicle, or portable vehicular structure capable of being towed on the highways by a motor vehicle, designed and intended for casual or short-term human occupancy for travel, recreational and vacation uses, identified by a model number, serial number and vehicle registration number, equipped with limited water storage and other self-contained living facilities.

Tree

A woody perennial plant having a single main stem.

Tree, Deciduous

A tree that loses its leaves annually.

Tree, Evergreen

A tree that retains its foliage [LEAVES] throughout the year.

Tree, Landmark

A healthy tree with at least a 12 inch caliper; or a tree that has significant historical or cultural value.

Tree Protection Zone

The area around a tree or grouping of trees in which no grading or construction activity may occur, including the storage of materials. The minimum tree protection zone is measured as a radius around the tree or grouping of trees which is a minimum of 1.5 feet from the trunk of a tree for every one inch of tree caliper.

Tributary

Any branch, fork, or channel that flows into and connects to a stream and also meets the basic definition of a stream.

Unified Sign Plan

A comprehensive site plan where contiguous lots and or tracts are considered as a single site for the purposes of determining the size, number, and placement of freestanding signs.

Uplight

For an exterior luminaire, flux radiated in the hemisphere at or above a horizontal plane.

[URBAN DESIGN COMMISSION

THE URBAN DESIGN COMMISSION OF THE MUNICIPALITY]

Use, Accessory

As applied to a use, building, or structure, customarily subordinate or incidental to and located on the same lot with a principal use, building, or structure.

Use, Conditional

A use or occupancy of a structure, or a use of land, permitted only upon issuance of a conditional use permit and subject to the limitations and conditions specified therein.

Use, Principal

Any main activity permitted by this title.

Use, Temporary

Those land uses and structures that are needed or are in place for only short periods of time.

Use District

See **Zoning District**

Utility

A public utility as defined in Alaska Statutes title 42.

Utility Distribution Line

All or any part of a conductor and supports owned or operated by a utility and used:

- To transmit electrical power from a main source substation to consumers, at a voltage of 34.5 kV or less [NO MORE THAN 69 KILOVOLTS OF ENERGY]; or

- To transmit messages, impressions, pictures, or signals by means of electricity or electromagnetic waves; between a distribution substation or central office and the lot line of a customer's premises, excluding auxiliary equipment such as aboveground transformers, switching devices, pad-mounted distribution facilities, and CATV power supplies.

Utility Transmission Line

A line used for electrical power transmission between utility substations and switching yards, usually at a voltage of 34.5 kV or greater.

Vacation

The act of making legally void any right-of-way, easement, public area, or other public interest.

Variance

A grant of relief from the requirements, or a relaxation of the strict application of the terms of this chapter that permits construction in a manner that would otherwise be prohibited by this title [CHAPTER]. This definition shall not be construed to permit a use in any district which use is prohibited therein.

Verification of Nonconforming Status

A document issued by the municipality confirming the legal nonconforming status of a use, structure, or characteristic of use.

Violator

A violator of this title is a person who:

- Occupies, maintains, alters, constructs, or establishes a structure, or use of land or a structure, in violation of this title;
- Owns, controls, or has the right to control land or a structure where a structure, or use of land or a structure, is occupied, maintained, altered, constructed, or established in violation of this title; or
- As principal or agent, violates this title under section 21.13.030, *Violations*.

Walkway

A stable surface, usually either paved or consisting of compacted granular fill [IMPROVED OR NOT], for the purpose of pedestrian and other non-motorized use. A walkway [WHICH] connects two points and is not aligned along a vehicular public right-of-way. A walkway may be in a dedicated pedestrian easement. Examples include pedestrian linkages within one site, mid-block, between subdivisions, and leading from roads to public amenities such as schools or parks.

Walkway [1] Clear Width

That portion of the total width of a walkway, trail, pathway, or sidewalk cross-section which is unobstructed and kept clear for pedestrian movement.

Walkway, Primary Pedestrian

See **Primary Pedestrian Walkway** [A WALKWAY DESIGNED FOR PEDESTRIANS TO ACCESS A PRIMARY ENTRANCE TO A BUILDING FROM A RIGHT-OF-WAY.]

Wall

The vertical exterior surface of a building or structure, or a constructed barrier typically consisting of masonry or stone, which is also used to enclose, screen, buffer, enhance, or separate areas.

Wall, Ornamental

A freestanding wall that is primarily designed for its beauty or decorative purposes, although it may also serve other purposes such as a screening structure. Ornamental walls do not include smooth-faced concrete masonry units.

Wall Plane

1 A flat or level wall surface on a building wall.

2 **Wall Plane Projection**

3 See **Projection, Wall Plane**

4 **Wall Plane Recess**

5 See **Recess, Wall Plane**

6 **Warranty Acceptance**

7 Agreement by the municipality, at the completion of construction of a public improvement, constructed
8 under terms of a subdivision agreement or development agreement, that the project is ready to be placed
9 on warranty.

10 **Warranty Period**

11 The period for which a subdivider's warranty remains in effect under section 21.08.060, *Subdivision*
12 *Agreements*.

13 **Water Body**

14 Any area of water with a permanent minimum surface area measured at ordinary high water of 2,500
15 square feet, that is not actively maintained for, or constrained to, a single specific human use (e.g.,
16 wastewater treatment pond or flood detention pond). [A POND, LAKE, OR OTHER NATURAL OR
17 ARTIFICIAL COLLECTION OF WATER, WHETHER PERMANENT OR TEMPORARY, NOT INCLUDING
18 WETLANDS OR WATERCOURSES.]

19 **Watercourse**

20 A natural channel or other surface pathway produced wholly or in part by the flow of surface water or that
21 is likely to carry flows of surface water [AT OR VERY NEAR THE SURFACE], or any artificial channel or
22 surface pathway constructed for the conveyance of surface water. Also any topographic flow line that
23 either does, or under developed conditions is likely to, accumulate and convey storm water runoff as a
24 concentrated flow. Also any conveyance, whether an open channel or closed conduit, constructed wholly
25 or in part for the transport of storm water runoff. Watercourses include all surface water conveyance
26 features and are further classified as either "streams" or "drainageways".

27 **Water-Dependent**

28 Any use or activity which can be carried out only on, in, or adjacent to water areas because the use
29 [WHOSE PRIMARY PURPOSE] requires direct access to a water body[, OR WHICH CAN BE CARRIED
30 OUT ON, IN OR ADJACENT TO A WATER BODY ONLY THE ACTIVITY OR USE WOULD NOT BE
31 POSSIBLE IF LOCATED AWAY FROM WATER SITES OR WITHOUT DIRECT WATER ACCESS].

32 **Water-Related**

33 Any use or activity which is not directly dependent upon access to a water body, but which provides
34 goods or services that are directly associated with water dependence [OR PROVIDE DIRECT PHYSICAL
35 OR VISUAL PUBLIC ACCESS OR USE OF THE MUNICIPAL WATERFRONT] and which, if not located
36 adjacent to [A] water [BODY], would result in a public loss of quality in goods or services offered [OR
37 PUBLIC ACCESS TO THE WATERFRONT].

38 **Width**

39 When viewed from the front of an object or a three-dimensional space, the measurement from a vertical
40 plane to another vertical plane.

41 **Window**

42 An opening in the wall of a building for admitting light to the interior, usually fitted with a frame containing
43 panes of transparent or translucent material. A display case on an exterior wall is not a window.

44 **Window Area**

1 The exterior area of a window on a building elevation, including the window pane, muntins, sash and
2 frame, but excluding shutters, trim (including sill, molding, and dressing), flower boxes, or other
3 architectural features beyond the window frame and trim itself. This definition is used in provisions such
4 as those requiring a certain percentage of the building wall area to consist of windows, or requiring a
5 maximum portion of the window area that may be covered by a sign.

6 **Window, Providing Visual Access**

7 Windows that allow views between the outdoors and interior habitable space such as [INTO] working
8 areas, lobbies, entrances, sales areas, or other public areas[OR INDOOR MERCHANDISE DISPLAYS
9 OR ART]. The window is transparent enough to permit [THE] views between [of] activities within a
10 building and public space such as [FROM] nearby streets and sidewalks, and so that objects beyond or
11 behind the window can be distinctly seen. [DISPLAY CASES LESS THAN THREE FEET DEEP AND/OR
12 ATTACHED TO THE OUTSIDE WALL ARE NOT WINDOWS PROVIDING VISUAL ACCESS.]

13 **[ZONING BOARD OF EXAMINERS AND APPEALS]**

14 **[THE ZONING BOARD OF EXAMINERS AND APPEALS OF THE MUNICIPALITY.]**

15 **Zoning District**

16 A specifically delineated area or district within which uniform standards govern the use, placement,
17 spacing, size, and form of land and buildings.

18 **Zoning Map**

19 The map or maps that are a part of this title and that delineate the boundaries of all mapped zoning
20 districts within the physical boundaries of the municipality.