

Submitted by: Chair of the Assembly at the  
request of the Mayor  
Prepared by: Planning Department  
For reading: January 7, 2025

ANCHORAGE, ALASKA  
AO NO. 2025 – 3

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING  
ANCHORAGE MUNICIPAL CODE (AMC) 21.05.050, COMMERCIAL USES:  
DEFINITIONS AND USE-SPECIFIC STANDARDS, TO ALLOW CONNEXES TO BE  
FOOD AND BEVERAGE KIOSKS.

(All Community Councils) (Case 2019-0087)

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**WHEREAS**, this ordinance brings AMC Title 21 into parity with AO 2019-27, which amended AMC Titles 16 and 23 to allow intermodal shipping containers (connexes) to be mobile food units; now, therefore,

**THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** AMC 21.05.050, *Commercial Uses: Definitions and Use-Specific Standards*, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.05.050 Commercial Uses: Definitions and Use-Specific Standards**

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

\*\*\*      \*\*\*      \*\*\*

**E. Food and Beverage Services**

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

\*\*\*      \*\*\*      \*\*\*

**2. Food and Beverage Kiosk**

**a. Definition**

An establishment in a trailer, intermodal shipping container (connex unit), or vehicle on an impermanent foundation that sells coffee or other beverages and food from a window to customers who are either pedestrians or seated in their

1 automobiles, for consumption off the premises, and that  
2 provides no indoor seating.

3  
4 **b. Use-Specific Standards**

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

6  
7 **i.** Food and beverage kiosks shall comply with the “drive-  
8 through service” accessory use standards in  
9 subsection 21.05.070D.7.

10  
11 **ii.** Kiosks in trailers shall be on wheels to facilitate  
12 movement onto and off the site [,] and shall [MAY] not  
13 be located on a permanent foundation. The wheels  
14 shall be screened with opaque skirting or screening so  
15 as not to be visible.

16  
17 **iii.** Kiosks may be located on the same lot as another  
18 principal use.

19  
20 **iv.** Kiosks shall comply with the titles 16 and 23  
21 requirements relating to mobile food units.

22  
23 **v.** All signs shall comply with chapter 21.11, *Signs*.

24  
25 **vi.** Kiosks shall be a single, self-contained unit with no  
26 accessory structure. Only one factory built intermodal  
27 shipping container, trailer or vehicle may be used for  
28 each kiosk business. Multiple units shall not be  
29 connected for a single kiosk use.

30  
31 **vii.** A factory built intermodal shipping container  
32 repurposed to function as a kiosk must be readily  
33 moveable off the site within one calendar day.  
34 Foundation support (cribbing) shall be screened with  
35 opaque skirting or screening to not be visible.

36  
37 \*\*\* \*\*

38 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2014-  
39 133, 11-5-14; AO 2015-82, 7-28-15; AO 2023-77, 7-25-23;  
40 AO 2024-24, 4-23-24)

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1 **Section 2.** This ordinance shall become effective immediately upon passage and  
2 approval by the Assembly.

3  
4 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_ day of  
5 \_\_\_\_\_, 2025.

6  
7  
8  
9 \_\_\_\_\_  
Chair

10 ATTEST:

11  
12  
13 \_\_\_\_\_  
14 Municipal Clerk

# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

AM No. 37 - 2025

Meeting Date: January 7, 2025

1 **FROM: MAYOR**

2  
3 **SUBJECT: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY**  
4 **AMENDING ANCHORAGE MUNICIPAL CODE (AMC) 21.05.050,**  
5 **COMMERCIAL USES: DEFINITIONS AND USE-SPECIFIC**  
6 **STANDARDS, TO ALLOW CONNEXES TO BE FOOD AND**  
7 **BEVERAGE KIOSKS.**  
8

9 This ordinance amends the zoning code to allow connexes to be used as food and  
10 beverage kiosks. Currently, the zoning code requires kiosks to be on trailers with  
11 wheels. This ordinance will bring the zoning code into parity with the health code  
12 (Title 16) and the building code (Title 23), which have allowed connexes for this  
13 purpose since adoption of AO 2019-27.  
14

15 In 2019, the Planning and Zoning Commission recommended denial of using  
16 connexes as kiosks with Resolution 2019-015 (attached). The Planning Department  
17 is processing this ordinance now because of new food and beverage kiosks that are  
18 using connexes. The Planning Department has made changes to address some of  
19 the Planning and Zoning Commission's concerns. First, the ordinance now requires  
20 screening of foundational support for connexes. Second, accessory structures, like  
21 sheds, and connecting multiple structures for a single business will be prohibited.  
22

23 This ordinance has no private-sector economic effects and local government effects  
24 are less than \$30,000. Pursuant to AMC subsection 2.30.053B.1., a summary of  
25 economic effects is not required.  
26

### 27 **THE ADMINISTRATION RECOMMENDS APPROVAL.**

28  
29 Prepared by: Francis McLaughlin, Planning Department  
30 Approved by: Mélisa R. K. Babb, Planning Director  
31 Concur: Lance Wilber, Community Development Director  
32 Concur: Ona R. Brause, OMB Director  
33 Concur: Eva Gardner, Municipal Attorney  
34 Concur: William D. Falsey, Chief Administrative Officer  
35 Concur: Rebecca A. Windt Pearson, Municipal Manager  
36 Respectfully submitted: Suzanne LaFrance, Mayor  
37

38 Attachment: PZC Resolution 2019-015  
39 Planning Department Analysis Packet  
40

41 (Case 2019-0087)

**MUNICIPALITY OF ANCHORAGE**  
**PLANNING AND ZONING COMMISSION RESOLUTION NO. 2019-015**

A RESOLUTION RECOMMENDING DENIAL OF AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE (AMC) 21.0.050E.2., *FOOD AND BEVERAGE KIOSK*; TO ALLOW INTERMODAL SHIPPING CONTAINERS (CONNEX UNITS).

(Case 2019-0087)

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WHEREAS, Title 21 requires food and beverage kiosks to have wheels, like trailers, so that they are readily moveable;

WHEREAS, intermodal shipping containers (connex units) do not meet the definition of food and beverage kiosks because they lack wheels;

WHEREAS, this ordinance amends Title 21 to remove the requirement for wheels and explicitly allows connex units to be used as food and beverage kiosks because connex units are moveable;

WHEREAS, this ordinance brings Title 21 into parity with Title 16 (Health Code) and Title 23 (Building Code), which were recently amended by AO 2019-27 to allow connex units for food service;

WHEREAS, public hearing notices were published, and a public hearing was held on August 5, 2019.

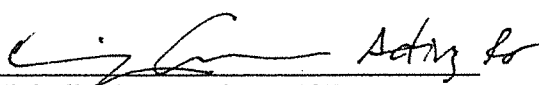
NOW, THEREFORE, BE IT RESOLVED by the Anchorage Planning and Zoning Commission that:

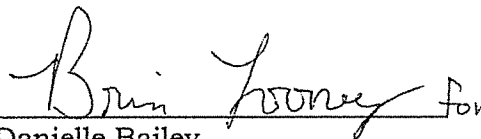
- A. The Commission makes the following findings of fact:
1. In an ideal world, the regulations for food and beverage kiosks would look at the broad picture, and this is a relatively narrow change, because for all practical purpose they are permanent.
  2. This amendment to allow connexes would not make the state of Anchorage's food and beverage kiosk any worse, but it would make it easier for the businesses that operate them.
  3. Title 21 requires connexes that are used for storage to be screened when they face public streets and residential properties, but this ordinance would not require screening when connexes are used as food and beverage kiosks, which is inconsistent. While connexes could look good, they could just as easily look bad.
  4. Food and beverage kiosks are treated as temporary uses, but they end up being permanent principal uses, and they do not have to comply with the same standards as restaurant buildings, which is a mistake.

5. Connexes could easily be allowed to be food and beverage kiosks with no negative consequences, and it could help bring some development into neighborhoods, but the risk is that we are not looking at this issue holistically.
6. The term "intermodal shipping container" is being used, but once these connexes are modified, they are no longer connexes, so we are getting hung up on the style of the building because they do not have to start as a shipping container.
7. This change will affect the whole community and the future look of our town. A lot of time is spent in our core central business districts to orient parking to the back of buildings and whether to allow drive-throughs, but this ordinance makes it easier to create really easy drive-throughs which contradicts the goals of the Comprehensive Plan.
8. We need to look at the following questions: 1) What screening is appropriate? 2) Are connexes appropriate in all places? 3) If the connexes are more permanently situated, then are there landscaping requirements? 4) Are there other requirements that need to be looked at?

B. The Commission recommends DENIAL of the ordinance.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 9th day of September, 2019.

  
Michelle J. McNulty, AICP  
Secretary



  
Danielle Bailey  
Chair

(Case 2019-0087)

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# Municipality of Anchorage

## MEMORANDUM

**DATE:** August 5, 2019  
**TO:** Planning and Zoning Commission  
**THRU:**  Michelle J. McNulty, AICP, Planning Director  
**FROM:**  Francis McLaughlin, Senior Planner  
**SUBJECT:** Case 2019-0087, Text Amend to Food and Beverage Kiosks

This ordinance would amend Title 21 to allow intermodal shipping containers (connexes) to be used for food and beverage kiosks (AMC 21.05.050E.2.). Currently, Title 21 requires food and beverage kiosks to have wheels, like trailers, so that they are readily moveable. Connexes have not been allowed to be food and beverage kiosks because they do not have wheels attached, but they are considered moveable.

This ordinance will bring Title 21 into parity with Titles 16 (Health Code) and 23 (Building Code), which were recently amended to allow connexes to be mobile food units, which is equivalent to food and beverage kiosks. The adopting ordinance (AO 2019-27) deliberately left out changes to Title 21 in order to allow more time and thought for those amendments. The Planning Department reviewed both AO 2019-27 and Title 21 before preparing this ordinance.

### AMC 21.03.210 Title 21 - Text Amendments

#### C. Approval Criteria

**Text amendments may be approved if the assembly finds that all of the following approval criteria have been met:**

- 1. The proposed amendment will promote the public health, safety, and general welfare;**

Intermodal shipping containers are intended to move goods from one place to another. However, they have creatively been adapted for many other uses, like food and beverage kiosks because they are made of metal and can be secured. Allowing connexes to be used as food and beverage kiosks will not be a detriment to public health, safety, and general welfare.

- 2. The proposed amendment is consistent with the comprehensive plan and the stated purposes of this title; and**

This change is consistent with the Comprehensive Plan. *Anchorage 2020* Policy 7 states, "Avoid incompatible uses adjoining one another."

Connexes are industrial in nature, but they may be creatively used for many things. Both connexes and food and beverage kiosks are already allowed in commercial zoning districts. Connexes are known to be

versatile and economical. This ordinance increases the options in the types of structures allowed for food services.

**3. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.**

This ordinance changes the regulations governing food and beverage kiosks to allow a new type of temporary structure. This change makes the regulations more flexible to allow the creative use of connexes. This is desirable because of changing social and economic conditions. Connexes are both inexpensive to acquire for a business and are very durable.

**Department Recommendation**

The Department recommends approval of the amendment to Title 21 to allow connexes to be used for food and beverage kiosks. Attached is a draft ordinance.



Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Planning Department  
For reading:

ANCHORAGE, ALASKA  
AO NO. 2019-

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE (AMC) 21.05.050, COMMERCIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS; TO ALLOW CONNEXES TO BE FOOD AND BEVERAGE KIOSKS.

(Planning and Zoning Commission Case 2019-0087)

WHEREAS, this ordinance brings Title 21 into parity with AO 2019-27, which amended Titles 16 and 23 to allow intermodal shipping containers, such as connexes, to be mobile food units; and

THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** AMC 21.05.050, *Commercial Uses: Definitions and Use-Specific Standards*, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.05.050 Commercial Uses: Definitions and Use-Specific Standards**

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

\*\*\*      \*\*\*      \*\*\*

**E. Food and Beverage Services**

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

\*\*\*      \*\*\*      \*\*\*

**2. Food and Beverage Kiosk**

**a. Definition**

An establishment in a trailer, intermodal shipping containers (connex units), or vehicle on an impermanent foundation that sells coffee or other beverages and food from a window to customers who are either pedestrians or seated in their

automobiles, for consumption off the premises, and that provides no indoor seating.

**b. Use-Specific Standards**

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

i. [FOOD AND BEVERAGE] K[K]iosks shall comply with the "drive-through service" accessory use standards in subsection 21.05.070D.6.

ii. Factory built intermodal shipping containers repurposed to function as kiosks must be readily moveable off the site within one calendar day.

iii [II]. Kiosks [SHALL BE ON WHEELS TO FACILITATE MOVEMENT ONTO AND OFF THE SITE, AND MAY] shall not be located on a permanent foundation. If wheels are present, then they [THE WHEELS] shall be screened with opaque skirting or screening so as to not be visible.

iv [III]. Kiosks may be located on the same lot as another principal use.

v [IV]. Kiosks shall comply with the title 16 and 23 requirements relating to mobile food units.

vi [V]. All signs shall comply with chapter 21.11, Signs.

\*\*\* \*\*

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

**Section 4.** This ordinance shall become effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_ day of \_\_\_\_\_, 2019.

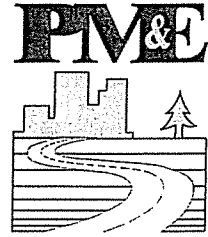
\_\_\_\_\_  
Chair

ATTEST:  
\_\_\_\_\_  
Municipal Clerk

# Departmental and Public Comments



**Municipality of Anchorage**  
Project Management and Engineering  
**MEMORANDUM**



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**DATE:** July 8, 2019  
**TO:** Dave Whitfield  
**FROM:** Steven Ellis  
**SUBJECT:** Comments from Watershed Management Services

**RECEIVED**

JUL 08 2019

PLANNING DEPARTMENT

Watershed Management Services (WMS) has the following comments for the August 5, 2019 Planning and Zoning Commission meeting.

2019-0087, Amendment to AMC 21.05.050, Commercial Uses, WMS has no comment.



THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

Department of Transportation and  
Public Facilities

Program Development and Statewide Planning  
Anchorage Field Office

4111 Aviation Avenue  
P.O. Box 196900  
Anchorage, AK 99519-6900  
Main number: 907-269-0520  
Fax number: 907-269-0521  
Website: dot.state.ak.us

July 3, 2019

David Whitfield, Senior Planner  
MOA, Community Development Department  
Planning Division  
P.O. Box 196650  
Anchorage, Alaska 99519-6650

**RECEIVED**

**JUL 03 2019**

**PLANNING DEPARTMENT**

RE: MOA Zoning Review

Dear Mr. Whitfield:

The Alaska Department of Transportation and Public Facilities (DOT&PF), Central Region Planning Field Office has no comments on the following zoning cases:

- 2019-0087: Amendment to Title 21
- 2019-0094: 2801 Career Center Drive
- 2019-0095: Misty Glen Circle

Sincerely,

A handwritten signature in black ink, appearing to read "James Starzec".

James Starzec  
AMATS Transportation Planner

Cc: Tucker Hum, Right of Way Agent, Right of Way, DOT&PF  
Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety and Utilities, DOT&PF  
Jim Amundsen, P.E., Highway Design Group Chief, DOT&PF  
Paul Janke, P.E., Regional Hydrologist, Hydrology DOT&PF

*"Keep Alaska Moving through service and infrastructure."*



# MUNICIPALITY OF ANCHORAGE

Anchorage Health Department



Anchorage  
Health  
Department

**RECEIVED**

**JUL 01 2019**

**PLANNING DEPARTMENT**

Date: July 01, 2019

To: Planning Department, Current Planning Division

Thru: *W* Christy Lawton, Public Health Division Manger

*DM* Darcy Harris, Environmental Health Program Manager

From: *W* Janine Nesheim, Environmental Sanitarian III

Subject: Comments Regarding CUP 2019-0087, Planning and Zoning Commission, Amendment to Title 21 Anchorage Municipal Code 21.05.050, Commercial Uses: Definitions and Use-Specific Standards; to allow connexes to be food and beverage kiosks.

## Comments re Food Safety

Please note that food facilities meeting the definition of a Food and Beverage Kiosk in AMC 21.05.050.E.2.a may also meet the AMC 16.60.050 definition of a Mobile Food Unit, but will not meet the AMC 16.60.050 definition of a Kiosk.

For reference:

Per AMC 21.05.050.E.2.a the definition of a Food and Beverage Kiosk is "an establishment in a trailer, intermodal shipping containers (connex units), or vehicle on an impermanent foundation that sells coffee or other beverages and food from a window to customers who are either pedestrians or seated in their automobiles, for consumption off the premises, and that provides no indoor seating."

Per AMC 16.60.050, "Kiosk means a type of limited food service mobile facility, without permanent plumbing, located inside of a permanent building with a certificate of occupancy issued by the municipality."



# MUNICIPALITY OF ANCHORAGE

Traffic Department



## MEMORANDUM

RECEIVED

DATE: June 28, 2019

JUL 01 2019

TO: Current Planning Division Supervisor,  
Planning Department

PLANNING DEPARTMENT

THRU: Kristen A. Langley, Traffic Safety Section Supervisor,  
Traffic Department

FROM: Randy Ribble, Assistant Traffic Engineer

SUBJECT: 2019-0087 Amendment to AMC 21.05.050 Commercial uses.

Traffic has no objection to this requested amendment to AMC 21.05.050 for allowing connexes to be food and beverage kiosks.

# MEMORANDUM

RECEIVED

JUN 25 2019

DATE: June 25, 2019

PLANNING DEPARTMENT

TO: Dave Whitfield, Planning Manager, Planning Section, Planning Division

FROM: Joe Sanks, Planning Engineer, Planning Section, AWWU

RE: Zoning Case Comments

Hearing date: August 5, 2019

Agency Comments due: July 8, 2019

AWWU has reviewed the materials and has the following comments.

**19-0087 Amendment to Title 21 Anchorage Municipal Code 21.05.050, Commercial Uses: Definitions and Use-Specific Standards; to allow connexes to be food and beverage kiosks.**

1. AWWU has no objection to the Amendment.

If you have any questions pertaining to public water or sewer, please call 564-2717 or send an e-mail to [joe.sanks@awwu.biz](mailto:joe.sanks@awwu.biz)





# Historical Information

**ANCHORAGE, ALASKA  
AO No. 2019-27**

1 AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE  
2 MUNICIPAL CODE SECTIONS 16.60.050, 16.60.230, AND 23.10.104.4., TO  
3 ALLOW MOBILE FOOD UNITS TO CONNECT TO UTILITY SERVICES, BE A  
4 REPURPOSED INTERMODAL SHIPPING CONTAINER (CONNEX) THAT CAN  
5 BE LIFTED OR DRAGGED ONTO A VEHICLE OR TRAILER FOR TRANSPORT,  
6 AND HAVE MEMBERS OF THE PUBLIC INSIDE TO ORDER FOOD ONLY.  
7

8  
9 **THE ANCHORAGE ASSEMBLY ORDAINS:**

10  
11 **Section 1.** Anchorage Municipal Code section 16.60.050 is hereby amended to  
12 read as follows (*the remainder of the section is not affected and not set out, other*  
13 *provisions included for context*):

14  
15 **16.60.050 - Definitions.**

16  
17 The definitions from the 2013 FDA Model Food Code paragraph 1-201.10(B)  
18 are adopted and incorporated by reference, except as otherwise modified or  
19 supplemented by this section as follows:

20 \*\*\* \*\*

21 *Kiosk* means a type of limited food service mobile facility, without  
22 permanent plumbing, located inside of a permanent building with a certificate  
23 of occupancy issued by the municipality.

24  
25 *Mobile food unit* means a type of permitted food establishment located  
26 in a vehicle, trailer, repurposed factory-built, readily moveable, intermodal  
27 shipping container (such as a connex unit), or pushcart that:

- 28  
29 1. Completely retains its mobility and is capable of easily moving  
30 daily [FOR SERVICING OF WATER AND WASTEWATER  
31 HOLDING TANKS];  
32 2. Operates out of a[N] commissary or other approved facility  
33 (unless the unit is a self-contained mobile food unit); and  
34 3. Has a menu usually restricted to service of specific food.[:]  
35 [4. A MOBILE FOOD UNIT, OTHER THAN A PUSH CART,  
36 SHALL:  
37 a. NOT EXCEED EIGHT FEET SIX INCHES IN WIDTH  
38 OR FORTY-EIGHT FEET IN LENGTH, INCLUDING  
39 OVERHANGS.  
40 b. BE CURRENTLY LICENSED BY THE STATE OF  
41 ALASKA AS A MOTOR VEHICLE OR TRAILER  
42 HAVING A TOW HITCH, CHASSIS, AXLES, WHEELS  
43 AND TRAILER LAMPS AND REFLECTORS

REQUIRED BY AMC CHAPTER 9.44.

- c. NOT BE CONNECTED TO UTILITIES EXCEPT ELECTRICAL.
- d. MEET THE REQUIREMENTS OF SECTION 23.10.104.4.]

\*\*\*                      \*\*\*                      \*\*\*

(AO No. 2009-40(S), § 1, 7-21-09; AO No. 2009-102, § 1, 8-25-09, eff. 1-1-10; AO No. 2017-162 , § 3, 12-19-17)

**Section 2.** Anchorage Municipal Code section 16.60.230 is hereby amended to read as follows (*the remainder of the section is not affected and not set out*):

**16.60.230 - Mobile food units and kiosks.**

- A. In addition to the other requirements of this chapter, the operator of a mobile food unit or kiosk shall comply with this section.
- B. A mobile food unit, other than a pushcart, shall:
  - 1. Not exceed eight feet six inches in width or forty-eight feet in length, including overhangs.
  - 2. Be currently licensed by the State of Alaska as a motor vehicle or trailer having a tow hitch, chassis, axles, wheels and trailer lamps and reflectors required by AMC chapter 9.44.
  - 3. If a factory-built, readily moveable, intermodal shipping container (connex) repurposed for permanent use as a mobile food unit, it is exempt from subsection 2 above. The department may require the operator to demonstrate it can be lifted or dragged onto a trailer or vehicle within one calendar day for transport.
  - 4. Meet the requirements of Chapter 23.10 for mobile food units and any other applicable requirements of Title 23.
- C. The operator of a mobile food unit or kiosk, except a self-contained mobile food unit or kiosk described in section D[C]. below, shall:
  - 1. Ensure functions that cannot be performed in the mobile food unit or kiosk, but are required by this code, be performed at least once each day in a commissary or other location approved by the department, such as cleaning the unit, equipment, and utensils; servicing potable water and wastewater tanks; and restocking food and supplies;
  - 2. Provide to the department a letter of agreement between the operator and the commissary outlining:
    - a. The days and hours the commissary is to be used; and
    - b. The extent of support services to be provided at the commissary.



of AO] shall be exempt from the requirement to have wheels and a chassis in section 16.60.230B.2.

(AO No. 2009-40(S), § 1, 7-21-09; AO No. 2009-102, § 1, 8-25-09, eff. 1-1-10; AO No. 2017-162 , § 22, 12-19-17)

**Section 3.** Anchorage Municipal Code section 23.10.104.4 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**23.10.104.4 - Mobile food units.**

Mobile food units, including coffee carts, coffee huts, and pushcarts, (hereafter referred to as units) may be set up without obtaining a building permit and certificate of occupancy under the following restrictions:

- A. The unit shall not exceed 8'6" in width or 48' in length, including overhangs.
- B. The unit shall be readily moveable daily and either:
  1. Currently titled and licensed by the State of Alaska as a:
    - i. Motor vehicle, or
    - ii. Trailer having a tow hitch, chassis, axles, wheels and trailer lamps and reflectors required by AMC chapter 9.44; [OR]
  2. A pushcart as defined in AMC 16.60.050 and that satisfies the requirements of AMC 16.60.230F[E].; or
  3. A factory built, readily moveable, intermodal shipping container repurposed to function as a mobile food unit which can be lifted or dragged onto a trailer or vehicle within one calendar day for transport.
- C. The unit shall obtain approval by the Department of Health and Human Services.
- D. Approval and a permit, where applicable, shall be obtained from a public utility prior to connecting to the utility's services.
- E. A licensed plumbing contractor shall obtain a retrofit permit if the unit is to be connected to a public utility's water supply or wastewater system. The water supply shall be isolated by a reduced pressure backflow assembly. [THE UNIT SHALL NOT BE CONNECTED TO UTILITIES, EXCEPT ELECTRICAL].
- F. If the unit is to be connected to a natural gas supply, a retrofit permit shall be obtained by one of the following:
  1. A licensed plumbing contractor, or

2. A licensed mechanical contractor that employs a licensed plumber or gas fitter.

G[E]. A licensed electrical contractor shall obtain a permit to provide electrical service and/or connection to the unit. The electrical connection shall consist of an approved flexible cord, attachment cap and receptacle approved for the location.

H[F]. The unit shall comply with the National Electrical Code as noted by NEC 550.4 (A). A code compliance inspection shall be performed and necessary corrections made before power is connected. A licensed electrical contractor shall obtain a permit and make the corrections. The permit for providing electrical service and/or connection may include the corrections when performed by the same contractor.

I[G]. Service equipment located adjacent to vehicle lanes or the unit shall be provided with bollards or other substantial protective barriers.

J[H]. The unit shall not reduce the required number of parking spaces at existing facilities.

K[I]. Mobile food units shall be an allowable use in the zoning district where the unit is proposed to be located.

L[J]. Units shall comply with fire plan review and operational processes as determined by the fire marshal. These include, but are not limited to:

1. An Anchorage Fire Department (AFD) approved, currently serviced fire extinguisher shall be located inside the unit.

2[K]. Propane tanks shall be protected from vehicle impact and shall be located in accordance with the fire code.

3[L]. The unit location shall not impact fire lanes or emergency vehicle access to nearby structures.

M. The unit location is subject to approval by [FIRE PLAN REVIEW AND] traffic engineering.

N. Public occupancy for consumption of food or beverages shall not be allowed inside the unit. The unit may only be occupied by the owner and employees, and entered by members of the public only for ordering and take out of food or beverages for consumption outside the unit [ONLY].

Units that do not meet all of these requirements shall be considered a structure and require a building permit in accordance with this code.

