

## DT Code Update Subcommittee – White Paper #4

Meeting 3/14/22 at 3p.m.

### Overview

At the February 28, 2022 meeting, the group finished discussing all of the primary uses for the downtown zones, with some uses noted for additional review. We have included an abbreviated allowed use table here with those uses resolved and highlighted in blue. The next step will be to review the Accessory Use tables and Generally Applicable Use Standards section.

### Current Task

Presented with this email are

1. An abbreviated version of the Allowed Use Table with final comments from staff on previously-unresolved issues (DT\_WP#4a.docx)
2. The Table of Accessory Uses (DT\_WP#4b.docx)
3. Generally Applicable Use Standards, Definitions, Accessory Use Definitions, and Use-Specific Standards for uses in Chapter 11 (DT\_WP#4b.docx)

Please review the Table of Accessory Uses and any use changes for discussion by the group.

- Uses with changes generally have annotations in the “Team Notes” column.
- Some uses without changes have annotations in cases where there was additional discussion around that particular use.
- Some comments or annotations have links to images or other code examples for that type of use.
- Tracked-changes comments have been preserved to provide additional information.
- Whether to include the Food And Beverage Kiosk use as an accessory use remains unresolved.

As you go through the Table of Accessory Uses, please note that these are only be allowed as subsidiary to another use.

The Downtown Plan can be found here for reference: [About, Documents, & FAQs | Our Downtown Anchorage](#)

Please review the attached table and make your notes and comments in preparation for our meeting on March 14, 2022.

Questions: [Kristine.bunnell@anchorageak.gov](mailto:Kristine.bunnell@anchorageak.gov)

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ANC Downtown Code Working Group

Monday, March 14, 2022 3:00 PM-4:30 PM

## Microsoft Teams meeting

[Click here to join the meeting](#)

**Uses Discussed at the 2/28/2022 Meeting**

**TABLE 21.11-2: TABLE OF ALLOWED USES – DOWNTOWN DISTRICTS**

P = Permitted Use L = Permitted with Limitations S = Administrative Site Plan Review  
 C = Conditional Use M = Major Site Plan Review T = Special Land Use Permit for Marijuana  
 A blank cell means the use is prohibited.

**Commented [MDR1]:** Karlie: Please note that anything we change here will have to align with 21.11.060

**Commented [MDR2]:** Karlie: we may have to go through and take some of these out for the ones we deleted (21.05 c1, etc)

Use Category	Use Type	Definition	B-2A	B-2B	B-2C	Definitions and Use-Specific Standards	TEAM NOTES	Group Comments/Staff Recommendation
	Vehicle parts and supplies <sup>1</sup>			C	C	21.05.050.I.4.		
	Vehicle-large, sales and rental <sup>1</sup>					21.05.050I.5.		
	Vehicle-small, sales and rental <sup>1</sup>					21.05.050I.6.		
	Vehicle service and repair, major					21.05.050I.7.		
	Vehicle service and repair, minor			C	C	21.05.050I.8.		
<b>Visitor Accommodations</b>	Camper park	A lot or parcel of land, or portion thereof, temporarily occupied or intended for temporary occupancy by recreational vehicles or tents for travel, recreational, or vacation usage for short periods of stay, and containing a potable water source and washroom facilities. These establishments may provide laundry rooms, recreation halls, and playgrounds. These uses are not intended for vehicle storage.			<u>M</u>	21.05.050J.1.	Added in order to allow for flexibility in land use for temporary uses.  A camper park could provide a short term (10-15 year) revenue opportunity for underutilized land.	
	Extended-stay lodgings		P	P	P	21.05.050J.2.		
	Hostel		P	P	P	21.05.050J.3.		

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Commented [MDR6]: Sonnet: It's possible to have multiple principal uses, also possible to have primary/accessory.

Use Category	Use Type	Definition	B-2A	B-2B	B-2C	Definitions and Use-Specific Standards	TEAM NOTES	Group Comments/Staff Recommendation
	Hotel/motel	Hotel/motel: Any building containing 20 or more guestrooms, rented for compensation by the day or week, and offered for use by the general public in conjunction with subordinate services and facilities, such as restaurants and meeting rooms. Meeting facilities designed to accommodate 1,500 or more persons shall constitute a separate principal use and be classified as "civic/convention center" under this title.	P	P	P	21.05.050J.4., 21.05.020A., 21.11.050E.2.	Added as permitted use to increase flexibility and eliminate the distinction of lodgings with doors going to the outside.	
	Inn		P	P	P	21.05.050J.5., 21.05.020A.		
	Recreational and vacation camp	An overnight recreational camp, such as a children's camp, family vacation camp, or outdoor retreat. These establishments provide accommodation facilities, such as cabins and fixed camp sites, and incidental recreational and educational facilities.				21.05.050J.6.		
<b>COMMERCIAL MARIJUANA USES</b>								
	Marijuana cultivation facility					21.05.055B.1., 21.03.105		
	Marijuana manufacturing facility					21.05.055B.2., 21.03.105		
	Marijuana testing facility					21.05.055B.3., 21.03.105		
	Marijuana retail sales establishment <sup>1</sup>		T	T	T	21.05.055B.4., 21.03.105		
<b>INDUSTRIAL USES</b>								
Industrial Service	Contractor and special trades, light					21.05.060A.1.		

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	Data processing facility	An establishment where electronic data is processed by employees, including, without limitation, data entry, storage, conversion, or analysis; and subscription and credit card transaction processing.	C	C	C	21.05.060A.2.	<p>Added because it seems like an appropriate activity for an urban area.                      Discussion about whether this use should be allowed, square footage limit.</p> <p>Allow only as accessory use?                      Appropriate for downtown?                      Discussion about emerging technologies</p>	<p>Data processing – large, windowless building? That wouldn't promote density                      Could be built within Downtown                      Besides design and interaction, why use limited DT core for a dead space like this? B-2C with some conditions, 20k sq ft seems like a lot                      Server facility vs. data processing – this could be two different types of uses                      How we look at proportional use of a site; e.g. servers in the basement of a housing facility</p> <p>Staff: We looked at the square footage of existing buildings downtown and there is plenty available. Adding a square footage limit seemed arbitrary. Conoco building, for example is around 486,000 SF.</p>

Commented [MDR2]: Karlie: we may have to go through and take some of these out for the ones we deleted (21.05 c1, etc)

Commented [MDR7]: Sonnet: This might need to be looked at as two different types of uses. TASK: planning dept will comb through this a bit more.

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Use Category	Use Type	Definition	B-2A	B-2B	B-2C	Definitions and Use-Specific Standards	TEAM NOTES	Group Comments/Staff Recommendation
	Dry cleaning establishment	Dry cleaning establishment: An establishment maintained for on-site laundry and/or dry cleaning, including the use of a perchlorethylene process or similar nonflammable, non-aqueous solvent, of fabrics, textiles, wearing apparel, or articles of any sort, and also including related maintenance or operation of equipment and machinery.			LC	21.05.060A.3., 21.11.050F.1.	<p>Added because it seems like an appropriate use for an urban area. There was some discussion about the existing, large-scale laundry at 7<sup>th</sup> and L.</p> <p>The following use specific standards apply:</p> <p>Dry-cleaning Establishment                      a. Dry-cleaning establishments shall include general personal service laundry and/or dry-cleaning drop-offs as a primary use on the premises.</p> <p>b. Dry-cleaning establishments in shall be limited to no more than 25,000 square feet of gross floor area.</p>	<p>The group discussed long brownfield impacts of dry cleaning. Ultimately decided to allow a conditional use only in the B2C zone.</p>
	General industrial service					21.05.060A.4.		
	Governmental service					21.05.060A.5.		
	Heavy equipment sales and rental					21.05.060A.6.		

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Commented [MDR8]: Also allowed as a general service use.

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Commented [MDR9]: Staff will discuss this further with current planning reviewers (Sonnet, etc). Sonnet: They can be very small and work with germs, or be larger and store a lot of rocks, etc. Difficult to say, research can look very different depending on the activity.

Use Category	Use Type	Definition	B-2A	B-2B	B-2C	Definitions and Use-Specific Standards	TEAM NOTES	Group Comments/Staff Recommendation
	Research laboratory	Research lab: A facility that is designed or equipped for basic or applied research or experimental study, testing, or analysis in the natural sciences or engineering, including any educational activities associated with and accessory to such research, and including research and analysis facilities operated by public agencies and designed to assure public health and safety. The use does not include facilities for the manufacture or sale of products except as incidental to the main purpose of the laboratory.	P	P	P	21.05.060A.7.	Included for the sake of professional services/jobs.  Research and development?	The group discussed whether or not to restrict certain types of research laboratory.  Staff: proposes that differentiating based on activity within the laboratory use will be too complex.
Manufacturing and Production	Commercial food production	An establishment processing and/or producing food for human consumption, including facilities engaged in providing food and/or food services for institutional, governmental, commercial, industrial, and other locations of other businesses; as well as facilities that process meat, game, and seafood. Examples include airline food services and catering companies that prepare food for consumption at an off premise customer site.	C	C		21.05.060B.1.		Discussion of this use. Possibly better as accessory use.  Possibly in conjunction with another primary use, or create use-specific standards similar to agriculture, light manufacturing, retail.  What does the group want for use specific standards?  Staff: Better to make things conditional, and remove the use from B-2C
	Cottage crafts		PL	P	P	21.05.060B.2.	Change to Permitted use in B-2A to allow use/visibility on the first floor.	

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Use Category	Use Type	Definition	B-2A	B-2B	B-2C	Definitions and Use-Specific Standards	TEAM NOTES	Group Comments/Staff Recommendation
	Manufacturing, general	An establishment engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing. This use includes additive (three-dimensional printing) manufacturing. This use does not produce or utilize toxic, hazardous, or explosive materials in large quantities as part of the manufacturing process. Examples include, but are not limited to: airplane, automobile, or truck assembly; repair of railroad equipment; beverage manufacture and brewery; boatbuilding; cabinet shops; machine or blacksmith shops; metalworking or welding shops; paint shops; processing and/or dressing of skins; and printing, publishing, and lithography.				21.05.060B.3.	Added this to permit breweries.	This was previously included to allow breweries.  Discussion: Perhaps there is a way to permit breweries without all of the other uses?  Perhaps the definition for restaurant/commercial kitchen should be expanded Can we remove this and just use "light manufacturing" for breweries.  <b>Staff Response:</b> Yes. Light Industrial allowed below.
	Manufacturing, heavy					21.05.060B.4.		

**Uses Discussed at the 2/28/2022 Meeting**

Manufacturing, light	<p>Manufacturing, light: A general manufacturing establishment that, because of the nature of its equipment, operations, processes, materials, and products, has little or no potential of creating noise, vibration, dust, smoke, fumes, odor, glare, or other environmental impacts on surrounding properties or uses. The scale and intensity of operations are limited by bulk controls and other use-specific standards such that it may be compatible in some commercial areas. This use may include production, assembly, finishing, or packaging of articles from parts made at another location, such as assembly of electrical appliances or medical equipment. It includes additive (three-dimensional printing) manufacturing. It may also include production of finished household and office goods, such as furniture, clothing, or tents, from materials that are already refined, or from raw materials that do not need refining, such as paper, fabric, or pre-milled wood; or wool, clay, fiber, or similar materials.</p>	S	S	S	21.05.060B.5.	<p>Made S because light industrial uses are actually general standards that need to be proven to be "light".</p> <p>From Francis:                      "The scale and intensity of operations are limited by bulk controls and other use-specific standards such that it may be compatible in some commercial areas. This use may include production, assembly, finishing, or packaging of articles from parts made at another location, such as assembly of electrical appliances or medical equipment. It includes additive (three-dimensional printing) manufacturing. It may also include production of finished household and office goods, such as furniture, clothing, or tents, from materials that are already refined, or from raw materials that do not need refining, such as paper, fabric, or pre-milled wood; or wool, clay, fiber, or similar materials."</p> <p>iii. When a new establishment is proposed, or when an existing establishment is proposed to be expanded, advance documentation that the establishment will conform to the operation standards of section 21.07.140 and the regulations of title 15 for noise, odor, and airborne emissions shall be required prior to issuance of the land use permit. The documentation shall include an evaluation and explanation certified by a registered engineer or architect, as appropriate, that the proposed activity can achieve the off-site noise, odor, and airborne emissions standards of the municipality. Such evaluation shall describe the measures to be taken by the applicant to meet the standards. Such measures may include, for example, the provision of buffers, reduction in hours of operation, relocation of mechanical equipment, increased setbacks, and use of specific construction techniques, operations, equipment, or building materials. The decision-making body shall determine the appropriate measures to be taken by the applicant to significantly reduce potential odor, dust, and airborne pollutant emissions. The measures to be taken shall be indicated on the plans as conditions of approval. After a permit has been issued, any measures that were required by the permit to limit noise shall be maintained."</p>	This section allows for brewery uses.
Natural resource extraction, organic and inorganic					21.05.060B.6.		
Natural resource extraction, placer mining					21.05.060B.7.		

Commented [MDR10]: Tom: might need a size limit.



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Commented [MDR11]: Larger issue: Definition of "marine facility" [outside of downtown plan]

Use Category	Use Type	Definition	B-2A	B-2B	B-2C	Definitions and Use-Specific Standards	TEAM NOTES	Group Comments/Staff Recommendation
Marine Facility	Aquaculture					21.05.060C.1.	Talk to Sonnet about what this might mean. Can we allow supportive businesses for things downtown?	This was discussed at the meeting and staff proposes that the use is not really compatible with downtown.
	Facility for combined marine and general construction					21.05.060C.2.		
	Marine operations					21.05.060C.3.		
	Marine wholesaling					21.05.060C.4.		
Warehouse and Storage	Bulk storage of hazardous materials					21.05.060D.1.		
	Impound yard					21.05.060D.2.		
	Motor freight terminal					21.05.060D.3.		
	Outdoor storage associated with a community use					21.05.060D.8.		
	Outdoor storage of vehicles and/or equipment associated with a community use					21.05.060D.9.		
	Self-storage facility					21.05.060D.4.		
	Storage yard					21.05.060D.5.		
	Warehouse or wholesale establishment, general					21.05.060D.6.		
	Warehouse or wholesale establishment, light		P	P	P	21.05.060D.7.		Added so that we can remove the "wholesale merchant establishment" use which is specific to downtown

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Commented [MDR12]: Verify that this number is appropriate

Use Category	Use Type	Definition	B-2A	B-2B	B-2C	Definitions and Use-Specific Standards	TEAM NOTES	Group Comments/Staff Recommendation
	Wholesale Merchant Establishment <sup>1</sup>		L	P	P		<p>Change to Permitted use in B-2A to allow use/visibility on the first floor. Outdoor storage is prohibited as an accessory use.</p> <p>Discussion of allowance for mixed use but not as stand alone/Only allowed in conjunction</p>	<p>What size limitation would you like to put on this? Maybe required C over 20,000 SF?</p> <p>Staff: We ended up removing this since Warehouse or wholesale establishment, light, can likely already satisfy this need.</p>
Waste and Salvage	Composting facility					21.05.060E.1.		
	Incinerator or thermal desorption unit					21.05.060E.3.		
	Junkyard or salvage yard					21.05.060E.4.		
	Land reclamation		S/C	S/C	S/C	21.05.060E.5.	This use required for brownfield clean up, etc.	
	Landfill					21.05.060E.6.		
	Recycling drop-off					21.05.060E.7.		
	Snow disposal site					21.05.060E.8.		
	Solid waste transfer facility					21.05.060E.9.		
	Stormwater sediment management facility					21.05.060E.10.		
<sup>1</sup> Uses with structures with a gross floor area over 20,000 square feet require a major site plan review through subsection 21.07.120A., <i>Large Commercial Establishments</i> . <sup>2</sup> Uses with structures with a gross floor area over 20,000 square feet require a major site plan review per subsection 21.03.180D., <sup>3</sup> In accordance with subsection 21.05.040K.3.g., a tower or antenna that is not permitted in a district may be requested through the conditional use process.								

Code Section for 3/14/2022 DT Working Group Meeting

TABLE 21.11-3: TABLE OF ACCESSORY USES – DOWNTOWN DISTRICTS P = Permitted Use S = Administrative Site Plan Review C = Conditional Use A blank cell means the use is prohibited.						
Accessory Uses	Definition	B-2A	B-2B	B-2C	Definitions and Use-Specific Standards	TEAM NOTES
Accessory dwelling unit (ADU)	A bed and breakfast is a private residence that offers overnight accommodations and limited food service to overnight guests, for which compensation is paid on a daily or weekly basis.			P	21.05.070.D.1.	
Bed and breakfast (up to 3 guestrooms)		P	P	P	21.05.070D.3.	Added this as a permitted use for more flexibility.
Bed and breakfast (4 or 5 guestrooms)		P	P	<del>S/CP</del>	21.05.070D.3.	Added this as a permitted use for more flexibility. Removed process requirements in B2C.
Beekeeping	Keeping honey bees, Apis mellifera, for the purpose of education and/or producing honey or other products related to bees.			P	21.05.070D.4.	Added this as a permitted use for more flexibility and to feed flowers downtown.
Caretaker's residence		P	P	P	21.05.070D.5.	
Dormitory	A facility intended or used as group living quarters for students, religious orders, employees, and the like, directly affiliated with a permitted principal use such as a school, college, convent, or similar institutional use.	P	P	P	21.05.070D.6.	Added this as a permitted use for more flexibility and to meet housing/schooling needs.

Commented [MDR1]: Need to talk about Kiosks as primary/accessory.

[37-73 | Zoning Resolution \(nyc.gov\)](#)

[Kiosk example people liked in Paris](#)

[Kiosk example that was less popular in Kiev](#)

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Accessory Uses	Definition	B-2A	B-2B	B-2C	Definitions and Use-Specific Standards	TEAM NOTES
Drive-through service	The physical facilities of an establishment that encourage or permit customers to receive services or obtain goods while remaining in their motor vehicles. A drivethrough facility consists of two parts—the queuing lane and a service station where the service occurs. The queuing and service facilities of motor vehicle-related uses such as fueling stations, car washes, and vehicle service and repair are not included in the definition “drive-through service” as an accessory use, and are addressed elsewhere in this title.	C	C	C	21.05.070D.7., 21.11.050H.3.	Removed this use as drive-throughs encourage driving activity which may not be compatible with a pedestrian-focused downtown.
Farm, hobby					21.05.070D.8.	
Galleria		C	C			Removed this use, although not completely clear whether it is needed or not. We assumed it is more of a design element than land use.
Garage or carport, private residential		P	P	P	21.05.070D.9.	
Home- and garden-related use		P	P	P	21.05.070D.10.	
Home occupation		P	P	P	21.05.070D.11.	

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Intermodal shipping container	A pre-fabricated, standardized, reusable, metal container designed and intended for transporting cargo on ocean-going ships, trains, or tractor trailers, also commonly called cargo containers, transport containers, or marine cargo containers. This use includes similar structures, such as railroad cars.	P	P	P	21.05.070D.12.	Adding this as outdoor storage is prohibited as an accessory use, this could help meet storage needs.
Large domestic animal facility					21.05.070D.13.	
Marijuana, personal cultivation	Cultivating marijuana in compliance with AS 17.38.020 and AS 17.38.030 and this section.	P	P	P	21.05.070D.14.	No changes here. Personal cultivation tends to be low impact and current planning staff have not received any complaints about this being an issue in downtown. State law allows a certain number of plants.
Outdoor display accessory to a commercial use		P	P	P	21.05.070D.15.	
Outdoor storage accessory to a commercial use					21.05.070D.16.	
Outdoor storage associated with a community use					21.05.070D.18.	
Outdoor storage of vehicles and/or equipment associated with a community use					21.05.070D.19.	
Parking of business vehicles, outdoors, accessory to a residential use					21.05.070D.20.	
Private outdoor storage of noncommercial equipment accessory to a residential use					21.05.070D.21.	

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[37-73 | Zoning Resolution \(nyc.gov\)](#)

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Accessory Uses	Definition	B-2A	B-2B	B-2C	Definitions and Use-Specific Standards	TEAM NOTES
Skywalk		☐	☐	☐		Deleted because a skywalk is more of a design element (like a corridor) than a land use. Applicable design standards were moved to the design standards section.
Telecommunications antenna only, large <sup>1</sup>		P/C	P/C	P/C	21.05.040K.	
Telecommunications antenna only, small		P/C	P/C	P/C	21.05.040K.	
Type 4 tower <sup>1</sup>		P/C	P/C	P/C	21.05.040K.	
Vehicle repair/rebuilding, outdoor, hobby	The repair or rebuilding of an inoperative motor vehicle as an accessory use, not for commercial purposes.	P	P	P	21.05.070D.22.	Deleted this as a permitted use in B2A because it did not seem appropriate
Wind energy conversion system (WECS), freestanding small					21.05.070D.23.	
Wind energy conversion system (WECS), building mounted small		S	S	S	21.05.070D.23., 21.11.050H.6.	
	<sup>1</sup> The tower or telecommunications antenna is allowed only as accessory to a multifamily structure containing at least seven dwelling units, or to a nonresidential use.					

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[37-73 | Zoning Resolution \(nyc.gov\)](#)

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**B. Generally Applicable Use Standards**

1. See section 21.05.020.
2. The use-specific definitions and standards of this section 21.11.050 apply in place of any use-specific definitions or standards established in chapter 21.05, unless otherwise specified. If this section does not establish use-specific standards for a certain use, then the use-specific standards in chapter 21.05 shall apply for that use in the DT districts.

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**C. Residential Uses: Definitions and Use-Specific Standards**

**1. Dwelling, Mixed-Use**

- a. ~~Two or more mixed-use dwellings in the same building with a non-residential use constitute a mixed-use development.~~
- b. ~~In the B-2A district, mixed-use dwellings are limited to 50 percent of the gross floor area of a building.~~

**Dwelling, Multifamily**

In the B-2B district, multi-family dwellings shall be developed at a net density of at least **25 dwelling units per acre**.

**D. Community Uses: Definitions and Use-Specific Standards**

**1. Library**

~~Libraries with a gross floor area greater than 30,000 square feet shall be subject to conditional use review.~~

**2. Museum or Cultural Center**

~~Museums or cultural centers with a gross floor area greater than 30,000 square feet shall be subject to conditional use review.~~

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

**1. Art Gallery and Studio**

**a. Definition**

~~A public or private facility that is operated as a repository or a collection of works of original and limited-edition individual art pieces consisting of one or more of the following: paintings, drawings, etchings, sculptures, photographs, animations, or other artistic objects. May include the sale of individual art pieces, the sale of related objects or services, or the payment of a fee or admission charge. Art galleries may also include art studios where any activities listed under the cottage-crafts or instructional services use types may occur.~~

**b. Use-specific Standard**

~~Ground-floor art gallery and studio spaces in the B-2A district shall be used primarily for art display or art instruction instead of art creation activities listed under the cottage-crafts use type.~~

**2. Hotel/Motel**

~~Establishments whose guestrooms' primary entrances are individually accessible from the outdoors are prohibited.~~

**Commented [MDR3]:** Discussion of whether this should be a higher (low end) threshold. Maximums are more concerning.

**Commented [MDR4]:** WARNING: this will change all of the code citations

**Industrial Uses: Definitions and Use-Specific Standards**

Code Section for 3/14/2022 DT Working Group Meeting

1. **Dry-cleaning Establishment**

- a. Dry-cleaning establishments ~~in the B-2C district~~ shall include general personal service laundry and/or dry-cleaning drop-offs as a primary use on the premises.
- b. Dry-cleaning establishments ~~in the B-2C district~~ shall be limited to no more than 25,000 square feet of gross floor area.

Commented [MDR5]: How much?

~~2. Wholesale Merchant Establishment~~

~~a. Definition~~

~~A wholesale establishment primarily engaged in the wholesale trade of merchandise, and operating primarily from offices, display rooms, and showrooms. This use includes both merchant wholesalers that sell goods on their own account and business to business markets, agents, and brokers that arrange sales and purchases for others. This use does not include wholesale establishments primarily comprised of on site warehousing, storage, distribution, and transportation facilities. Operations with more than 33 percent of sales to retail customers shall be categorized as a retail sales use rather than as a wholesale establishment.~~



**F. Accessory Uses and Use-Specific Standards**

**1. Generally Applicable Accessory Use Standards**

See section 21.05.070B.

**2. Applicability of Chapter 21.05 Accessory Use-Specific Standards**

The use-specific definitions and standards of this section 21.11.050H. apply in place of any accessory use-specific definitions or standards established in section 21.05.070 unless otherwise specified. If this section does not establish use-specific standards for an accessory use, then the use-specific standards of chapter 21.05 shall apply.

~~3. Drive through service~~

~~a. Vehicle queuing spaces shall be provided pursuant to section 21.07.090L.~~

~~b. No drive through queuing spaces shall be located directly between the building and an abutting street unless otherwise allowed by the director.~~

~~c. Drive through services specific to food and beverage kiosks are a permitted use and exempt from the conditional use requirement.~~

**4. Galleria**

**a. Definition**

Galleria is a publicly accessible, climate-controlled, and sunlit interior space connecting two or more buildings and suited for year-round public use.

**5. Skywalk**

**a. Definition**

An elevated walkway that passes over a right-of-way between two or more buildings, and used primarily for pedestrian traffic.

**b. Use-specific standards**

i. There shall be at least 17.5 feet of clearance between the bottom of the skywalk and the highest elevation of the street surface below it, unless otherwise authorized by the government agency charged with administration of that street.

ii. There shall be at least 14.5 feet of clearance between the bottom of the skywalk and the highest elevation of the sidewalk surface below it.

**Code Section for 3/14/2022 DT Working Group Meeting**

iii. The above-grade structural supports of a skywalk shall neither be located within the public right-of-way nor obstruct any required clear vision triangle.

iv. Controls for icicle accumulation and glaciation shall be included in the design.

v. A skywalk shall:

(A) Be ADA accessible;

(B) Be an enclosed and climate-controlled structure;

(C) Be limited to one story in height unless the planning and zoning commission finds by clear and convincing evidence that a two-story skywalk is essential to the function of the structures which it will connect;

(D) Have an exterior width no less than 12 feet and no greater than 20 feet;

(E) Have side wall facades of the interior pedestrian space composed of glazing material with 70 percent or greater transparency;

(F) Be level (zero degrees of slope) except for internal sloping ramps which are permitted under the building code and which are not visible from the exterior of the skywalk;

(G) Provide lighting on the underside of the skywalk to adequately illuminate all pedestrian circulation systems that the skywalk spans; and

(H) Include orientation signage and locational guides to the areas in the buildings connected by the skywalk.

vi. Skywalks shall not adversely affect or obstruct roadway safety functions or operations, such as clear vision triangles required by this title, traffic signals, signs or roadway maintenance.

vii. A clearly identified access route shall be designed between the skywalk and a pedestrian way or sidewalk which it spans. Skywalks shall follow the standards outlined in 21.11.080.

**Commented [MDR6]:** Removed from list of land uses, but definition retained as a design feature.

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**6. Wind Energy Conversion System (WECS), building-mounted small**

- a. In addition to meeting the approval criteria of chapter 21.03 for the appropriate approval process, applicants for building-mounted small WECS shall demonstrate in their application materials that the WECS's visual impacts are minimized or mitigated for surrounding neighbors and the community. This may include, but is not limited to, information regarding site selection, turbine design or appearance, buffering, and screening of equipment.
- b. Building-mounted WECS shall:
  - i. Be located only on buildings that are over 60 feet in height.
  - ii. Have a rated power capacity of not more than 25 kW.
  - iii. Be set back from the building wall perimeter by at least two feet for every one foot of WECS height greater than 10 feet.
  - iv. Meet the design standards for freestanding WECS in subsections (H), (I), (J), (L), (M), and (N) in subsection 21.05.070D.23.c.ii.
  - v. Be located at least 1.1 times the height of the system (rooftop to top of WECS) from all overhead power and telecommunication lines, and any telecommunication towers.
- c. Any system that is not operated for a continuous period of 12 months shall be considered abandoned and shall be dismantled and removed from the property at the expense of the property owner.

**Commented [MDR7]:** Worth discussing with the group, especially relating to Merrill field.

**Commented [MDR8R7]:** MB: Maybe we just put in a note somewhere anywhere there is a mention of height to impose airport limits

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