#### Land Use Restriction in the Airfield Overflight Areas

Chapter 19 of the Zoning Ordinance establishes the Airfield Overflight Areas (AOA) around Falcon Field and Phoenix-Mesa Gateway Airports. AOA 1 zones have a day-night average sound level (DNL) of 65 decibels (db) or greater. AOA 2 zones have a DNL between 60 and 65db. Some land uses, particularly residential uses, are negatively affected by high sound levels. Based on these negative impacts, the land use tables in Chapters 4, 5, 6, 7, and 10 place restrictions on these sensitive uses depending on which AOA zone they are in. The options for these restrictions include:

- Use prohibited in the AOA 1 zone
- Use prohibited in the AOA 2 zone
- A Council Use Permit required in the AOA 1 zone
- A Council Use Permit required in the AOA2 zone

Staff has recently become aware of some inconsistencies in how a given land use is addressed in different zoning districts. Also, Phoenix-Mesa Gateway Airport has recently completed an "Airport Land Use Compatibility Plan Update" which made recommendations for appropriate land uses in the AOA zones. Based on this information, modifications to the land uses tables for Chapters 4, 5, 6, 7, and 10 are being proposed. A draft of the proposed changes is provided on the following pages. The changes are done in red font to facilitate identification of the changes.

The numbers in the columns under the zoning district (e.g. P 2, 4) relate to a list of specific restrictions, stipulations, or conditions for the use that follow each table. The numbers used for the AOA restrictions differs with each table, but always follow the same order.

# 11-4-2: Land Use Regulations

In Table 11-4-2, the land use regulations for each Agricultural zoning district are established by letter designations as follows:

- "P" designates use classifications permitted in the Agriculture District.
- "SUP" designates use classifications permitted on approval of a Special Use Permits.
- "CUP" designates use classifications permitted on approval of a Council Use Permits.
- "(x)" a number in parentheses refers to a limitation following the table.

Use classifications not listed are prohibited. The "Additional Use Regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this Ordinance.

Table 11-4-2: Agricultural District								
Proposed Use	AG	Additional Use Regulations						
Residential Use Classifications								
Single Residence	P (2, 3)							
Day Care Group Home								
Small Day Care Group Home (up to 5)	P (2, 3)	Section 11-31-13, Day Care Group Homes						
Large Day Care Group Home (6 – 10)	P (2, 3)	Section 11-31-13, Day Care Group Homes						
Group Residential								
Group Home for the Handicapped	P (2, 3)	Section 11-31-14, Group Homes for the Handicapped						
Home Occupations	P/SUP	Section11-31-33, Home Occupations						
Public and Semi-Public Use Classifications								
Cemeteries	SUP							
Community Gardens	Р	Section 11-31-10, Community Gardens						
Cultural Institutions	P (2 <b>, 4</b> )							
Parks and Recreation Facilities, Public	Р							
Places of Worship	P (2 <b>, 4</b> )	Section 11-31-22, Places of Worship						
Athletic Facilities When Accessory to a Church	SUP (2 <b>, 4</b> )							
Day Care When Accessory to a Church	SUP (2 <b>, 4</b> )							
Schools, Public or Private	P (2, 3)							
<b>Commercial Use Classifications</b>								
Animal Sales and Services	SUP							
Kennels	SUP							
Veterinary Services	SUP							
Plant Nurseries and Garden Centers	SUP	<u>Section 11-4-4(C)</u>						
Transportation, Communication and Utiliti	ies Use Clas	sification						
Utilities, Major	CUP							
Utilities, Minor	Р							
Agricultural and Extractive Use Classificati	ons							
Agriculture	P/SUP(1)							
Crop and Animal Raising	P/SUP(1)							
Mining and Quarrying	SUP							

Table 11-4-2: Agricultural District						
Proposed Use	AG	Additional Use Regulations				
Specific Accessory Uses						
Animal Keeping	Р	Sections 11-4-4(B) and 11-31-4, Animal Keeping				
Accessory Dwelling Unit	P (2,3)	Section 11-31-3, Accessory Dwelling Unit				
Agriculture-based Entertainment	SUP (2)	Section 11-4-5, Agriculture-based Entertainment				
Farm Stands	SUP (2)					
Home Occupations	P (2)	Section 11-31-33, Home Occupations				
Medical Marijuana Caregiver or Patient	P (2, 45)	Section 11-31-34, Medical Marijuana Facilities				
Cultivation						
Portable Storage Containers	Р	Section 11-30-16, Portable Storage Containers				
Cultivation Portable Storage Containers	P					

 The following agricultural uses are permitted by right (subject to the standards of this chapter): aviaries and apiaries; plant nurseries and greenhouses; poultry, bird, and egg farms; commercial breeding, training, and grazing of horses, cattle, sheep, goats, ostriches and other livestock. Dairies and feedlots require a Special Use Permit.

2. Use not permitted when the property is subject to the AOA 1 overflight area, see Section <u>11-19-2</u>, Runway Protection Zones and Airport Overflight Areas.

3. Use not permitted when the property is subject to the AOA 2 overflight area, see Section <u>11-19-2</u>, Runway Protection Zones and Airport Overlay Areas.

4. Use permitted with the approval of a (CUP) Council Use Permits when the property is subject to the AOA 2 overflight area, see Sec. 11-19-2, Runway Protection Zones and Airport Overflight Areas.

5. Required to be minimum distance of 25-miles from a registered medical marijuana dispensary.

# 11-5-2: Land Use Regulations

In <u>Table 11-5-2</u>, the land use regulations for each <u>Residential Zoning District</u> are established by letter designations as follows:

- <u>"P"</u> designates use classifications permitted in the <u>Residential District</u>.
- <u>"SUP"</u> designates use classifications permitted on approval of a <u>Special Use Permits</u>.
- <u>"CUP"</u> designates use classifications permitted on approval of a <u>Council Use Permits</u>.
- <u>"TUP"</u> designates use classifications permitted on approval of a Temporary Use Permit.
- $\frac{(x)^{2}}{2}$  a number in parentheses refers to a limitation following the table.

Use classifications not listed are prohibited. The "<u>Additional Use Regulations</u>" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this Ordinance.

Table 11-5-2: Reside	ential Districts									
Proposed Use	<u>RS</u>	<u>RSL</u>	<u>RM</u>	Additional Use Regulations						
Residential Use Classifications										
Single Residence	P (13, 14)	P (13, 14)	Р (12, 13, 14)							
Multiple Residence			P (15, 16)							
Assisted Living			P (13, <b>14<del>16</del></b> )							
Day Care Group Home		-								
<u>Small Day Care</u> <u>Group Home</u> (up to 4)	P (13, 14)	P (13, 14)	P (13, 1416)							
<u>Large Day Care</u> <u>Group Home</u> (5 to 10)	P (13, 14)	P (13, 14)	P (13, 1416)	Section 11-31-13, Day Care Group Homes						
Group Residential				•						
Boarding House			P (13, <b>14<del>16</del></b> )							
<u>Comprehensive</u> <u>Youth Residence</u>	SUP (4, 13, 14)			Section 11-5-8, Comprehensive Youth Residence						
Group Home for <u>the Handicapped</u> (up to 10 residents)	P (13, 14)	P (13, 14)	P (13, 14 <del>16</del> )	Section 11-31-14, Group Homes for the Handicapped						
Group Home for the Handicapped (greater than 10 residents)			SUP (13, 1416)							
Group Housing			SUP (2, 13, <b>14<del>16</del></b> )							
<u>Manufactured Home</u> <u>Parks</u>		P (13, 14)	Р (1, 13, 14)	PAD Overlay Required Chapter 34, Manufactured						
<u>Manufactured Home</u> <u>Subdivisions</u>	P (13, 14)	P (13, 14)	Р (1, 13, 14)	Home/ Recreational Vehicle Regulations						
<u>Recreational Vehicle</u> <u>Parks</u>			Р (1, 13, 14)							
<u>Recreational Vehicle</u> <u>Subdivisions</u>			Р (1, 13, 14)							

Table 11-5-2: Reside	ential Districts			
Proposed Use	<u>R.S</u>	<u>RSL</u>	<u>RM</u>	Additional Use Regulations
Public and Semi-Pu	iblic Use Classi	fications	•	
Clubs and Lodges			SUP (9, 13, 14)	
Community Center	SUP (13, 16)	SUP (13, 16)	SUP (9 <b>,13, 16</b> )	
Community Gardens	Р	Р	Р	Section 11-31-10, Community Gardens
Cultural Institutions	P (13 <b>, 16</b> )	P (13 <b>, 16</b> )	P (9, 13, 16)	
Day Care Centers	SUP/P (10, 13, 14)	Р (8, 13, 14)	Р (13, <b>1416</b> )	Section 11-31-9, Commercial Uses in Residential Districts
Hospitals and Clinics				
<u>Clinics</u>			SUP (2, 9, 13, 14)	Section 11-31-15, Hospitals and Clinics
<u>Hospitals</u>			SUP (2, 9, 13, 14)	
<u>Nursing and</u> <u>Convalescent Homes</u>			SUP (9, 13, 14)	
Parks and Recreation Facilities, Public	Р	Р	P (9)	
Places of Worship	P (13 <b>, 16</b> )	P (13 <b>, 16</b> )	P (9, 13, 16)	Section 11-31-22, Places of
<u>Athletic Facilities</u> <u>When Accessory to</u> <u>a Church</u>	SUP (13 <b>, 16</b> )		SUP (9, 13, 16)	<u>Worship</u>
Day Care When Accessory to a Church	SUP (13 <b>, 16</b> )		SUP (9, 13, 16)	
<u>Schools</u>	P (13, 14)		P (9, 13, 14)	Section 11-31-24, Schools
<u>Social Services</u> <u>Facility</u>			CUP (9, 13, 16)	Section 11-31-26, Social Service Facilities
Commercial Use C	lassifications			
<u>Animal Sales and</u> Services	SUP (3 <del>, 13, 16</del> )			RS-90 and RS-43 Only
Bed and Breakfast Inns	SUP ( <b>15, 16<del>13</del></b> , 14)		P (9, 15, 16)	Section 11-31-8, Bed and Breakfast Inns
Eating and Drinking Es	<u>stablishments</u>			
<u>Restaurants, Full</u> <u>Service</u>	SUP (11)	SUP (11)	SUP (11)	Section 11-31-9, Commercial Uses in Residential Districts
<u>Restaurants,</u> Limited Service	SUP (11)	SUP (11)	SUP (11)	
Offices				
<u>Business and</u> Professional	SUP (10)	SUP (10)	SUP (10)	Section 11-31-9, Commercial Uses in Residential Districts
Medical and Dental	SUP (10)	SUP (10)	SUP (10)	
Personal Services	SUP (11)		SUP (11)	Section 11-31-9, Commercial Uses in Residential Districts
Plant Nurseries and Garden Centers	SUP (7, <del>13, 16</del> )			SUP option available only in RS-43 and RS-90 districts
Retail Sales	•	•		

Table 11-5-2: Reside	Table 11-5-2: Residential Districts									
Proposed Use	<u>RS</u>	<u>RSL</u>	<u>RM</u>	Additional Use Regulations						
<u>General</u>	SUP (11)	SUP (11)	SUP (11)	Section 11-31-9, Commercial Uses in Residential Districts						
Recreational Vehicle Storage Yard	SUP (20)			Section 11-31-35 Storage Yards in Residential Districts						
Transportation, Co	Transportation, Communications, and Utilities Use Classifications									
<u>Utilities, Minor</u>	р	Р	р							
Specific Accessory	Uses			l						
Animal Keeping	P (3)			Section 11-31-4, Animal Keeping						
<u>Accessory Dwelling</u> <u>Unit</u>	P (13, 14)		P (9 <b>, 13, 14</b> )	Section 11-31-3, Accessory Dwelling Unit						
Accessory Uses	Р	Р	Р	Section 11-31-2						
<u>Farm Stands</u>	SUP (5)			<u>RS-43</u> and <u>RS-35</u> Only						
Home Occupations	P/SUP (17)	Р	Р	Section 11-31-33, Home Occupations						
<u>Medical Marijuana</u> <u>Patient and Caregiver</u> <u>Cultivations</u>	P (13, 18)	P (13, 18)	P (13, 18)	<u>Section 11-31-34, Medical</u> <u>Marijuana Facilities</u>						
Portable Storage Containers	P (21, 22)	P (21)	P (21)	Section 11-30-16						

- 1. Permitted in the RM-4 District only with approval of a <u>Planned Area Development</u>.
- 2. Only permitted or conditionally permitted in the RM-4 district; prohibited in the other RM sub-designations.
- Riding and boarding stables are permitted in the <u>RS-43 and RS-90</u> districts with approval of a <u>SUP</u> on sites of 10 acres or more. Other Large-Scale Commercial Recreation uses are not permitted.
- 4. Comprehensive youth residence permitted in <u>RS-90</u> district with approval of a <u>SUP</u>.
- 5. Stands are permitted for the sale of agricultural or horticultural products produced on the premises in the <u>RS-35</u>, <u>RS-43 and RS-90</u> zoning districts with approval of a Special Use Permit. Farm stands are prohibited in the remaining RS sub-designations.
- 6. Reserved.
- 7. Plant nurseries may be located in the <u>RS-43 and RS-90</u> districts with approval of a <u>Special Use Permit</u>. Criteria include that specified for the AG district, See <u>Section 11-4-4(C)</u>. Plant nurseries are prohibited in the remaining RS sub-designations.
- 8. Day care centers permitted only as an accessory activity when provided as an amenity by homeowner's association (HOA) for the principal benefit of residents of that same HOA.
- 9. Not permitted in <u>RM-5</u> district.
- 10. Permitted only with approval of a <u>Special Use Permit</u>, and if the location is coterminous to an intersection of an arterial street with a local or collector street, and the aggregate maximum gross floor area is less than 2,000 square feet in floor area, exclusive of any residential uses.
- 11. Permitted only with approval of a <u>Special Use Permit</u>, and if the location is coterminous to an intersection of an arterial street with a local or collector street, and the aggregate maximum gross floor area is less than 1,500 square feet in floor area, exclusive of any residential uses. No drive-through window services are permitted.
- 12. Detached Single Residence is not permitted in <u>RM-5</u> district.
- Use not permitted when the property is subject to the <u>AOA 1</u> overflight area, see <u>Sec. 11-19-2</u>, <u>Runway Protection Zones</u> and <u>Airport Overflight Areas</u>.
- 14. Use not permitted when the property is subject to the <u>AOA 2</u> overflight area, see Sec. 11-19-2, Runway Protection Zones and Airport Overflight Areas.

- 15. Use permitted with the approval of a <u>(CUP) Council Use Permit</u> when the property is subject to the <u>AOA 1</u> overflight area, see Sec. 11-19-2, Runway Protection Zones and Airport Overflight Areas.
- 16. Use permitted with the approval of a <u>(CUP) Council Use Permits</u> when the property is subject to the <u>AOA 2</u> overflight area, see Sec. 11-19-2, Runway Protection Zones and Airport Overflight Areas.
- 17. Special Use Permit options for expanded Home Occupations are allowed only in the <u>RS-90 and RS-43</u> districts.
- 18. Required to be a minimum distance of 25-miles from closest Medical Marijuana Dispensary.
- 19. RESERVED
- 20. Also requires previous establishment of a PAD Overlay District.
- 21. Temporary use of portable storage containers is permitted, but limited to the circumstances described and requirements specified in Section 11-30-16.
- 22. Permanent use of portable storage containers is limited to the RS-43 and RS-90 zoning districts.

## 11-6-2 Land Use Regulations

In Table 11-6-2, which follows, the land use regulations for each Commercial and Mixed Use zoning district are established by letter designations as follows:

- "P" designates use classifications permitted in commercial districts.
- "SUP" designates use classifications permitted on approval of a Special Use Permit.
- "CUP" designates use classifications permitted on approval of a Council Use Permit.
- "TUP" designates use classifications permitted on approval of a Temporary Use Permit.
- "(x)" a number in parentheses refers to limitation following the table.
- "--" designates a prohibited use.

All activities shall be conducted entirely within an enclosed building with no outside storage or display, unless otherwise specified. Use classifications not listed are prohibited. The "Additional Use Regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this Ordinance.

Table 11-6-2: Commercial Districts						
Proposed Use	<i>NC</i> (C-1)	<i>LC</i> (C-2)	<i>GC</i> (C-3)	<i>OC</i> (O-S)	MX	Additional Use Regulations
Residential Use Classifications						
Single Residence -Attached	CUP (1, 19, 20)	CUP (1, 19, 20)	CUP (1, 19, 20)	CUP (1, 19, 20)	CUP (16,19, <b>20<del>22</del>)</b>	Section 11-31-31, Residential Uses in Commercial Districts
Multiple Residence	CUP/P (1, 21, 22)	CUP/P (1, 21, 22)	CUP/P (1, 21, 22)		P (21, 22)	
Assisted Living	SUP (19, <b>2022</b> )	SUP (19, <b>20<del>22</del></b> )		SUP (19, 2022)		
Group Residential						
Correctional Transitional Housing Facility			CUP (19, <b>20</b> <del>22</del> )			Sec 11-31-12, Correctional Transitional Housing Facilities
Group Home for the Handicapped (up to 10 residents)					P (19, <b>20<del>22</del>)</b>	Section 11-31-14,
Group Home for the Handicapped (greater than 10 residents)	SUP (19, <b>2022</b> )			SUP (19, <b>2022</b> )	SUP ( <b>1921</b> , <b>2022</b> )	Group Homes for the Handicapped

Table 11-6-2: Commercial Districts						
Proposed Use	NC (C-1)	<i>LC</i> (C-2)	<i>GC</i> (C-3)	<i>OC</i> (O-S)	MX	Additional Use Regulations
Group Housing	P (19, <b>20<del>22</del>)</b>	P (19, <b>2022</b> )	P (19, <b>20<del>22</del></b> )		P ( <b>19<del>21</del></b> , <b>20<del>22</del></b> )	
Home Occupations	P (23)	P (23)	P (23)	P (23)	P (23)	Section 11-31-33, Home Occupations
Public and Semi-Public Use Classifi	cations					
Clubs and Lodges	P (19 <b>, 22</b> )	P (19, 22)	P (19 <b>, 22</b> )		P ( <b>19,</b> 22)	
Colleges and Trade Schools, Public or P	rivate					
Colleges and Universities		P ( <b>21, 22</b> <del>19, 20</del> )	P ( <b>21, 22</b> <del>19, 20</del> )		P ( <b>21, 22</b> <del>19, 20</del> )	
Commercial Trade Schools		P ( <b>21, 22</b> <del>19, 20</del> )	P ( <b>21, 22</b> <del>19, 20</del> )		P ( <b>21, 22</b> <del>19, 20</del> )	
Industrial Trade Schools			P (4, <b>21, 22</b> <del>19, 20</del> )			
Community Center	P (19, 22)	P (19, 22)	P (19, 22)		P (19, 22)	
Community Gardens	Р	Р	Р	Р	Р	Section 11-31-10, Community Garden
Cultural Institutions	P (19 <b>, 22</b> )	P (19 <b>, 22</b> )	P (19 <b>, 22</b> )	P (19 <b>, 22</b> )	P ( <b>19,</b> 22 <del>21</del> )	
Day Care Centers	P (19, <b>22<del>20</del>)</b>	P (19, <b>22<del>20</del></b> )	P (19, 22 <del>20</del> )	P (19, <b>22<del>20</del>)</b>	P (19, 22)	
Government Offices	P (2)	Р	Р	Р	P (2)	
Hospitals and Clinics						
Clinics	Р (3, 19, 20)	Р (3, 19, 20)	P (3, 19, 20)		Р (19, <b>20<del>22</del>)</b>	Section 11-31-15, Hospitals and Clinic
Hospitals	P (19, 20)	P (19, 20)	P (19, 20)			
Nursing and Convalescent Homes	P (19, 20)	P (19, 20)	P (19, 20)	P (19, 20)		
Parks and Recreation Facilities, Public	Р	Р	Р	Р	Р	
Places of Worship	P (19 <b>, 22</b> )	P (19 <b>, 22</b> )	P (19 <b>, 22</b> )	P (19 <b>, 22</b> )	P (19 <b>, 22</b> )	Section 11-31-22, Places of Worship
Public Safety Facilities	Р	Р	Р	Р	Р	
Schools, Public or Private	CUP (19, 20)	CUP (19, 20)	CUP (19, 20)	CUP (19, 20)	CUP (19, 20)	Section 11-31-24, Schools
Social Service Facilities	CUP (19, 22)	CUP <b>(19, 22)</b>	CUP (19, 22)			<u>Section 11-31-26</u> , Social Service Facilities
Commercial Use Classifications						
Animal Sales and Services						
Small Animal Day Care	SUP (4)	SUP (4)	P (4)		SUP (4, 7)	
Kennels	SUP (4)	SUP (4)	P (4)			
Pet Stores	P (4)	P (4)	P (4)		SUP (4, 7)	
Veterinary Services	P (4)	P (4)	P (4)	P (4)	P (4, 7)	
Artists' Studios	Р	Р	Р	Р	Р	
Automobile/Vehicle Sales and Servi	ces					
Accessory Automobile Rentals		SUP	Р		SUP	
Automobile Rentals		SUP	Р			Section 11-31-5,
Automobile/Vehicle Sales and Leasing			Р			Automobile Rentals

Proposed Use	NC	LC	GC	OC	MX	Additional Use
r roposea Ose	(C-1)	(C-2)	(C-3)	(O-S)	MA	Regulations
						Automobile/ Vehicle Sales and Leasing
Automobile/Vehicle Repair, Major			Р			Section 11-31-6,
Automobile/Vehicle Service and Repair. Minor		Р	Р			Automobile/ Vehicle Repair; Major and Minor
Automobile/Vehicle Washing	SUP	SUP	SUP			Section 11-31-7, Automobile/ Vehicle Washing
Large Vehicle and Equipment Sales, Services, and Rental			р			Section 11-31-5, Automobile Rentals; Automobile/ Vehicle Sales and Leasing
Service Station	SUP	SUP	SUP			Section 11-31-25, Service Stations
Banks and Financial Institutions	Р	Р	Р	Р	Р	
With Drive-Thru Facilities	SUP	Р	Р	SUP	SUP	<u>Section 11-31-18,</u> Drive-thru Facilities
Banquet and Conference Center	Р	Р	Р	Р	Р	
Building Materials and Services		P (11)	Р			Section 11-31-16 if GFA exceeds 25,000 sqft.
Business Services	Р	Р	Р	Р	Р	
Commercial Entertainment		P (19, 22)	P (19, 22)		P (19, 22)	
Commercial Recreation						
Small-Scale		Р	Р		SUP	
Large-Scale		SUP	P <del>(19)</del>			
Eating and Drinking Establishments						
Bars/Clubs/Lounges		Р	Р		Р	
Coffee Shops/Cafes	Р	Р	Р	P (5)	Р	
Restaurants, Bar and Grill		SUP	Р		Р	
Restaurants, Full Service	Р	Р	Р		Р	
Restaurants, Limited Service	Р	Р	Р	P (5)	Р	
With Drive-Thru Facilities	SUP	Р	Р		SUP	Section 11-31-18, Drive-thru Facilities
With Outdoor Seating Areas	SUP <del>(21,</del> <del>22)</del>	Р <del>(21, 22)</del>	Р <del>(21, 22)</del>	SUP (5 <del>, 21, 22</del> )	Р <del>(21, 22)</del>	Section 11-31-19, Outdoor Eating Areas
With Off-track Betting		P (25)	P (25)		P (25)	
With Live Entertainment		P (4, 26)	P (26)		P (4, 26)	
Farmer's Market	TUP/SUP	TUP/SUP	TUP/SUP		TUP/SUP	<u>Section 11-31-30</u> ,
	(27)	(27)	(27)		(27)	Temporary Uses: Swap Meets and Farmer's Markets
Food and Beverage Sales						
Convenience Market	P/SUP (12)	P/SUP (12)	P/SUP (12)	P (5, 13)	P (13)	Section 11-31-11, Convenience Markets
General Market	P (14)	Р	Р		Р	Section 11-31-16 applies if GFA exceeds 25,000 sq ft.

Table 11-6-2: Commercial Districts						
Proposed Use	<i>NC</i> (C-1)	<i>LC</i> (C-2)	GC (C-3)	<i>OC</i> (O-S)	MX	Additional Use Regulations
Funeral Parlors and Mortuaries		P (18)	Р		P (18)	
Accessory Crematorium		SUP	Р			
Hotels and Motels		P (21, 22)	P (21, 22)		P (21, 22)	
Light Fleet-Based Services			Р			
Live-Work Unit	SUP (19, 20)	SUP (19, 20)	SUP (19, 20)		Р (7, 19, <b>20<del>22</del>)</b>	Section 11-31-17, Live Work Units
Maintenance and Repair Services	Р	Р	Р			
Non-chartered Financial Institutions (Payday Lenders)		CUP (10)	CUP (10)			
Offices						
Business and Professional	Р	Р	Р	P (15)	Р	
Medical and Dental	Р	Р	Р	Р	Р	
Parking, Commercial			Р		CUP	
Personal Services	Р	Р	Р	P (5)	Р	
Plant Nurseries and Garden Centers		SUP	Р		P/SUP (6, 7)	
Retail Sales						
General	P (8, 9)	Р	Р		P (7)	
Large Format		Р	Р		CUP (7)	Section 11-31-16, Large Format Reta
Pawn Shops	CUP (10)	CUP (10)	CUP (10)			Section 11-31-21, Pawn Shops
Tattoo and Body Piercing Parlors		Р	Р		Р	
Employment Use Classifications						
Handicraft/Custom Manufacturing			Р			
Light Assembly/Cabinetry			Р			
Research and Development			Р		Р	
Recycling Facilities						
Reverse Vending Machine	Р	Р	Р		P (7)	Section 11-31-23
Small Indoor Collection Facility		SUP	Р		SUP (7)	Section 11-31-23
Warehousing and Storage	1		1			
Mini-Storage		Р	Р		SUP (7)	
Wholesale			CUP			
Transportation, Communication, and						
Communication Facilities		Jussineuti	~₩			
Antenna and Transmission Towers						See Chapter 35
Facilities within Buildings						See Chapter 35 See Chapter 35
		D	Р	Р	Р	
	р	P				1
Transportation Passenger Terminals	P P	P P		-		
Transportation Passenger Terminals Utilities, Minor	Р	Р	Р	Р	Р	
Transportation Passenger Terminals Utilities, Minor Heliports				-		
Transportation Passenger Terminals Utilities, Minor	Р	Р	Р	Р	Р	

#### Table 11-6-2: Commercial Districts

Proposed Use	NC (C-1)	<i>LC</i> (C-2)	GC (C-3)	<i>OC</i> (O-S)	MX	Additional Use Regulations
Outdoor entertainment or activities	SUP	SUP	SUP	SUP	SUP	
Outdoor display, not specified by other classifications			SUP		SUP (19)	
Portable Storage Containers	(28)	P/SUP	P/SUP	(28)	(28)	Section 11-30-16

Notes:

- 1. Multi-Family Residential is permitted for density range between minimum 15 du/ac to maximum 25 du/ac., a minimum of 40% of the Gross Floor Area shall be reserved for commercial land use classifications, as otherwise permitted in the district. In all other cases, Attached Single-Family Dwellings and/or Multi-Family Residential are permitted with approval of a CUP when part of a mixed-use development, with commercial uses in the same building and/or on the same site. See Section 11-31-31, Residential Uses in Commercial Districts.
- 2. Permitted if occupying less than 5,000 square feet; greater floor area requires approval of an SUP.
- 3. A CUP is required for plasma centers and substance abuse detoxification and treatment centers; other Clinics are permitted by right.
- 4. Must be confined to completely enclosed, sound-attenuated facilities.
- 5. Permitted if located within an office building or other commercial building and occupying no more than 1,500 square feet.
- 6. Permitted if floor area is no more than 5,000 square feet. Special Use Permit required is floor area is greater than 5,000 square feet.
- 7. All activities must be conducted entirely within an enclosed building, with no outside storage or display.
- 8. No individual retail store may exceed an area of 10,000 square feet. No group commercial development shall exceed an aggregate area of 50,000 square feet.
- 9. May not include drive-through facilities.
- 10. Must be at least 1,200 feet from any use in the same classification, and at least 1,200 feet from any school.
- 11. Accessory Outdoor Retail Display, limited to display of landscape and building materials only, requires approval of a SUP.
- 12. SUP is required only if accessory fuel sales are present, otherwise use permitted by right.
- 13. Accessory fuel sales are not permitted in OC or MX districts.
- 14. Maximum size for one store is 10,000 square feet.
- 15. Retail and restaurant uses are limited to no more than 1,500 square feet each, and no more than 3 % of the aggregate gross floor area of the project.
- 16. Attached single residences shall have a minimum density of 15 dwelling units per acre in MX zones.
- 17. Reserved
- 18. Accessory crematories allowed in the LC District with approval of a SUP; accessory crematories not permitted in the MX District.
- 19. Use not permitted when the property is subject to the AOA 1 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
- 20. Use not permitted when the property is subject to the AOA 2 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
- 21. Use permitted with the approval of a CUP when the property is subject to the AOA 1 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
- 22. Use permitted with the approval of a CUP when the property is subject to the AOA 2 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
- 23. Home Occupations permitted as ancillary activity where and when a residence use is authorized.
- 24. Heliports in Commercial Districts shall be set a minimum of 2 full stories above the natural grade, unless associated with a hospital.

- 25. Subject to approval by the City Council and the State Racing Commission of a Tele-track Betting Establishment Permit per AAC R19-2-401 and following.
- 26. Permitted only when accessory to a Eating or Drinking establishment
- 27. Special Use Permit is required for continuation of Farmer's Market at expiration of Temporary Use Permit Period.
- 28. Temporary use of portable storage containers is permitted, but limited to the circumstances described and requirements specified in section 11-30-16.

### 11-7-2 Land Use Regulations

In Table 11-7-2, which follows, the land use regulations for each Employment Zoning District are established by letter designations as follows:

"P" designates use classifications permitted.

"TUP" designates use classifications permitted on approval of a Temporary Use Permit

"SUP" designates use classifications permitted on approval of a Special Use Permit.

"CUP" designates use classifications permitted on approval of a Council Use Permit.

"(x)" a number in parentheses refers to limitation following the table.

"--" designates a prohibited use.

Use classifications not listed are prohibited. The "Additional Use Regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this Ordinance.

Table 11-7-2: Employment					
Proposed Use	PEP	LI	GI	HI	Additional Use
		(M-1)	(M-2)		Regulations
<b>Residential Use Classificat</b>	ions				
Correctional Transitional		CUP	CUP (10,		Section 11-31-12,
Housing Facility		(10, 13)	13)		Correctional
(CTHF)					<u>Transitional Housing</u> <u>Facilities</u>
Public and Semi-Public Us	e Classifications				
Clubs and Lodges	P (10 <b>, 13</b> )	P (10 <b>, 13</b> )			
Colleges and Universities College	es and Trade Schools	, Public or Private	·		
Colleges and Universities	P ( <del>10,11</del> 12, 13)	P ( <del>10,11</del> 12, 13)			
Commercial Trade Schools	P ( <del>10,11</del> 12, 13)	P ( <del>10,11</del> 12, 13)	P ( <del>10,11</del> 12, 13)		
Industrial Trade Schools	P ( <del>10,11</del> 12, 13)	P ( <del>10,11</del> <b>12, 13</b> )	P ( <del>10,11</del> 12, 13)		
Cultural Institutions	CUP (10 <b>, 13</b> )	SUP (10 <b>, 13</b> )	SUP (10, 13)		
Day Care Centers	SUP (10,11)	Р	SUP	SUP	
-		(10, 11)	(10, 11)	(10, 11)	
Government Offices	Р	Р	Р	Р	
Hospitals and Clinics					
Clinics	SUP (10,11)	SUP	SUP		Section 11-31-15,
		(10, 11)	(10, 11)		Hospitals and Clinics
Hospitals	P (10,11)	P (10, 11)			
Places of Worship	P (10 <b>, 13</b> )	P (10 <b>, 13</b> )			Section 11-31-22, Places of Worship
Public Safety Facilities	Р	Р	Р	Р	
Public Maintenance Facilities	Р	Р	Р	Р	
Schools, Public or Private	CUP (10,11)	CUP	CUP		Section 11-31-24,
		(10, 11)	(10, 11)		<u>Schools</u>
<b>Commercial Use Classifica</b>	tions				
Animal Sales and Services	-				
Kennels		Р	Р		
Pet Stores		Р	Р		
Veterinary Services	Р	Р	Р		
Artists' Studios	р	Р	Р	P/SUP (6)	

Table 11-7-2: Employment	Districts				
Proposed Use	PEP	LI	LI GI		Additional Use
*		(M-1)	(M-2)		Regulations
Automobile Rentals	SUP	P	Р		Section 11-31-5,
Automobile/Vehicle Sales					Automobile Rentals;
and Leasing		р	Р		Automobile/ Vehicle Sales and Leasing
Automobile/Vehicle					Section 11-31-6,
Repair, Major		Р	Р		<u>Automobile/ Vehicle</u> <u>Repair; Major and</u> <u>Minor</u>
Automobile/Vehicle Service and Repair. Minor		р	Р		
Automobile/Vehicle Washing	SUP	р	р		Section 11-31-7, Automobile/Vehicle Washing
Large Vehicle and Equipment Sales, Services, and Rental		р	р		Section 11-31-5, Automobile Rentals; Automobile/ Vehicle Sales and Leasing
Service Station	SUP	SUP	SUP		Section 11-31-25, Service Stations
Towing and Impound		SUP	SUP	CUP	
Banks and Financial					
Institutions	Р	Р	Р		
With Drive-Thru Facilities	SUP	Р	Р		
Banquet and Conference Centers	SUP	SUP			
Building Materials and Services		Р	Р		
Business Services	Р	Р	Р	P/SUP (6)	
Commercial Recreation					
Small-Scale	P <del>(10, 12)</del>	P <del>(10, 12)</del>			
Large-Scale	SUP <del>(10, 12)</del>	P <del>(10, 12)</del>			
Eating and Drinking Establish				-	1
Bars/Clubs/Lounges	Р	Р	Р		Section 11-31-19,
Coffee Shops/Cafes	Р	Р	Р	P/SUP (6)	Outdoor Eating Areas
Restaurants, Bar and Grill	Р	Р	Р	P/SUP (6)	
Restaurants, Full-Service	Р	Р	Р	P/SUP (6)	_
Restaurants, Limited Service	Р	Р	Р	P/SUP (6)	
With Drive-Thru Facilities	Р	Р	Р	SUP	
With Outdoor Seating Areas	P <del>(10, 11)</del>	P <del>(10, 11)</del>	P <del>(10, 11)</del>	SUP	
Off-track Betting	P ( <del>14,</del> 15 <b>, 16</b> )	P ( <del>14,</del> 15 <b>, 16</b> )			1
With Live Entertainment	Р	Р			
Farmer's Market	TUP/SUP				Section 11-31-30, Temporary Uses
Food and Beverage Sales		1			
Convenience Market	P/SUP (1)	P (1, 7)	P (1, 7)	P/SUP (6)	Section 11-31-11, Convenience Markets
Funeral Parlors and Mortuaries	SUP	Р	Р	Р	

Table 11-7-2: Employment	Districts				
Proposed Use	PEP	<i>LI</i> (M-1)	GI (M-2)	HI	Additional Use Regulations
Hotels and Motels	P (12, 13)	P (12, 13)	P (12, 13)		
Laboratories	Р	Р	Р	Р	
Light Fleet-Based Services		Р	Р	Р	
Live-Work Units	SUP (10, 11)	SUP (10, 11)	SUP (10, 11)		Section 11-31-17, Live Work Units
Maintenance and Repair Services		Р	Р		
Medical Marijuana Dispensaries		Р	Р		Section 11-31-34
Medical Marijuana Cultivation Facilities (Accessory to Medical Marijuana Dispensaries)		Р	Р		
Medical Marijuana Cultivation Facilities		Р	Р		
Offices					
Business and Professional	Р	Р	Р		
Medical and Dental	Р	Р	Р		
Parking, Commercial		Р	Р	Р	
Personal Services	P (2)	Р	Р	P/SUP (6)	
Plant Nurseries and Garden Centers	SUP	Р	Р	SUP	
Retail Sales			1	1	
General	Р	Р	Р		
Large Format	P (8)	CUP			<u>Section 11-31-16,</u> Large Format Retail
Swap Meets and Flea Markets		CUP	CUP		Section 11-31-30, Temporary Uses: Swap Meets and Farmer's Markets
Tattoo and Body Piercing Parlors		Р	Р		
Employment and Industria	l Use Classificati	ions			
Cement Plants				Р	
Handicraft/Custom Manufacturing	P (4)	P (5)	Р	р	
Hazardous Waste Facility				CUP (10)	
Hazardous Waste Disposal Facility					
Incineration of Garbage or Organic Matter				CUP	
Light Assembly/Cabinetry	P (4)	P (5)	Р	Р	
Manufacturing, General		P (5)	Р	Р	
Manufacturing, Limited	P (4)	P (5)	Р	Р	
Meat Slaughterhouse or Packing Plant				Р	
Metal Refining, Casting or Extrusion			CUP	р	
Metal Smelting, Industrial				Р	

Table 11-7-2: Employment	t Districts				
Proposed Use	PEP	<i>LI</i> (M-1)	GI (M-2)	HI	Additional Use Regulations
Oil Refinery/Petroleum Distillation				CUP	
Research and Development	P (4)	P (5)	Р	Р	
<b>Recycling Facilities</b>		·		•	•
Reverse Vending Machines	SUP	Р	Р		Section 11-31-23
Small Indoor Collection Facilities	SUP	Р	Р		
Large Collection Facilities		CUP	SUP	Р	1
Processing Facilities			CUP	Р	
Salvage and Wrecking			CUP	SUP	
Tanneries				Р	
Warehousing and Storage	1	<b> </b>			1
Contractors' Yards		P (9)	P (9)	P (9)	
Indoor Warehousing and		* (*)	• (2)	• (~)	
Storage	Р	Р	Р	Р	
Outdoor Storage				Р	
Mini-Storage	Р	Р	Р		
Wholesale	Р	Р	Р	Р	
Airport Land Use Classification	ns		1		
Aircraft Refueling Stations		Р			
Aircraft Light Maintenance		Р			-
Airport Transit Station		Р			-
Airport Related Long-term Parking Lots		р			_
Heliports	SUP ( <del>13</del> 14)	SUP ( <del>13</del> 14)	SUP ( <del>13</del> 14)	SUP ( <del>13</del> 14)	
Transportation, Communi	cation, and Utili	ties Use Classific	1 . ,		
Communication Facilities					
Antenna and Transmission Towers					See Chapter 35
Facilities within Buildings					
Transportation Facilities	•				
Freight/Truck Terminals and Warehouses		Р	р	Р	
Transportation Passenger Terminals	Р	Р	р	Р	
Utility Classifications	•				•
Solar Farms	SUP	SUP	Р	р	Section 11-30-15, Solar Panels and Other Energy Production Facilities
					<u>Facilities</u>
Utilities, Major		CUP	CUP	CUP	
Utilities, Major Utilities, Minor	 P	CUP P	CUP P	CUP P	
Utilities, Minor	р	Р			
	р	Р			

Table 11-7-2: Employment Districts					
Proposed Use	PEP	<i>LI</i> (M-1)	GI (M-2)	HI	Additional Use Regulations
Outdoor Storage		P (5)	Р	Р	
Caretakers' Residences		P (10, 11)	P (10, 11)	P (10, 11)	
Outdoor entertainment or activities as an accessory use	SUP (10, <mark>1113</mark> )	P (10, <b>1113</b> )	P (10, <del>11</del> 13)		
Outdoor Display		Р	Р	Р	
Portable Storage Containers	SUP ( <del>16</del> 17)	P/SUP	Р	Р	Section 11-30-16

1. Permitted if located within an office building or other commercial building and occupying no more than 1,500 square feet, and Accessory Fuel Sales are not present.

- 2. Permitted if floor area is no more than 10,000 square feet.
- 3. Must be at least 1,200 feet from any use in the same classification, and at least 1,200 feet from any school.
- 4. Permitted if all activities pertaining to the manufacturing or processing of the products are conducted entirely within an enclosed building, with no outside storage or display.
- Permitted only if all activities pertaining to the manufacturing or processing of the products are conducted entirely within an enclosed building. Accessory outdoor storage permitted only if confined to the rear one-half of the lot.
- 6. Permitted if floor area is no more than 1,500 square feet. SUP required if greater than 1,500 sqft.
- 7. Granting of a SUP is required if Accessory Fuel Sales are present.
- 8. Permitted only if floor area is no more than 50,000 square feet.
- Permitted only if fully screened by a minimum 7-foot high masonry screen wall composed of masonry blocks utilizing varying colors and textures arranged in an attractive design.
- 10. Use not permitted when the property is subject to the AOA 1 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Area.
- 11. Use not permitted when the property is subject to the AOA 2 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
- 12. Use permitted with the approval of a CUP when the property is subject to the AOA 1 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
- **1213.** Use permitted with the approval of a CUP when the property is subject to the AOA 2 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
- **1314.** Heliports in Employment Districts shall be set a minimum of 2 full stories above the natural grade, unless associated with a hospital.
- 1415. Subject to approval by the City Council and the State Racing Commission of a Tele-track Betting Establishment Permit per AAC R19-2-401 and following.
- 1516. Permitted only when accessory to a eating or drinking establishment.
- 1617. Temporary or periodic use only, limited to the circumstances and requirements listed in Section 11-30-16.

### 11-10-2 Land Use Regulations

Facilities owned, leased, or operated by city, county, state, or federal governments or agencies thereof or school districts are considered permitted in this district. In addition, Table 11-10-2, which follows, specifies additional land use regulations for each Public and Semi-Public zoning district, established by letter designations as follows:

"P" designates use classifications permitted in public and semi-public districts.

- "TUP" designates use classifications permitted on approval of a Temporary Use Permit
- "SUP" designates use classifications permitted on approval of a Special Use Permit.
- "CUP" designates use classifications permitted on approval of a Council Use Permit.
- "(x)" a number in parentheses refers to limitation following the table.

Use classifications not listed are prohibited. The "Additional Use Regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this Ordinance.

Table 11-10-2: Public and Semi-Public District				
Proposed Use	PS	Additional Use Regulations		
Agricultural Use Classifications				
Community Gardens	Р	Section 11-31-10, Community Gardens		
Commercial Use Classifications				
Farmer's Market	TUP/SUP	Section 11-31-30, Temporary Uses: Swap Meets and Farmer's Markets		
Public and Semi-Public Use Clas	ssifications			
Cemeteries	Р			
Colleges and Trade Schools, Public or Private	P ( <del>2, 34, 5</del> )			
Community Center	P (2, 5)			
Cultural Institutions	P (2, <b>35</b> )			
Government Offices	Р			
Hospitals and Clinics				
Clinics	P (2, 3)			
Hospitals	P (2, 3)	<u>Section 11-31-15, Hospitals and Clinics</u>		
Parks and Recreation Facilities, Public	Р			
Public Safety Facilities	Р			
Public Maintenance Facilities	Р			
Schools, Public or Private	P (2, 3)	Section 11-31-24, Schools		
Universities, including Research Facilities (Public or Private)	P (2, 3)			
Transportation, Communication	n, and Utilities Use Classific	ations		
Airports	CUP			

Heliports (1)	CUP	
Communication Facilities		1
Antenna and Transmission Towers	CUP	
Facilities within Buildings	Р	
Transportation Passenger Terminals		
	Р	
Utilities, Major	CUP	
Utilities, Minor	Р	

1. Heliports require a CUP unless considered an accessory use when a part of a hospital or clinic.

2. Use not permitted when the property is subject to the AOA 1 overflight area, see <u>Section 11-19-2</u>, Runway Protection Zones and Airport Overflight Areas.

3. Use not permitted when the property is subject to the AOA 2 overflight area, see <u>Section 11-19-2</u>, Runway Protection Zones and Airport Overflight Areas.

4. Use permitted with the approval of a CUP when the property is subject to the AOA 1 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.

5. Use permitted with the approval of a CUP when the property is subject to the AOA 2 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.