

MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

No. AM 586-2013

Meeting Date: October 22, 2013

1 **From: MAYOR**
2

3 **Subject: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE**
4 **TITLE 21, *LAND USE PLANNING* (NEW CODE – EFFECTIVE JANUARY 1, 2014)**
5 **TO INCORPORATE AMENDMENTS TO THE TITLE 21 (OLD CODE) FROM 2005**
6 **TO THE PRESENT WHICH WERE NOT INCLUDED IN THE TITLE 21 REWRITE**
7 **DOCUMENTS AS LISTED AND IDENTIFIED IN EXHIBIT B TO AO 2012-124(S);**
8 **TO MAKE TECHNICAL CORRECTIONS FOR CLARITY, CONSISTENCY,**
9 **CORRECT CROSS REFERENCING AND CODE ORGANIZATION THROUGHOUT**
10 **CHAPTERS OF THE NEW TITLE 21; TO ADD OR AMEND ILLUSTRATIONS;**
11 **AMENDING CHAPTER 21.01 TO ADD RECENTLY ADOPTED OR AMENDED**
12 **COMPREHENSIVE PLAN ELEMENTS AND APPLY TRANSITIONAL**
13 **PROVISIONS WHEN THE “OLD” CODE IS PHASED OUT; AMENDING**
14 **CHAPTER 21.02 TO CLARIFY AUTHORITY OF BOARDS AND COMMISSIONS;**
15 **AMENDING CHAPTER 21.03 TO LIMIT PRE-APPLICATION CONFERENCE**
16 **REQUIREMENTS, PROVIDE NOTICE TO PROPERTY RESIDENTS IN THE AREA**
17 **SURROUNDING AN APPLICATION, TO AUTHORIZE THE ASSEMBLY TO**
18 **MODIFY ALCOHOL RELATED USE APPROVALS UNDER CERTAIN**
19 **CONDITIONS, AMEND APPEAL PROCEDURES RELATING TO PLATTING**
20 **BOARD DECISIONS, ELIMINATE FLOOD HAZARD AREA AS AN OVERLAY**
21 **ZONING DISTRICT, ADD CHUGIAK-EAGLE RIVER ZONING DISTRICTS TO THE**
22 **LIST NOT REQUIRING A MINIMUM AREA TO REZONE, REQUIRE THE**
23 **PLANNING AND ZONING COMMISSION TO PROVIDE ADDITIONAL**
24 **INFORMATION WHEN IT RECOMMENDS DENIAL OF A REZONE, REQUIRE A**
25 **PUBLIC HEARING FOR TRAIL PROJECTS, ALLOW THE PLATTING OFFICER**
26 **TO APPROVE AN ABBREVIATED PLAT UNDER CERTAIN CONDITIONS, AND**
27 **ALLOW SMALLER LOTS IN COMMERCIAL TRACTS; AMENDING CHAPTER**
28 **21.04 TO REMOVE THE AIRPORT HEIGHT OVERLAY DISTRICT AND THE**
29 **FLOOD HAZARD OVERLAY DISTRICT; AMENDING CHAPTER 21.05 TO ALLOW**
30 **THE DECISION-MAKING BODY SOME FLEXIBILITY WITH REGARD TO PAVING**
31 **AND LIGHTING IN PARKING LOTS IN PARKS, PLACE LIMITATIONS ON**
32 **MOTORIZED SPORTS FACILITIES IN THE I-2 DISTRICT IDENTICAL TO THE**
33 **LIMITATIONS IN THE I-1 DISTRICT, AND MAKE FOOD AND BEVERAGE KIOSK**
34 **REQUIREMENTS CONSISTENT WITH TITLE 23; AMENDING CHAPTER 21.06**
35 **TO REMOVE THE PROHIBITION ON ROOFED OR ENCLOSED ACCESSIBILITY**
36 **RAMPS ALLOWED WITHIN SETBACKS, TO EXEMPT APPLICATION OF**
37 **OFFICIAL STREETS & HIGHWAYS PLAN SETBACKS TO THE FUTURE**
38 **SEWARD HIGHWAY TO GLENN HIGHWAY CONNECTION, AND ADD AIRPORT**
39 **HEIGHT REGULATIONS; AMENDING CHAPTER 21.07 TO PREVENT**
40 **SETBACKS FROM APPLYING TO UNDERGROUND CONDUITS, ADD FLOOD**

HAZARD AREA REGULATIONS, ADD AND DELETE LOADING PROVISIONS FROM CERTAIN USES, LIMIT THE APPLICABILITY OF OFF-STREET PARKING SPACE REDUCTIONS AND ALTERNATIVES TO CERTAIN SITE DEVELOPMENTS, AND ALLOW THE TRAFFIC ENGINEER TO MODIFY LOADING BERTH REQUIREMENTS; AMENDING CHAPTER 21.08 TO REPLACE SPECIFIC REQUIREMENTS WITH REFERENCES TO THE DESIGN CRITERIA MANUAL, AND LIMIT ACCESSORY USES ON SMALL AND NARROW RESIDENTIAL LOTS; AMENDING CHAPTER 21.10 TO ALLOW THE DECISION-MAKING BODY FLEXIBILITY WITH REGARD TO PAVING AND LIGHTING IN PARKS IN CHUGIAK-EAGLE RIVER; AND AMENDING CHAPTER 21.12 TO CHANGE THE AREA IN WHICH A NONCONFORMING USE DEPOSIT FOR PUBLIC IMPROVEMENTS MAY BE USED FROM CENSUS BLOCK GROUP AREAS TO A COMMUNITY COUNCIL'S AREA.

The Assembly passed and approved AO 2012-124(S), the adopting ordinance for the "new" Title 21, on February 26, 2013. Section 4 of that ordinance directed that amendments to Title 21 "old code" that were adopted by the Assembly between 2005 and 2012 but were not incorporated into any draft of the "new" Title 21 shall be brought back to the Assembly with recommendations to include those amendments. Exhibit B to AO 2012-124(S) listed and identified those amending ordinances, and section 4 of that ordinance did not require review by the Planning and Zoning Commission. In new Exhibit B attached to this proposed ordinance, the Community Development Department has listed those ordinances that were not included or partially included and noted whether they are now implemented in Exhibit A attached (Title 21 (New Code)) and made notations regarding the Administration's recommendations.

Additionally, this ordinance makes other amendments to the "new" Title 21 to generally correct errors and cross references, clarify confusing language, improve code organization, make minor changes to some requirements where issues have been identified, add or amend illustrations, and ensure consistency across the entire Title. Most of the amendments are changes of no substantive effect, but some have minor substantive effects and have been identified in the title. This ordinance waives the Planning and Zoning Commission review requirement for the amendments.

THE ADMINISTRATION RECOMMENDS APPROVAL.

Prepared by:	Erika McConnell, Current Planning Section Manager
Approved by:	Jerry T. Weaver, Jr., Director Community Development Department
Concur:	Dennis A. Wheeler, Municipal Attorney
Concur:	George J. Vakalis, Municipal Manager
Respectfully submitted:	Daniel A. Sullivan, Mayor