



# Municipality of Anchorage

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Mayor Mark Begich

## Planning Department

August 6, 2007

### RE: Title 21 Rewrite

The Planning Department is pleased to release the public hearing drafts of the following four chapters of the Title 21 Rewrite.

—**Chapter 4: *Zoning Districts***

Describes the various zoning districts in the Municipality and any district-specific standards.

—**Chapter 5: *Use Regulations***

Defines the various land uses of the Municipality and shows which land uses are allowed in which zoning districts, as well as any use-specific standards.

—**Chapter 6: *Dimensional Standards and Measurements***

Provides dimensional information for each zoning district, such as minimum required lot area, setbacks, lot coverage limits, height, etc.

—**Chapter 12: *Nonconformities***

Delineates the rules for those situations where an existing use, lot, or structure does not meet the requirements of the code.

This letter contains information about the Title 21 Rewrite Project schedule and upcoming meetings, a description of how the proposed Land Use Plan Map works with the new code, status of the Downtown and Midtown Plans, and an attached summary of differences between the current code and the four proposed chapters. Refer to [http://www.muni.org/planning/prj\\_Title\\_21.cfm](http://www.muni.org/planning/prj_Title_21.cfm) for more information.

A tracked-change version that shows the differences between the Public Hearing Draft and the Public Review Draft #2 is available on the website, or it can be requested on a CD from the department.

### **Schedule and Upcoming Meetings**

The Title 21 Rewrite Project, begun in 2002, is on track to be completed in the first quarter of 2008. Chapters 1, *General Provisions*; 2, *Boards, Commissions, and Municipal Administration*; 8, *Subdivision Standards*; and 13, *Enforcement*, were provisionally adopted by the Assembly in April and will become effective when all of the remaining chapters are also adopted.

Chapter 9, *Girdwood Regulations*, and Chapter 11, *Signs*, the results of separate department projects, are in effect today. Chapter 10 is being reserved as a placeholder for regulations specific to Chugiak-Eagle River.

*Community, Security, Prosperity*

The public hearing drafts of the three remaining chapters below (PZC Case No. 2007-153) are scheduled for release in September, and public hearings before the Planning and Zoning Commission regarding these last chapters are tentatively scheduled for early November.

- Chapter 3: *Review and Approval Procedures*
- Chapter 7: *Development and Design Standards*
- Chapter 14: *Rules of Construction and Definitions*

An Economic Impact Analysis (draft) report on the Title 21 Rewrite is scheduled to become available during September.

Planning and Zoning Commission Meetings - Public hearings before the Planning and Zoning Commission (PZC) are scheduled on September 17 for Chapter 12 (PZC Case No. 2007-151), and for the first week in October, beginning on October 1, for Chapters 4, 5, and 6 (PZC Case No. 2007-152). A worksession with the Planning and Zoning Commission is also being scheduled. Check the website for meeting updates.

—***Monday, September 17, Public Hearing***

The Planning and Zoning Commission public hearing for Chapter 12 on Monday, September 17, begins at 6:30 p.m. in the Assembly Chambers of the Z.J. Loussac Library, 3600 Denali Street. Written comments on this chapter are due by the end of the day on Friday, September 7, in order to be included in the Planning and Zoning Commission packet.

—***Beginning Monday, October 1, Public Hearings***

Chapters 4, 5, and 6 are scheduled for public hearings during the first week of October, beginning Monday, October 1, at 6:30 p.m. in the Assembly Chambers of the Z.J. Loussac Library. The times and locations for the remaining meetings still need to be determined and, when finalized, will be posted on the project website at [http://www.muni.org/planning/prj\\_Title21\\_citpar.cfm](http://www.muni.org/planning/prj_Title21_citpar.cfm). Written comments on Chapters 4, 5, and 6 are due at the end of the day on Friday, September 21, in order to be included in the Planning and Zoning Commission packet.

Comments on the public hearing draft chapters may be mailed, hand-delivered, e-mailed, faxed or submitted through the Cases Online system. See the following delivery/contact information.

***By mail:***

Physical Planning Division  
Planning Department  
Municipality of Anchorage  
P.O. Box 196650  
Anchorage, AK 99519-6650

***Hand-delivery:***

Planning Department Counter  
Planning and Development Center  
4700 Bragaw Street (cross street is Tudor Road)

**E-mail:** [title21@muni.org](mailto:title21@muni.org)

**Phone:** 343-7921

**Fax:** 343-7927

**Cases Online:** <http://www.muni.org/Zoning/index.cfm>.

After the PZC takes action on these chapters, the Assembly is anticipated to schedule a public hearing for the first part of 2008.

Community Meetings: Community meetings will also be held in September at dates and locations to be determined. Details on all upcoming meetings will be provided on the website soon at [http://www.muni.org/planning/prj\\_Title21\\_citpar.cfm](http://www.muni.org/planning/prj_Title21_citpar.cfm).

### **Land Use Plan Map**

The draft Anchorage Bowl Land Use Plan Map (LUPM) is available as a technical reference to assist in the review of the Title 21 Rewrite, particularly the proposed zoning districts. The LUPM was approved in concept by the Planning & Zoning Commission (PZC) last year. It indicates in general where the proposed Title 21 zoning districts may apply in the future.

The draft narrative for the Land Use Plan Map (page 6) provides a cross-reference between the general land use designations on the map and the specific zoning districts in the Title 21 Rewrite, such as the proposed R-4A, NMU, CMU and RMU districts. The LUPM and LUPM Narrative are available on the municipal website at [http://www.muni.org/planning/Land\\_Use\\_Map\\_PHD.cfm](http://www.muni.org/planning/Land_Use_Map_PHD.cfm). For an overview of the LUPM and how it relates to land use regulations and zoning, refer to pages 1-4 of the draft Land Use Plan Map Narrative. Additional opportunities for community review and revision of the draft LUPM are anticipated to occur after final adoption of the Title 21 Rewrite.

### **Downtown and Midtown Anchorage**

The proposed zoning districts for the central business district (Downtown) and central commercial areas of Midtown appear as placeholders in the public hearing draft. The district-specific standards (Chapter 4), allowed uses (Chapter 5), and dimensional standards (Chapter 6) specific to these five districts have been left blank.

The regulations for the three central business district (DT-1, DT-2 and DT-3) zoning districts are not included in the Title 21 Rewrite project. Instead, the Downtown land use code revision has been integrated into the Downtown Comprehensive Plan process. (Refer to the project website at [http://www.muni.org/planning/CBD\\_Main.cfm](http://www.muni.org/planning/CBD_Main.cfm).)

The regulations for the core commercial districts of Midtown (MT-1 and MT-2) are also being left blank to reflect the ongoing process to develop the draft Midtown District Plan. (Refer to the project website at <http://www.midtownplan.com/Welcome.html>.) The MT-1 and MT-2 placeholder districts replace the "Midtown Mixed-use" (MMU) zone that had been proposed in Public Review Draft #2 of the Title 21 Rewrite.

**Summary of Differences  
Between the Title 21 Rewrite and Current Code  
Chapters 4, 5, 6, and 12**

The following is a summary of the major differences between the public hearing drafts of these four chapters and the current Title 21.

***Chapter 4: Zoning Districts***

This chapter maintains most of the existing zoning districts—a few infrequently used districts are not being carried forward (such as the D2 and D3 districts). Some new zoning districts are being proposed: several commercial/mixed-use districts and a mixed-use high density residential district. District descriptions of the downtown districts and two new midtown districts are not included in this draft—these five districts will be proposed and refined through the Downtown Plan and Midtown Plan processes that are underway.

***Chapter 5: Use Regulations***

The current Title 21 has over 700 uses listed. Each zoning district lists the uses allowed in that district, many uses are not defined, and the uses are not always described consistently between zoning districts. The proposed code has fewer than 150 uses listed. Each use is defined, and a table shows which districts each use may be allowed in, so there is no need to list each use under each zoning district. Any proposed use-specific standards are also given with the definition. Uses are not listed in the table for the Downtown and Midtown districts (DT-1, DT-2, DT-3, MT-1, and MT-2); they will be determined through the Downtown and Midtown planning processes.

***Chapter 6: Dimensional Standards and Measurements***

This chapter gives the minimum lot area and width, the setbacks, the height limitations, and other dimensional standards for all the zoning districts. It also lays out the rules for setbacks, lot coverage, floor area ratios, and height. Changes from current code include adding height limitations for districts that currently allow unlimited height (such as the B-3 and the R-O), and clarification of various setback and height issues.

***Chapter 12: Nonconformities***

Major changes from current code have been proposed in this chapter:

- A process is provided for requesting approval to rebuild a nonconforming use or structure that is destroyed by more than 50 percent.
- Single- and two-family structures and mobile homes are proposed to be exempt from most of the nonconforming provisions.
- Buildings that are over the district height limit or beyond proposed maximum setbacks are not considered nonconforming.
- Characteristics of use (such as parking, landscaping, lighting, etc.) that are out of compliance with the code no longer bring a designation of nonconformity, but rather a process is provided for property owners to move their developments towards compliance gradually.