

CHAPTER 21.02: BOARDS, COMMISSIONS, AND MUNICIPAL ADMINISTRATION

21.02.010 PURPOSE

This chapter sets out the powers and duties of land use boards and commissions, the role of the assembly, and the responsibilities of municipal staff in the administration of this title.

21.02.020 TABLE OF DECISION AND REVIEW AUTHORITY

- A. Table 21.02-1 summarizes the major review and decision-making responsibilities of the assembly, the municipal staff, and the other entities that have roles in the procedures set forth in chapter 21.03, *Review and Approval Procedures*. Such other entities are referred to as the “land use boards and commissions” and include: the planning and zoning commission, the platting board; the zoning board of examiners and appeals; the board of adjustment, the urban design commission; and the geotechnical advisory commission.
- B. Table 21.02-1 is a summary tool and includes many, but not all, duties of these entities. Other duties and responsibilities are set forth in subsequent sections of this chapter and this title and other parts of the municipal code. Some other duties and responsibilities not listed in the table may require public hearings.
- C. The referenced notes are set forth immediately below the table.
- D. Even though not referenced in this chapter, the applicant, boards, commissions, or municipal administration may request that other boards, commissions, government agencies, and non-governmental agencies review some applications, including, but not limited to, rezonings, site plans, design reviews, and subdivisions. Title 21 matters referred to other agencies will follow the procedures established in chapter 21.03, *Review and Approval Procedures*.

TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES

NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.

A = APPEAL = Authority to Hear and Decide Appeals
D = DECISION = Responsible for Review and Final Decision
H = HEARING = Public Hearing Required
R = REVIEW = Responsible for Review and/or Recommendation Only

	Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
Alcohol—Special Land Use Permit	21.03.040	D-H/A ¹						R/D ¹
Certificates of Zoning Compliance	21.03.060					A		D
Comprehensive Plan Amendments	21.03.070C.	D-H ²	R-H ²					R
Conditional Uses	21.03.080		D-H				A	R
Flood Hazard Permits	21.03.090					A		D
Land Use Permits	21.03.100				A ³	A ³		D
Master Plan, Institutional	21.03.110A.	D-H	R-H					R
Minor Modifications	21.03.120		D ⁴	D ⁴		A ⁵	A ⁵	D ⁴
Neighborhood or District Plans	21.03.130	D-H	R-H					R

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	Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
Public Facility Site Selection	21.03.140	D-H/A-H ⁶	R-H/ D-H ⁶					R
Rezoning (Map Amendments)	21.03.160	D-H	R-H					R
Sign Permits	21.03. 170					A		D
Site Plan Review, Administrative	21.03. 180C.			A				D
Site Plan Review, Major	21.03. 180D.		D-H ⁷	D-H ⁷			A	R
Street Review	21.03. 190B.		R ⁸ /D	R ⁸ /D				R
Trail Review	21.03.190C.			R/D				R
Preliminary Plat	21.03. 200C.5.		D-H ⁹	D-H ⁹	D-H ⁹		A	R
Abbreviated Plat	21.03. 200D.				A-H			D
Commercial Tract Plat	21.03.200E.		D-H ¹⁰	D-H ¹⁰	D-H ¹⁰			R
Title 21, Text Amendments	21.03. 210	D-H	R-H		R-H ¹¹			R
Vacation of Public and Private Interest in Land	21.03.230				D or A ¹²		A ¹²	R or D ¹²
Variances from the provisions of chapter 21.06, <i>Dimensional Standards and Measurements</i>	21.03. 240					D-H		R
Variances from the provisions of subsections 21.07.020C., <i>Steep Slope Development</i> ; 21.07.060, <i>Transportation, Connectivity, and Pedestrian Facilities</i> ; and chapter 21.08, <i>Subdivision Standards</i>	21.03. 240		D-H ¹³	D-H ¹³	D-H		A	R
Variances from the district-specific standards of chapter 21.04, <i>Zoning Districts</i> ; the use-specific standards of chapter 21.05, <i>Use Regulations</i> ; and the provisions of chapter 21.07, <i>Development and Design Standards</i> and chapter 21.11, <i>Signs</i> ,	21.03.240			D-H			A	R
Variances from the provisions of subsections 21.07.050, <i>Utility Distribution Facilities</i> , and 21.05.040K., <i>Telecommunication Facilities</i>	21.03. 240 D.2.b.					D-H		R

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	Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
Administrative Variances	21.03.240J.					A		D
Verification of Nonconforming Status	21.03.250					A		D
<p>NOTES:</p> <p>¹ See section 21.03.040, <i>Alcohol-Special Land Use Permit</i>, to determine whether the Assembly or the director is the decision-making body.</p> <p>² Only substantive comprehensive plan amendments require a public hearing. See section 21.03.070, <i>Comprehensive Plan Amendments</i>.</p> <p>³ The appeal body for subsection 21.03.100E., <i>Improvements Associated with Land Use Permits</i>, is the platting board. Appeals related to provisions in title 23 are made to the building board of examiners and appeals.</p> <p>⁴ An applicant may request application of the minor modification process only once during the review process.</p> <p>⁵ See section 21.03.120C.5. for appropriate appeal body.</p> <p>⁶ Site selection for municipal facilities is approved by the assembly. See section 21.03.140.</p> <p>⁷ See section 21.03.180D. for the division of major site plan review decision-making authority.</p> <p>⁸ See section 21.03.190, <i>Street and Trail Review</i>.</p> <p>⁹ The planning and zoning commission may act as the platting authority for conditional uses that create a subdivision. The planning and zoning commission or the urban design commission may act as the platting authority for major site plan reviews that create a subdivision.</p> <p>¹⁰ The planning and zoning commission or the urban design commission (whichever is the decision-making authority—see section 21.03.180) shall act as the platting authority for a commercial tract whose site plan includes a large retail establishment. The platting board shall be the platting authority for all other commercial tracts.</p> <p>¹¹ Code amendments relating to chapter 21.08, <i>Subdivision Standards</i>, require a hearing by the platting board. All code amendments require a hearing by the planning and zoning commission.</p> <p>¹² See section 21.03.230, <i>Vacation of Public and Private Interest in Lands</i>.</p> <p>¹³ When the planning and zoning commission or the urban design commission acts as the platting authority, they shall have variance authority over these sections as well.</p>								
<p>KEY TO ABBREVIATIONS:</p> <p>ASBLY = Anchorage Assembly PZC = Planning and Zoning Commission PB = Platting Board</p>			<p>ZBEA = Zoning Board of Examiners and Appeals BOA = Board of Adjustment UDC = Urban Design Commission MS = Municipal Staff</p>					

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21.02.030 PLANNING AND ZONING COMMISSION

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A. Recommendation to the Assembly

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The planning and zoning commission shall make a recommendation to the assembly on the following:

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1. Comprehensive plan amendments (21.03.070);

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2. Institutional master plans (21.03.110);

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3. Neighborhood or district plans (21.03.130);

- 1 4. Public facility site selection for municipal facilities (21.03.140);
- 2 5. Rezoning (zoning map amendments), to include overlay districts (21.03.160); and
- 3 6. Title 21 text amendments (21.03.210).

4 **B. Decision-Making Authority**

5 The planning and zoning commission has decision-making authority over the following:

- 6 1. Conditional uses (21.03.080);
- 7 2. Preliminary plats, when a conditional use creates a subdivision or requires the vacation of
8 a dedicated public area, and the commission directs in the conditional use approval that it
9 shall act as the platting authority (21.03.080F.);
- 10 3. Public facility site selections, except for municipal facilities (21.03.140);
- 11 4. Appeals from the director's decision regarding consistency with an institutional master
12 plan (21.03.110F.);
- 13 5. Major site plan reviews for non-residential development with a gross floor area of 100,000
14 square feet or more, and for residential development of 140 units or more (21.03.180D.);
- 15 6. Preliminary plats, when a major site plan under the authority of the planning and zoning
16 commission creates a subdivision or requires the vacation of a dedicated public area, and
17 the commission directs in the major site plan approval that it shall act as the platting
18 authority (21.03.180F.);
- 19 7. Draft design study report for new construction and reconstruction of streets of collector
20 class or greater in the *Official Streets and Highways Plan* (21.03.190);
- 21 8. Commercial tract plats, where the site plan includes a large commercial establishment
22 under the authority of the planning and zoning commission (21.03.200E.); and

23 **C. Other Powers and Duties**

24 The planning and zoning commission shall:

- 25 1. Develop, review, and make recommendations to the assembly regarding policies, plans,
26 and ordinances to implement the municipal function of planning for the economic, social,
27 and land use needs of the community.
- 28 2. Review and make recommendations to the assembly and school board regarding the
29 annual capital improvement program of the municipality and school district.
- 30 3. Review and make recommendations to the mayor regarding the annual work program of
31 the department.
- 32 4. Promulgate regulations to implement or make specific the provisions of this title, except
33 provisions of chapter 21.08, *Subdivision Standards*, which are reserved to the platting
34 board.
- 35 5. Exercise such other powers, and perform such other duties, as are provided by law.

36 **21.02.040 URBAN DESIGN COMMISSION**

37 **A. Decision-Making Authority**

38 The urban design commission has decision-making authority over the following:

- 1 1. Appeals of administrative site plan reviews (21.03.180C.);
- 2 2. Major site plan reviews for non-residential development with a gross floor area of less
3 than 100,000 square feet, and for residential development of fewer than 140 units
4 (21.03.180D.);
- 5 3. Preliminary plats, when a major site plan review under the authority of the urban design
6 commission creates a subdivision or requires the vacation of a dedicated public area, and
7 the commission directs in the major site plan approval that it shall act as the platting
8 authority (21.03.180F.);
- 9 4. Plans in hand design drawings review for new construction and reconstruction of streets
10 of collector classification or greater on the *Official Streets and Highways Plan*
11 (21.03.190);
- 12 5. Commercial tract plats, where the site plan includes a large commercial establishment
13 under the authority of the urban design commission (21.03.200E.);
- 14 6. Variances from the district-specific standards of chapter 21.04, *Zoning Districts*; the use-
15 specific standards of chapter 21.05, *Use Regulations*; and the provisions of chapter
16 21.07, *Development and Design Standards* and chapter 21.11, *Signs*; and
- 17 7. Appeals of the director's decision regarding subsection 21.12.060B., *Bringing*
18 *Characteristics Into Compliance*.

19 **B. Other Powers and Duties**

20 The urban design commission shall:

- 21 1. Advise the mayor, assembly, and planning and zoning commission regarding urban
22 design, northern climate design, and winter city design matters, including design-related
23 amendments to the comprehensive plan and title 21.
- 24 2. Review and make recommendations regarding any entitlement requests, in accordance
25 with authority delegated by the planning and zoning commission or platting board under
26 this title.
- 27 3. Perform those duties stated in title 7, relating to the art funding requirements for public
28 buildings and facilities.
- 29 4. Designate historic signs pursuant to subsection 21.12.070F.
- 30 5. Exercise such other powers, and perform such other duties, as are provided by law.

31 **21.02.050 PLATTING BOARD**

32 **A. Decision-Making Authority**

33 The platting board has decision-making authority over the following:

- 34 1. Preliminary plats (except in those situations where a different board or commission acts
35 as the platting authority—see subsections 21.03.080F., *Platting for Conditional Uses*, and
36 21.03.180F., *Platting for Site Plans*);
- 37 2. Commercial tract plats, when not included in a large commercial establishment site plan
38 review (21.03.200E.);
- 39 3. Vacations of public and private interest in lands, where the platting board is the platting
40 authority (21.03.230C.);

- 1 4. Variances from the provisions of chapter 21.08, *Subdivision Standards* (21.03.240);
- 2 5. Variances from the following provisions of chapter 21.07: subsection 21.07.020C., *Steep*
- 3 *Slope Development*, and section 21.07.060, *Transportation, Connectivity, and Pedestrian*
- 4 *Facilities*;
- 5 6. Modification or removal of plat note(s) (21.03.200G.);
- 6 7. Appeals of the following decisions:
- 7 a. Land use permits under subsection 21.03.100E, *Improvements Associated with*
- 8 *Land Use Permits*;
- 9 b. Record of survey maps (21.03.150);
- 10 c. Abbreviated plats (21.03.200D.);
- 11 d. Right-of-way acquisition plats (21.03.200F.); and
- 12 e. Vacations of public and private interest in lands, where the platting officer is the
- 13 platting authority (21.03.230).

14 **B. Other Powers and Duties**

15 The platting board shall:

- 16 1. Interpret or make specific the provisions of chapter 21.08, *Subdivision Standards*.
- 17 2. Review and make recommendations to the planning and zoning commission regarding all
- 18 proposed amendments to chapter 21.08, *Subdivision Standards*.
- 19 3. Authorize extensions of subdivision agreements as provided in section 21.08.060C.,
- 20 *Time Limit for Completion of Improvements*.
- 21 4. Exercise such other powers, and perform such other duties, as are provided by law.

22 **21.02.060 ZONING BOARD OF EXAMINERS AND APPEALS**

23 **A. Decision-Making Authority**

24 The zoning board of examiners and appeals has decision-making authority over the following:

- 25 1. Appeals pursuant to subsection 21.03.050B.;
- 26 2. Variances from the provisions of chapter 21.06, *Dimensional Standards and*
- 27 *Measurements*;
- 28 3. Variances from the provisions of subsection 21.05.040K., *Telecommunication Facilities*,
- 29 and section 21.07.050, *Utility Distribution Facilities* (21.03.240).
- 30 4. Overcoming presumption of abandonment pursuant to subsection 21.12.030E.; and
- 31 5. Time extensions for amortized signs, pursuant to subsection 21.12.070G.

32 **B. Other Powers and Duties**

33 The zoning board of examiners and appeals shall:

- 1 1. Adopt general rules or make findings in specific cases regarding proposed changes of
2 nonconforming uses, pursuant to section 21.12.030B., *Change of Use*.
- 3 2. Interpret or make specific the provisions of this title, except provisions of chapter 21.08,
4 *Subdivision Standards*.
- 5 3. Exercise such other powers, and perform such other duties, as are provided by law.

6 **C. Subpoenas**

7 The zoning board of examiners and appeals has the right to subpoena witnesses and documents
8 using a form provided by the municipal clerk and submitted to the clerk for issuance at least five
9 working days before the date of the hearing.

10 **21.02.070 BOARD OF ADJUSTMENT**

11 **A. Powers and Duties**

12 The board of adjustment has the responsibilities set forth in subsection 21.03.050A.1.

13 **B. Subpoenas**

14 The board of adjustment has the right to subpoena witnesses and documents using a form
15 provided by the municipal clerk and submitted to the clerk for issuance at least five working days
16 before the date of the hearing.

17 **21.02.080 GEOTECHNICAL ADVISORY COMMISSION**

18 **A. Powers and Duties**

- 19 1. The geotechnical advisory commission shall serve as a technical advisory board in the
20 municipality.
- 21 2. The commission shall act in an advisory capacity to the assembly, the mayor, boards,
22 commissions, and heads of municipal departments and agencies, and shall have the
23 following responsibilities:
 - 24 a. To make recommendations and give advice on geotechnical engineering issues
25 and natural hazards risk mitigation.
 - 26 b. To recommend and review special studies relating to geotechnical engineering
27 and natural hazards risk mitigation issues.
 - 28 c. To act in an advisory capacity regarding proposed development located in high
29 or moderate snow avalanche hazard zones, in areas designated with high or very
30 high susceptibility to seismically induced ground failure, and in areas susceptible
31 to other natural hazards.

32 **21.02.090 ASSEMBLY**

33 **A. Decision-Making Authority**

34 The assembly has the following decision-making authority under this title:

- 35 1. Special land use permit for alcohol—for beverage dispensary and package store liquor
36 licenses (21.03.040);
- 37 2. Comprehensive plan amendments (21.03.070);
- 38 3. Institutional master plans (21.03.110);
- 39 4. Neighborhood or district plans (21.03.130);

- 1 5. Public facility site selection for municipal facilities (21.03.140);
- 2 6. Rezoning (zoning map amendments), to include overlay districts (21.03.160);
- 3 7. Title 21 text amendments (21.03.210);
- 4 8. Appeals on public facility site selections for non-municipal facilities (21.03.140); and
- 5 9. Any other action not delegated to the planning and zoning commission, platting board,
- 6 zoning board of examiners and appeals, board of adjustment, urban design commission,
- 7 or municipal staff, as the assembly may deem desirable and necessary to implement the
- 8 provisions of this title.

9 **B. Land Use Procedure**

- 10 1. The land use review and approval procedures specified in chapter 21.03, *Review and*
- 11 *Approval Procedures*, supplement the assembly's procedures under title 2.
- 12 2. Where a board or commission has authority under this title to review and comment on a
- 13 land use matter, the assembly shall not take final action on the matter until it has received
- 14 and taken notice of the review comments and recommendations of the board or
- 15 commission.

16 **21.02.100 MUNICIPAL STAFF**

17 Municipal departments shall have the review and decision-making responsibilities set forth in this chapter
18 and other sections of this title, to be carried out in accordance with the terms of this title. The
19 departments also shall have such additional powers and duties as may be set forth in other ordinances,
20 rules, and operating procedures of the municipality.