

Submitted by: VICE CHAIR OSSIANDER, on  
behalf of the Title 21 Committee  
Prepared by: Planning Department  
For reading: April 21, 2009

CLERK'S OFFICE

APPROVED

*as amended*  
7-1-09

ANCHORAGE, ALASKA

Date:

AO NO. 2009-56

1 AN ORDINANCE TO PROVISIONALLY ADOPT NEW SECTIONS 21.07.010,  
2 GENERAL PROVISIONS; 21.07.020, NATURAL RESOURCE PROTECTION;  
3 21.07.030, PRIVATE OPEN SPACE; 21.07.040, DRAINAGE, STORM WATER  
4 TREATMENT, EROSION CONTROL, AND PROHIBITED DISCHARGES;  
5 21.07.050, UTILITY DISTRIBUTION FACILITIES; AND 21.07.140,  
6 OPERATIONAL STANDARDS, AMENDING ANCHORAGE MUNICIPAL  
7 CODE TITLE 21 SUBJECT TO CONCURRENT FINAL PASSAGE AND  
8 APPROVAL OF ALL PROVISIONALLY ADOPTED CHAPTERS OF TITLE 21.  
9

10  
11 WHEREAS, AR 2007-83 addresses the status of Title 21 chapters as provisionally  
12 adopted by the Assembly; and  
13

14 WHEREAS, provisional adoption is progressing as set out in AO 2006-172, as modified  
15 by AO 2007-82; and  
16

17 WHEREAS, Title 21, sections 21.07.010, *General Provisions*; 21.07.020, *Natural*  
18 *Resource Protection*; 21.07.030, *Private Open Space*; 21.07.040, *Drainage, Storm Water*  
19 *Treatment, Erosion Control, And Prohibited Discharges*; 21.07.050, *Utility Distribution*  
20 *Facilities*; and 21.07.140, *Operational Standards*, reviewed by the Title 21 Committee,  
21 are attached for further action by the Assembly; now, therefore,  
22

23 **THE ANCHORAGE ASSEMBLY ORDAINS:**  
24

25 **Section 1.** Anchorage Municipal Code (AMC) sections 21.07.010, *General*  
26 *Provisions*; 21.07.020, *Natural Resource Protection*; 21.07.030, *Private Open Space*;  
27 21.07.040, *Drainage, Storm Water Treatment, Erosion Control, And Prohibited*  
28 *Discharges*; 21.07.050, *Utility Distribution Facilities*; and 21.07.140, *Operational*  
29 *Standards*, are hereby provisionally adopted, as set forth in the attachment, and as  
30 amended by action of the Assembly in this ordinance, following review and  
31 recommendations from the Planning and Zoning Commission, and subject to revision as  
32 the Assembly deems appropriate during concurrent final passage and approval of all  
33 provisionally adopted chapters of Title 21.  
34

35 **Section 2.** In keeping with the purposes and intent set forth in AR 2007-83 and AO  
36 2006-172 (as modified by AO 2007-82), sections 21.07.010, *General Provisions*;  
37 21.07.020, *Natural Resource Protection*; 21.07.030, *Private Open Space*; 21.07.040,  
38 *Drainage, Storm Water Treatment, Erosion Control, And Prohibited Discharges*;

21.07.050, *Utility Distribution Facilities*; and 21.07.140, *Operational Standards*, as hereby provisionally adopted, shall not be deemed law of the Municipality nor applied to land use matters until concurrent final passage and approval of all provisionally adopted Title 21 chapters. Repeal of existing municipal code necessary to effectuate such final passage and approval shall be implemented as described by ordinance.

**Section 3.** This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 7<sup>th</sup> day of July, 2009.

  
Chair

ATTEST:

  
Municipal Clerk

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects -- General Government**

AO Number: 2009-56

Title: AN ORDINANCE TO PROVISIONALLY ADOPT NEW SECTIONS 21.07.010, GENERAL PROVISIONS; 21.07.020, NATURAL RESOURCE PROTECTION; 21.07.030, PRIVATE OPEN SPACE; 21.07.040, DRAINAGE, STORM WATER TREATMENT, EROSION CONTROL, AND PROHIBITED DISCHARGES; 21.07.050, UTILITY DISTRIBUTION FACILITIES; AND 21.07.140, OPERATIONAL STANDARDS, AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 SUBJECT TO CONCURRENT FINAL PASSAGE AND APPROVAL OF ALL PROVISIONALLY ADOPTED CHAPTERS OF TITLE 21.

Sponsor: ACTING MAYOR  
Preparing Agency: Planning Department  
Others Impacted:

| CHANGES IN EXPENDITURES AND REVENUES: |      | (In Thousands of Dollars) |      |      |      |  |
|---------------------------------------|------|---------------------------|------|------|------|--|
|                                       | FY09 | FY10                      | FY11 | FY12 | FY13 |  |
| Operating Expenditures                |      |                           |      |      |      |  |
| 1000 Personal Services                |      |                           |      |      |      |  |
| 2000 Non-Labor                        |      |                           |      |      |      |  |
| 3900 Contributions                    |      |                           |      |      |      |  |
| 4000 Debt Service                     |      |                           |      |      |      |  |
| TOTAL DIRECT COSTS:                   | \$ - | \$ -                      | \$ - | \$ - | \$ - |  |
| Add: 6000 Charges from Others         |      |                           |      |      |      |  |
| Less: 7000 Charges to Others          |      |                           |      |      |      |  |
| FUNCTION COST:                        | \$ - | \$ -                      | \$ - | \$ - | \$ - |  |
| REVENUES:                             |      |                           |      |      |      |  |
| CAPITAL:                              |      |                           |      |      |      |  |
| POSITIONS: FT/PT and Temp             |      |                           |      |      |      |  |

**PUBLIC SECTOR ECONOMIC EFFECTS:**

New requirements for private open space for some institutional buildings may slightly increase the cost of new municipal buildings, but any increased costs are likely to be more than offset by proposed decreases in the parking requirements. See Economic Impact Analysis for details.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

New requirements for private open space for many commercial uses, and slightly increased requirements for private open space for multifamily residential development may slightly increase the cost of the applicable development, but any increased costs are likely to be more than offset by proposed decreases in the parking requirements. See Economic Impact Analysis for details.

Decreased stream setback width in the R-10 district increases the developable area for land in that district. Increased stream setback width in all other zoning districts increases the land to be left undisturbed for undeveloped lots abutting streams.

Prepared by: Erika McConnell

Telephone: 343-7917



# MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 241-2009

Meeting Date: April 21, 2009

1     **From:**        **ACTING MAYOR**

2  
3     **Subject:**    **AN ORDINANCE TO PROVISIONALLY ADOPT NEW SECTIONS**  
4                   **21.07.010, GENERAL PROVISIONS; 21.07.020, NATURAL**  
5                   **RESOURCE PROTECTION; 21.07.030, PRIVATE OPEN SPACE;**  
6                   **21.07.040, DRAINAGE, STORM WATER TREATMENT, EROSION**  
7                   **CONTROL, AND PROHIBITED DISCHARGES; 21.07.050, UTILITY**  
8                   **DISTRIBUTION FACILITIES; AND 21.07.140, OPERATIONAL**  
9                   **STANDARDS, AMENDING ANCHORAGE MUNICIPAL CODE**  
10                  **TITLE 21 SUBJECT TO CONCURRENT FINAL PASSAGE AND**  
11                  **APPROVAL OF ALL PROVISIONALLY ADOPTED CHAPTERS OF**  
12                  **TITLE 21.**  
13  
14

15     In furtherance of the review and public hearing process for the ongoing re-write of  
16     Anchorage Municipal Code Title 21, this ordinance covers six sections of Chapter 21.07,  
17     *Development and Design Standards*. These sections address stream, wetland, and water  
18     body setbacks; steep slope development; open space; drainage and storm water treatment;  
19     utility distribution facilities; and operational standards.  
20

21     The public hearing draft of this chapter (Attachment 1) was released for public review on  
22     September 19, 2007.  
23

24     The Planning and Zoning Commission held public hearings on this chapter (along with  
25     chapters 3 and 14) in November 2007. The Commission's recommended amendments to  
26     these sections of Chapter 21.07 are Attachment 2.  
27

28     The Assembly Title 21 Committee reviewed the Planning and Zoning Commission's  
29     recommendations and developed Committee recommendations, which are included as  
30     Attachment 3.  
31

32     Public hearing before the Assembly will provide the opportunity for additional public  
33     comment.  
34

35     Adoption of this ordinance will add another chapter to the nine that have been  
36     provisionally adopted by the Assembly to date. All chapters provisionally adopted by the  
37     Assembly remain provisional until concurrent final passage and approval of all such

provisionally adopted chapters of Title 21, when the on-going re-write of Title 21 is complete.

**THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE TO PROVISIONALLY ADOPT NEW SECTIONS 21.07.010, GENERAL PROVISIONS; 21.07.020, NATURAL RESOURCE PROTECTION; 21.07.030, PRIVATE OPEN SPACE; 21.07.040, DRAINAGE, STORM WATER TREATMENT, EROSION CONTROL, AND PROHIBITED DISCHARGES; 21.07.050, UTILITY DISTRIBUTION FACILITIES; AND 21.07.140, OPERATIONAL STANDARDS, AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 SUBJECT TO CONCURRENT FINAL PASSAGE AND APPROVAL OF ALL PROVISIONALLY ADOPTED CHAPTERS OF TITLE 21, AS AMENDED BY THE ASSEMBLY TITLE 21 COMMITTEE AND SHOWN IN ATTACHMENT 3.**

Prepared by: Erika McConnell, Planning Department  
Approved by: Tom Nelson, Director, Planning Department  
Concur: Mary Jane Michael, Executive Director  
Office of Economic and Community Development  
Concur: James N. Reeves, Municipal Attorney  
Concur: Michael K. Abbott, Municipal Manager  
Respectfully submitted: Matt Claman, Acting Mayor

- Attachments:
1. Chapter 21.07, *Development and Design Standards*, Sections 21.07.010, 21.07.020, 21.07.030, 21.07.040, 21.07.050, and 21.07.140 (Public Hearing Draft dated September 17, 2007)
  2. Planning and Zoning Commission Recommended Amendments (dated November 10, 2008)
  3. Assembly Title 21 Committee Recommended Amendments (dated March 26, 2009)
  4. Planning and Zoning Commission Minutes of August 18, 2008
  5. Planning and Zoning Commission Minutes of October 13, 2008
  6. Planning and Zoning Commission Minutes of November 3, 2008
  7. Planning and Zoning Commission Minutes of November 10, 2008
  8. Agency and Public Comments Received (includes comments on Chapter 21.03, other sections of Chapter 21.07, and Chapter 21.14)