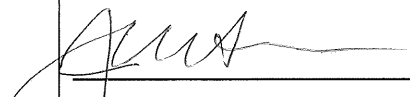




OPERATING POLICY & PROCEDURE

<p>Title: Operating Policy and Procedure for Improvements Associated with Building and Land Use Permits</p>	<p>P & P No.: 11</p>	<p>Effective Date: January 7, 2008</p>
<p>Prepared by: Donald C. Keefer, P.E., Private Development Manager</p>	<p>Supersedes No.: New</p>	<p>Dated:</p>
<p>Approved by: J. W. Hansen, Deputy Director, Project Management & Engineering</p> 		

I. PURPOSE

Anchorage Municipal Code 21.15.150 provides: “The issuance of a building permit under Title 23 or a land use permit under Title 21 for the construction of a commercial or industrial structure on a lot, or for a residential structure on a lot, shall be subject to the permit applicant **providing the public use easement and improvements required** [emphasis added] for a subdivision in the same area under chapters 21.80 and 21.85.”

This policy and procedure supplements this and other local legislation to provide for a written determination by the Municipal Engineer concerning the specific public use easements and improvements to be required for a project, if there is a demonstrated legitimate need therefore.

These policies and procedures apply to building permit reviews and land use permit reviews.

These policies and procedures may apply to requirements to develop or redevelop property, and the costs thereof, to include both on-site and off-site improvements.

Appeals shall be in accordance with PM&E Operating Policy and Procedures No. 10: Contesting and Appealing Decisions made by the Private Development Division of the Project Management & Engineering Department pertaining to reviews and approval under its purview.

Any change to this policy shall be subject to a 30-day comment period.

II. POLICY

The Municipal Engineer shall make a written determination of public use easements and public improvements required for a building permit under Title 23 or a land use permit under Title 21 for structures constructed on a lot.

The determination shall include the following:

- a legitimate need is present;
- demonstration that there is an essential nexus between the legitimate need and the requirement or standard; and
- demonstration that there is a required degree of connection between the requirement or standard, and the impact of the project.

Public use easements may be required for streets and alleyways, trails*, pedestrian safety, utilities, slope maintenance, and drainage.

Public improvements required may include, but may not necessarily be limited to, the following:

- roads, alleyways, sidewalks, trails*, pedestrian safety features, stairways, walkways;
- landscaping, which may include fences;
- erosion control, which may include retaining walls and structures;
- emergency service access;
- transit facilities;
- undergrounding of overhead utilities, relocation of utilities;
- drainage system additions and enhancements, storm water retention and treatment facilities, footing drains and subdrains;
- intersection and signalization improvements, traffic calming features, improved ingress and egress;
- signage;
- street lighting;
- snow storage;
- visual screening, noise screening;
- wetland accommodations, creek protection and restoration; and
- contaminated site cleanup.
-

* See AMC 25.20.027

III. ORGANIZATIONS AFFECTED

Development Services Department
Planning Department
Project Management & Engineering Department
Maintenance and Operations
Traffic Department
Anchorage Fire Department

IV. REFERENCES

- A. MOA Title 21 Code of Ordinances and Regulations
- B. MOA Title 24 Code of Ordinances
- C. MOA Standard Specifications (MASS) (currently adopted version)
- D. MOA Grading, Excavation, and Fill Code (currently adopted version)
- E. MOA Erosion and Sediment Control and Materials Containment Guidance Manual (currently adopted version)
- F. MOA Storm Water Treatment Plan Review Guidance Manual (currently adopted version)
- G. Design Criteria Manual (currently adopted version)
- H. Private Development Handbook
- I. Operating Policy and Procedure No. 6: Operating Policy and Procedure for project administered by the Private Development Division of the Project Management & Engineering Department
- J. Operating Policy and Procedure No. 10: Operating Policy and Procedure for Contesting and Appealing Decisions made by the Private Development Division of the Project Management & Engineering Department pertaining to reviews and approval under its purview

V. DEFINITIONS

- A. **Municipality:** The Municipality of Anchorage.
- B. **Private Development (PD):** A division within the Project Management & Engineering Department.

BI-ANNUAL REVIEW

This Policy and Procedure shall be reviewed for required updates no later than December 31st of odd-numbered years.