

Amendments to Chapter 21.04 proposed by the Assembly Title 21 Committee

- All page numbers refer to the S version.
 - PZC recommended additions are underlined.
 - PZC recommended deletions are in [BRACKETS AND CAPITALIZED].
 - Assembly Committee proposed additions are double-underlined.
 - Assembly Committee proposed deletions are ~~struck through~~.
1. Page 10, line 40, amend to read, “Ground [FIRST] floor building facades facing and within 100 feet of public streets, primary circulation drives...”
 2. Page 11, lines 6-7, amend to read, “Outdoor storage ~~or display~~ of goods accessory to a commercial use is prohibited.”
 3. Page 12, lines 24-27, amend to read, “The subject property shall be in an area designated in the comprehensive [AN ADOPTED] plan for residential city center intensity, and adjacent to a designated community activity center, [OR] major city center, or along a collector or arterial with adequate transit services ~~transit-supportive development corridor~~ in the vicinity of Downtown and Midtown.”
 4. Page 12, line 28, amend to read, “R-5: [RURAL] Low Density Residential ~~With Mobile Homes~~ District”
 5. Pages 12-13, lines 36-43 and 1-2, amend to read, “The R-6 district is intended primarily for single- and two-family large-lot residential areas [THOSE LAND AREAS WHERE LARGE LOTS OR ACREAGE DEVELOPMENT IS DESIRABLE. THE R-6 IS DESIGNED TO ENCOURAGE LOW-DENSITY RESIDENTIAL DEVELOPMENT] , with gross densities of up to one dwelling unit per acre. This district is intended to protect and enhance [WHILE AT THE SAME TIME PROTECTING AND ENHANCING] those physical and environmental features that add to the desirability of large-lot residential living, ~~which may include but are not limited to natural vegetation, maintenance of natural features including wildlife habitat, low traffic generation, minimal light pollution, and the retention of open space~~. The availability of infrastructure and municipal services is varied.”
 6. Page 14, lines 7-9, amend to read, “Retain [PROMOTE] the natural flow and storage capacity of any watercourse and wetland, to minimize the possibility of flooding or alteration of water boundaries, ~~and to maintain water quality and quantity of natural water bodies;~~”

7. Page 14, lines 14-18, amend to read, “[PROVIDE ADEQUATE SITE DRAINAGE TO AVOID EROSION AND TO CONTROL THE SURFACE RUNOFF IN COMPLIANCE WITH THE FEDERAL CLEAN WATER ACT.] ~~The surface runoff and drainage from developments should not exceed the surface runoff and drainage in its natural undeveloped state for all intensities and durations of surface runoff;~~”
8. Page 15, lines 26-28, amend to read, “Strengthen the municipality’s economic base and ~~particularly~~ provide employment opportunities [CLOSE TO HOME FOR RESIDENTS OF THE MUNICIPALITY AND SURROUNDING COMMUNITIES];”
9. Page 16, lines 17-18, amend to read, ““Uses are to be limited in intensity to promote their local orientation, promote pedestrian access, reduce vehicle trips, and ~~to~~ limit impacts on the surrounding area.”
10. Page 17, lines 19-22, amend to read, “These commercial uses are intended to be located on arterials and/or transit corridors, and to be provided with adequate public services and facilities. They are subject to the public view and [THEY] should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement.”
11. Page 17, lines 34-36, amend to read, “Future rezonings to B-3 shall take into consideration the desirability of B-3 being located on arterials and/or transit corridors, and being served with adequate public services and facilities.”
12. Page 18, lines 5-12, amend to read, “Any uses allowed by table 21.05-2 and categorized by this code as ~~“retail (sales),”~~ “entertainment and recreation,” ~~“retail (personal services), repair, and rental,”~~ or “food and beverage service” may be located in the RO district only within a building that also contains office, health services, and/or residential uses, except that “food and beverage kiosk” may be located in a stand-alone building on those lots with frontage on a street of collector classification or higher. Such commercial ~~retail~~ uses shall be limited to 25 percent of the gross floor area of the building. No outdoor storage or merchandise display is allowed.”

[In chapter 5, change “roominghouse” and “data processing facility” to be allowed by “S” (administrative site plan review) rather than “P” in the RO district. In the accessory use table, change “drive-through service” to “S” in the RO district.]
13. Page 18, lines 17-20, delete 2.c., *Minimum Residential Density*
14. Page 19, lines 37-38, amend to read, “Concentrate a variety of commercial retail/services and public facilities that serve the surrounding ~~areas~~ [COMMUNITY];”

15. Page 20, lines 21-22, amend to read, “NMU centers are intended to be generally between two [FOUR] and 15 25 [30] acres in size,…”
16. Page 21, lines 8-9, amend to read, “The maximum size of an NMU district shall be 15 25 acres, unless a larger area is consistent with the comprehensive plan [AN ADOPTED PLAN].”
17. Page 21, after line 29, add new C.2. as follows and renumber remaining:
“2. Relationship to Town Centers
Town center overlay districts may be applied in combination with the CMU/RMU district, pursuant to section 21.04.080. A town center overlay would establish development standards and incentives in addition to what is required by the CMU/RMU district, and may increase the priority for public investment in an area, to more fully implement comprehensive plan policies for compact, mixed-use centers. It is intended that the municipality phase the development of town center overlay districts.”
18. Page 21, lines 36-39, amend to read, “The subject property shall be in an area designated by the comprehensive adopted plan as a community activity center, town center, or [COMMERCIALY-DESIGNATED] transit-supportive development corridor that which has a commercial or mixed-us designation on the comprehensive plan map.”
19. Page 22, line 7, amend to read, “~~Usually t~~The market area is larger...”
20. Page 22, after line 15, add new D.2. as follows and renumber remaining:
“2. Relationship to Town Centers
Town center overlay districts may be applied in combination with the CMU/RMU district, pursuant to section 21.04.080. A town center overlay would establish development standards and incentives in addition to what is required by the CMU/RMU district, and may increase the priority for public investment in an area, to more fully implement comprehensive plan policies for compact, mixed-use centers. It is intended that the municipality phase the development of town center overlay districts.”
21. Page 24, lines 15-17, amend to read, “Buildings located at or within the maximum setback line in order to comply with a maximum setback requirement shall have at least one primary entrance located within 20 feet of the maximum setback line.”

22. Page 25, lines 34-39, amend to read, “The A[D] district includes all lands and water areas within the Ted Stevens Anchorage International Airport and Merrill Field Airport. The A[D] district is intended to provide for aviation-dependent and aviation-related uses, to protect and enhance the operations of commercial airports, [AND] to foster aeronautics and safe flying operations, and to foster maintain natural areas to alleviate the impacts of such uses and activities on surrounding neighborhoods and recreation areas.”
23. Page 26, lines 2-5, amend to read, “Allowed uses fFor the A district affecting the Ted Stevens Anchorage International Airport, ~~aviation-dependent and aviation-related uses shall be those identified and mapped in areas designated as necessary for aviation-dependent and/or aviation-related uses~~ in the most current airport master plan and subsequent amendments that are approved by the Federal Aviation Administration....”
- Lines 12-14, amend to read, “Allowed uses fFor the A district affecting Merrill Field, ~~aviation-dependent and aviation-related uses shall be those identified and mapped in areas designated as necessary for aviation-dependent and/or aviation-related uses~~ in the most current airport master plan and subsequent amendments that are adopted by the assembly...”
24. Page 26, lines 27-30, amend to read, “The AF district is intended to create areas dedicated to the erection and maintenance of communication equipment at reasonable cost and to encourage the concentration of such equipment in a few sites throughout the municipality; ~~where their visual impact on neighborhoods, parks, and the community can be minimized.~~”

2. District-specific Standards

The planning and zoning commission and the assembly shall consider the following factors when deciding on a request to rezone to the AF district:

- a. Compatibility with surrounding land uses;
 - b. Potential adverse impacts on environmentally sensitive areas and wildlife corridors;
 - c. Visual impacts on views, particularly with regard to ridgelines;
 - d. Availability of alternative sites and alternative towers (collocation); and
 - e. Potential noise impacts on neighboring uses.”
25. Throughout section, change “department of project management and engineering” to “project management and engineering department”
- Page 31, lines 9, 11, 12, 14, and 26, delete “special” from each line.
- Page 31, add new D.2. (renumber remaining), “2. Notice
Property owners affected by changes to the boundaries of the flood hazard area or by changes in the base flood elevations shall be noticed by mail.”
- Page 31, lines 33-35, amend to read, “There is hereby created a Flood Hazard Overlay District. The district shall be defined in its territorial extent by ~~subsection d.4. below;~~
~~“Establishment of Flood Hazard Overlay District,”~~ and by the following reports and maps:”

-Page 32, line 17, create new section 3.b. as follows and renumber remaining sections:

“b. Flood Hazard Areas

- i. Within the flood hazard overlay district, areas at a hazard for flooding include:
- ii. Areas within the limit of the boundary of the base flood;
- iii. Areas within the highest extreme tide;
- iv. Areas covered in flood hazard studies prepared for the project management and engineering department that supplement the information prepared by fema; and
- v. The stream setback area defined in subsection 21.07.020b.4.”

-Page 32, lines 18-24, amend to read, “~~In no case will longer than five years elapse without an update and review of the existing flood hazard district maps.~~ As necessitated by FEMA or the municipal engineer, the flood hazard district maps will be reviewed. The review may be conducted by the municipality, the U.S. Corps of Engineers, or the Federal Insurance Administration, and any new map panels or restudies affecting changes or amendments in the boundaries of the flood hazard district, floodway, or floodway fringe area shall then be submitted to the planning and zoning commission for a recommendation and assembly for final adoption as part of this chapter.”

-Page 32, lines 25-30, amend to read, “Rules for Interpretation of Flood Hazard Area District Boundaries

The boundaries of the flood hazard areas floodplain districts established by this chapter...upon advice from the U.S. Corps of Engineers or FEMA, shall make the necessary interpretation.”

-Page 32, lines 31-35, delete section D.4.

-Page 33, line 1, amend to read, “Critical facilities shall not be located in the flood hazard area flood hazard overlay district.”

-Page 33, lines 7-10, amend to read, “...other land use permits shall be issued for any development activity ~~the construction or placing of a structure~~ within the Flood Hazard Overlay District unless the plans show that, in addition to compliance with all other ordinances, regulations, and permit requirements, the development structure shall meet the following requirements:”

-Page 33, lines 16-18, amend to read, “It must be demonstrated that ~~the~~ structures will be reasonably safe from flooding. If a proposed building site is in a floodplain, all new construction and ~~substantial~~ improvements shall be designed...”

-Page 33, lines 37-38, amend to read, “Base flood elevation data has been provided for subdivision proposals and other proposed development that contains at least 50 lots or five acres, whichever is fewer.”

-Page 34, lines 6-9, amend to read, “d. Storage of Materials or Equipment in the Floodplain
The storage or processing...are prohibited in the floodplain.”

-Page 34, lines 19-20, amend to read, “The following structures and activities are permitted only by ~~special~~ flood hazard permit including certification by a registered professional

engineer demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge or result in violation of the state water quality standards: excavation of sand...

-Page 34, lines 27-32, amend to read, "...substantial improvements and other development, ~~unless certification by a registered professional engineer or architect is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge or result in violation of the state water quality standards. Manufactured homes are prohibited, except as otherwise stated in this section.~~"

-Page 35, line 9, amend to read, "...as zones A, A1-30, AE, and AH shall meet the following conditions:"

-Page 35, line 12, amend to read, "...level. Within the structure, attendant utility and sanitary facilities shall be elevated to at least one foot above the base flood or completely floodproofed."

-Page 35, lines 19-21, amend to read, "All fully enclosed areas below the lowest floor that are usable solely for parking, building access, or storage in an area other than a basement or crawlspace shall have a ~~A~~ minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area according ~~subject to flooding shall be provided~~ to FEMA specifications (such as ~~Smart Vent~~)."

-Page 36, lines 5-6, amend to read, "All manufactured homes to be placed or substantially improved ~~within zones A1-30, AH, and AE~~ shall be elevated..."

-Page 36, line 29, amend to read, "...highest adjacent grade of the building site, ~~or~~ to at least one foot..."

-Page 36, lines 42-44, delete section 7.c.

-Page 37, line 25, amend to read, "...shall be provided to FEMA specifications (~~such as Smart Vent~~)."

-Page 38, lines 1-4, delete section 9.b.

-Page 38, line 12, change "D.8." to "8.b."

-Page 38, lines 20-21, amend to read, "...with the federal insurance administrator. ~~Form OMB 64 r1546 shall be used in accordance with 41 CFR 1909.22(B)(3).~~"

TECHNICAL EDITS

1. 21.04.020J.2.b.ii, *Maintaining Residential Character*

Sentence structure and wording is awkward and not very intuitive to follow.

Page 10, lines 36-39, revise to read, “The [NO] non-residential portion of the development shall not be given a certificate of zoning compliance or a conditional certificate of zoning compliance until [BEFORE] all of the residential portion...”

2. 21.04.020J.2.d.ii., *Building Height Increase*

Add language about what happens if there is more than one frontage, to be consistent with R-4 provision.

Page 12, line 12, add “Where the site has two or more frontages, the standard shall be met on two frontages;”

3. 21.04.020P., *Table 21.04-2: Lot and Site Requirements for R-10 District*

Clarify that fourth column is “lot coverage.”

Page 14, fourth column of table headings, amend to read, “Maximum Lot Coverage of All Buildings (percent)”

4. 21.04.030B.2.c., *District Location Requirements*

S-version should refer to the comprehensive plan not “an adopted plan”.

Page 17, line 14, revise to read, “...an area designated in the comprehensive plan [AN ADOPTED PLAN] for neighborhood-scale commercial.”

5. 21.04.050B.2.b., *Maximum Building Size*

“Date of passage” should be “Effective date”.

Page 20, lines 41 and 45, change as noted, and change anywhere else “date of passage” is found in the chapter.

6. 21.04.050G.2.b., *FAR Incentives*

Spell out FAR.

Page 23, lines 1 and 2, spell out “Floor Area Ratio”.

7. 21.04.070G.2.a., *Permitted Uses*

Clarify that accessory uses are also allowed.

Page 27, line 41, amend to read, “Residential and accessory uses and structures...”