



**Municipality of Anchorage**  
**Planning Department**  
**Memorandum**



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**Date:** April 18, 2025  
**To:** Reviewing Agencies  
**Subject:** PZC Case No 2025-0044, Nonconformities and Redevelopment

The Planning Department is seeking comments on the attached draft ordinance that will update the requirements for which a development project on the interior of a building must bring exterior features on the lot into general compliance.

This change will help implement Goal 2c. of the Mayor's 10,000 Homes in 10 Years Strategy: "Simplify the zoning code to make it more usable and effective." Staff welcomes any comments on this ordinance and, depending on the volume of feedback received, may provide an amended draft for review by the Planning and Zoning Commission.

Your comments will be submitted to the Planning and Zoning Commission for a public hearing scheduled for **Monday, June 9, 2025, at 6:30 p.m. in the Assembly Chambers of the Z.J. Loussac Library, 3600 Denali Street, Anchorage.** Recommendations from the Commission will be forwarded to the Assembly.

Submit written comments in the following ways:

**by CityView:** <http://munimaps.muni.org/planning/allcomments.cfm>  
(insert case number 2025-0044)

**by email:** [Anchorage2040@muni.org](mailto:Anchorage2040@muni.org)

**by fax:** (907) 343-7927

**by mail:** Current Planning Division  
MOA Planning Department  
P.O. Box 196650  
Anchorage, AK 99519-6650

If you have questions, please contact Daniel Mckenna-Foster at 907-343-7918 in the Long-Range Planning Division of the Planning Department.

Attachment: Draft Ordinance

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Planning Department  
For reading: \_\_\_\_\_

**ANCHORAGE, ALASKA**  
**AO NO. 2025-\_\_\_**

1 **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER**  
2 **21.03, REVIEW AND APPROVAL PROCEDURES, AND CHAPTER 13,**  
3 **NONCONFORMITIES, TO ALLOW MORE FLEXIBILITY FOR THE**  
4 **RECONSTRUCTION OR REHABILITATION OF NONCONFORMING**  
5 **STRUCTURES.**

6  
7 (Planning and Zoning Commission Case No. 2025-0044)  
8

9 **WHEREAS**, Goal #1a of the Mayor's 10,000 Homes in 10 Years Strategy calls for  
10 closing the feasibility gap in residential development and reuse; and

11  
12 **WHEREAS**, Policy #21 of the Anchorage 2020—Anchorage Bowl Comprehensive  
13 Plan, "*In order to use existing commercial land more efficiently, redevelopment,*  
14 *conversion, and reuse of underused commercial areas shall be encouraged.*"; and

15  
16 **WHEREAS**, Strategy #8 of the Anchorage 2040 Land Use Plan calls for the  
17 preservation and re-use of older buildings; and

18  
19 **WHEREAS**, Action 2-7 of the 2040 Land Use Plan calls for the adoption and  
20 application of an adaptive reuse ordinance to promote reuse of older structures,  
21 consistent with life safety standards; and

22  
23 **WHEREAS**, 2040 Land Use Plan Policy 2.3 calls for the removal of barriers to  
24 desired infill development and incorporating flexibility in development requirements  
25 to promote adaptive reuse of older buildings and compact infill/redevelopment,  
26 including that which reflects traditional urban neighborhood design contexts; and

27  
28 **WHEREAS**, the 2040 Land Use Plan policy called new ways of helping applicants  
29 navigate the permitting process for priority projects, including compact housing and  
30 adaptive reuse of older buildings; and

31  
32 **WHEREAS**, 2040 Land Use Plan Policy 9.3 calls for the retention and intensification  
33 of industrial uses on existing sites via reuse and redevelopment; and

34  
35 **WHEREAS**, AO No. 2024-15 took the first step in reducing the cost of development  
36 projects in nonconforming buildings; and

37  
38 **WHEREAS**, AR No. 2024-376 established the Assembly's policy to streamline  
39 zoning reviews, including looking at nonconforming situations, for properties adding  
40 Accessory Dwelling Units; and

41

1 **WHEREAS**, reducing costs for renovating or rehabilitating existing structures will  
 2 help Anchorage achieve its goals and development needs; now, therefore,

3  
 4 **THE ANCHORAGE ASSEMBLY ORDAINS:**

5  
 6 **Section 1.** Anchorage Municipal Code section 21.03.180, Review and Approval  
 7 Procedures, Site Plan Review, is hereby amended to read as follows (*the remainder*  
 8 *of the section is not affected and therefore not set out*):

9  
 10 **21.03.180 SITE PLAN REVIEW**

11 \*\*\*      \*\*\*      \*\*\*

12  
 13 **B. General Applicability**

14  
 15 This section shall not apply to remodeling, renovation, or repair to interior  
 16 portions of structures that are subject to site plan review under this title[,  
 17 EXCEPT THOSE INTERIOR AREAS THAT AFFECT CONFORMITY TO  
 18 THE APPROVAL CRITERIA FOR SITE PLAN REVIEW OR THE  
 19 DEVELOPMENT AND DESIGN REQUIREMENTS OF THIS TITLE].

20  
 21 \*\*\*      \*\*\*      \*\*\*

22  
 23 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2015-142(S-1), 6-21-  
 24 16; AO 2021-89(S), 2-15-22; AO 2022-36, 4-25-22)

25  
 26 **Section 2.** Anchorage Municipal Code section 21.13.030, Nonconformities,  
 27 Nonconforming Uses of Land or Structures, is hereby amended to read as follows  
 28 (*the remainder of the section is not affected and therefore not set out*):

29  
 30 **21.13.030 NONCONFORMING USES OF LAND OR STRUCTURES**

31 \*\*\*      \*\*\*      \*\*\*

32  
 33 **C. Change of Use**

34  
 35 1. Any nonconforming use may be changed to another  
 36 nonconforming use if all of the following criteria are met:

- 37  
 38 a. The director finds that the proposed nonconforming use  
 39 is more appropriate to the district than the existing  
 40 nonconforming use;
- 41  
 42 b. Any characteristics of use that are out of compliance  
 43 with this title are not changed to become less compliant  
 44 with the requirements of this title; and
- 45  
 46 c. No structural alterations are made other than those  
 47 required by title 23, and all changes are interior only or  
 48 do not increase the footprint of the building[, OR MINOR

INTERIOR STRUCTURAL ALTERATIONS, SUCH AS CUTTING A DOOR INTO A SHEAR WALL].

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(AO 2012-124(S), 2-26-13; AO 2021-89(S), 2-15-22)

**Section 3.** Anchorage Municipal Code 21.13.060, Nonconformities, Characteristics of Use, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.13.060 CHARACTERISTICS OF USE**

**A. Developments Are Conforming**

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3. No change shall be made to any development outside any existing structures unless the change is in the direction of conformity to the requirements of this title.

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**C. Bringing Characteristics into Compliance**

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**1. Applicability**

This section 21.13.060 applies to all multifamily, commercial, mixed-use, community use, commercial marijuana and industrial development projects that:

\*\*\* \*\*

b. Involve a development project costing more than 50[10] percent of the assessed value of the structure (or, if no structure over 150 square feet exists, the assessed value of the land); and

\*\*\* \*\*

**2. Standard**

\*\*\* \*\*

d. The director, in consultation with the applicant, shall determine which characteristics shall be addressed, within the expenditure requirements noted herein. The director and the applicant shall consider how to maximize the public benefit and minimize the economic impact to the property owner. The director shall not require compliance with a standard that would create non-compliance with a different standard (i.e., the

director shall not require the addition of landscaping that would cause the development to fall under the minimum required number of accessible parking spaces).

e. The applicant may appeal the director’s decision to the urban design commission, which shall hold a non-public hearing on the appeal.

f. For the purposes of this section, “total project costs” shall be determined by the building official pursuant to municipal code[,] and shall be exclusive of all costs of improvements that move the development in the direction of conformity to the requirements of this title. The costs of remodeling, renovation, or repair that are interior to an existing structure not subject to site plan review shall also be excluded where no change is made to the footprint of the building[THE VALUE OF THOSE IMPROVEMENTS ARE LESS THAN 50 PERCENT OF THE REPLACEMENT VALUE OF THE STRUCTURE]. The portion of the total project costs that are related to increases in conformity shall be credited toward the percentages required in subsections C.2.a. and C.5.

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(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2015-82, 7-28-15; AO 2017-55, 04-11-17; AO 2018-67(S-1), 10-9-2018; AO 2019-11, 2-12-19; AO 2020-38, 4-28-20; AO 2021-89(S), 2-15-22; AO 2024-15, 2-27-24, AO 2024-24, 4-23-24)

**Section 4.** This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Chair of the Assembly

ATTEST:

\_\_\_\_\_  
Municipal Clerk

(Planning and Zoning Commission Case No. 2025-0044)