

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 586-2013

Meeting Date: October 22, 2013

1 **From:** MAYOR
2

3 **Subject:** AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE
4 TITLE 21, *LAND USE PLANNING* (NEW CODE – EFFECTIVE JANUARY 1, 2014)
5 TO INCORPORATE AMENDMENTS TO THE TITLE 21 (OLD CODE) FROM 2005
6 TO THE PRESENT WHICH WERE NOT INCLUDED IN THE TITLE 21 REWRITE
7 DOCUMENTS AS LISTED AND IDENTIFIED IN EXHIBIT B TO AO 2012-124(S);
8 TO MAKE TECHNICAL CORRECTIONS FOR CLARITY, CONSISTENCY,
9 CORRECT CROSS REFERENCING AND CODE ORGANIZATION THROUGHOUT
10 CHAPTERS OF THE NEW TITLE 21; TO ADD OR AMEND ILLUSTRATIONS;
11 AMENDING CHAPTER 21.01 TO ADD RECENTLY ADOPTED OR AMENDED
12 COMPREHENSIVE PLAN ELEMENTS AND APPLY TRANSITIONAL
13 PROVISIONS WHEN THE “OLD” CODE IS PHASED OUT; AMENDING
14 CHAPTER 21.02 TO CLARIFY AUTHORITY OF BOARDS AND COMMISSIONS;
15 AMENDING CHAPTER 21.03 TO LIMIT PRE-APPLICATION CONFERENCE
16 REQUIREMENTS, PROVIDE NOTICE TO PROPERTY RESIDENTS IN THE AREA
17 SURROUNDING AN APPLICATION, TO AUTHORIZE THE ASSEMBLY TO
18 MODIFY ALCOHOL RELATED USE APPROVALS UNDER CERTAIN
19 CONDITIONS, AMEND APPEAL PROCEDURES RELATING TO PLATTING
20 BOARD DECISIONS, ELIMINATE FLOOD HAZARD AREA AS AN OVERLAY
21 ZONING DISTRICT, ADD CHUGIAK-EAGLE RIVER ZONING DISTRICTS TO THE
22 LIST NOT REQUIRING A MINIMUM AREA TO REZONE, REQUIRE THE
23 PLANNING AND ZONING COMMISSION TO PROVIDE ADDITIONAL
24 INFORMATION WHEN IT RECOMMENDS DENIAL OF A REZONE, REQUIRE A
25 PUBLIC HEARING FOR TRAIL PROJECTS, ALLOW THE PLATTING OFFICER
26 TO APPROVE AN ABBREVIATED PLAT UNDER CERTAIN CONDITIONS, AND
27 ALLOW SMALLER LOTS IN COMMERCIAL TRACTS; AMENDING CHAPTER
28 21.04 TO REMOVE THE AIRPORT HEIGHT OVERLAY DISTRICT AND THE
29 FLOOD HAZARD OVERLAY DISTRICT; AMENDING CHAPTER 21.05 TO ALLOW
30 THE DECISION-MAKING BODY SOME FLEXIBILITY WITH REGARD TO PAVING
31 AND LIGHTING IN PARKING LOTS IN PARKS, PLACE LIMITATIONS ON
32 MOTORIZED SPORTS FACILITIES IN THE I-2 DISTRICT IDENTICAL TO THE
33 LIMITATIONS IN THE I-1 DISTRICT, AND MAKE FOOD AND BEVERAGE KIOSK
34 REQUIREMENTS CONSISTENT WITH TITLE 23; AMENDING CHAPTER 21.06
35 TO REMOVE THE PROHIBITION ON ROOFED OR ENCLOSED ACCESSIBILITY
36 RAMPS ALLOWED WITHIN SETBACKS, TO EXEMPT APPLICATION OF
37 OFFICIAL STREETS & HIGHWAYS PLAN SETBACKS TO THE FUTURE
38 SEWARD HIGHWAY TO GLENN HIGHWAY CONNECTION, AND ADD AIRPORT
39 HEIGHT REGULATIONS; AMENDING CHAPTER 21.07 TO PREVENT
40 SETBACKS FROM APPLYING TO UNDERGROUND CONDUITS, ADD FLOOD

1 **HAZARD AREA REGULATIONS, ADD AND DELETE LOADING PROVISIONS**
2 **FROM CERTAIN USES, LIMIT THE APPLICABILITY OF OFF-STREET PARKING**
3 **SPACE REDUCTIONS AND ALTERNATIVES TO CERTAIN SITE**
4 **DEVELOPMENTS, AND ALLOW THE TRAFFIC ENGINEER TO MODIFY**
5 **LOADING BERTH REQUIREMENTS; AMENDING CHAPTER 21.08 TO REPLACE**
6 **SPECIFIC REQUIREMENTS WITH REFERENCES TO THE DESIGN CRITERIA**
7 **MANUAL, AND LIMIT ACCESSORY USES ON SMALL AND NARROW**
8 **RESIDENTIAL LOTS; AMENDING CHAPTER 21.10 TO ALLOW THE DECISION-**
9 **MAKING BODY FLEXIBILITY WITH REGARD TO PAVING AND LIGHTING IN**
10 **PARKS IN CHUGIAK-EAGLE RIVER; AND AMENDING CHAPTER 21.12 TO**
11 **CHANGE THE AREA IN WHICH A NONCONFORMING USE DEPOSIT FOR**
12 **PUBLIC IMPROVEMENTS MAY BE USED FROM CENSUS BLOCK GROUP**
13 **AREAS TO A COMMUNITY COUNCIL'S AREA.**

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15 The Assembly passed and approved AO 2012-124(S), the adopting ordinance for
16 the "new" Title 21, on February 26, 2013. Section 4 of that ordinance directed that
17 amendments to Title 21 "old code" that were adopted by the Assembly between
18 2005 and 2012 but were not incorporated into any draft of the "new" Title 21 shall be
19 brought back to the Assembly with recommendations to include those amendments.
20 Exhibit B to AO 2012-124(S) listed and identified those amending ordinances, and
21 section 4 of that ordinance did not require review by the Planning and Zoning
22 Commission. In new Exhibit B attached to this proposed ordinance, the Community
23 Development Department has listed those ordinances that were not included or
24 partially included and noted whether they are now implemented in Exhibit A
25 attached (Title 21 (New Code)) and made notations regarding the Administration's
26 recommendations.

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28 Additionally, this ordinance makes other amendments to the "new" Title 21 to
29 generally correct errors and cross references, clarify confusing language, improve
30 code organization, make minor changes to some requirements where issues have
31 been identified, add or amend illustrations, and ensure consistency across the
32 entire Title. Most of the amendments are changes of no substantive effect, but
33 some have minor substantive effects and have been identified in the title. This
34 ordinance waives the Planning and Zoning Commission review requirement for the
35 amendments.

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37 **THE ADMINISTRATION RECOMMENDS APPROVAL.**

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39 Prepared by: Erika McConnell, Current Planning Section Manager
40 Approved by: Jerry T. Weaver, Jr., Director
41 Community Development Department
42 Concur: Dennis A. Wheeler, Municipal Attorney
43 Concur: George J. Vakalis, Municipal Manager
44 Respectfully submitted: Daniel A. Sullivan, Mayor
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