

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Planning Department
For reading: February 21, 2023

**ANCHORAGE, ALASKA
AO No. 2023-21**

**AN ORDINANCE AMENDING THE ANCHORAGE 2040 LAND USE PLAN AND
AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.01.080, TABLE
21.01-1 COMPREHENSIVE PLAN ELEMENTS.**

(Planning and Zoning Commission Case No. 2022-0133)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That the *Anchorage 2040 Land Use Plan* is hereby amended (1) on page 46, the first bullet in the section “Zoning”; (2) on page 76, in Figure 3.2, Summary Table, Centers–City Center; and (3) on page 85, Figure 3.5, Action 3.9, to reflect the change below, as recommended by the Planning and Zoning Commission Resolution, included as Exhibit A.

Existing language:

- New DT-1, DT-2, and DT-3 districts in Downtown

Proposed language:

- Downtown zoning districts B-2A, B-2B, B-2C

Section 2. That Anchorage Municipal Code section 21.01.080, Table 21.01-1: Comprehensive Plan Elements, is amended to read as follows (*the remainder of the section is not affected and therefore not set forth*):

21.01.080 Comprehensive plan.

*** *** ***

B. Elements.

*** *** ***

| TABLE 21.01-1: COMPREHENSIVE PLAN ELEMENTS | | | |
|--|------------------------------|------------------------|---|
| Area/Topic | Plan | Adoption Date [1] | Amendments |
| Anchorage Bowl | *** | *** | *** |
| | Anchorage 2040 Land Use Plan | AO 2017-116; 9-26-2017 | AO No. 2019-142; 12-17-19; AO 2021-40, 5-12-2021; AO 2021-78, 11-1-2021; AO 2021-80, 11-1-2021; AO 2022-1, 2-15-2022; AO 2022-54, § 2, 5-24-22; AO 2023- ; <i>(insert effective date of this ordinance)</i> |
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(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2013-151, § 3, 1-14-14; AO No. 2014-63, § 3, 6-24-14; AO No. 2013-132(S), § 3, 7-8-14; AO No. 2014-79, § 3, 7-22-14; AO No. 2014-108, § 3, 9-9-14; AO No. 2014-134, § 3, 11-18-14; AO No. 2014-139(S), § 3, 12-2-14; AO No. 2015-17, § 3, 3-3-15; AO No. 2015-18, § 5, 3-3-15; AO No. 2015-46, § 3, 5-14-15 ; AO No. 2015-140, § 2, 3-8-16; AO No. 2016-101, § 2, 9-13-16; AO No. 2017-67, 5-9-2017; AO No. 2017-116, § 6, 9-26-17; AO No. 2018-23, § 3, 3-20-18; AO No. 2019-142, § 3, 12-17-19; AO No. 2020-74, § 2, 9-15-20; AO No. 2021-25(S), § 3, 8-24-21; AO No. 2022-27, § 2, 4-26-22; AO No. 2022-54, § 2, 5-24-22)

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

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2023.

Chair of the Assembly

ATTEST:

Municipal Clerk

(Planning and Zoning Commission Case No. 2022-0133)

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 114-2023

Meeting Date: February 21, 2023

1 **FROM: MAYOR**

2
3 **SUBJECT: AN ORDINANCE AMENDING ANCHORAGE 2040 LAND USE**
4 **PLAN AND AMENDING AMC SECTION 21.01.080 TABLE**
5 **21.01-1: COMPREHENSIVE PLAN ELEMENTS.**
6
7

8 **INTRODUCTION AND PZC RECOMMENDATION**

9

10 The Planning and Zoning Commission (PZC) held a public hearing on PZC Case
11 No. 2022-0133 on December 12, 2022. The PZC voted unanimously to
12 recommend approval to the Assembly with several findings included in PZC
13 Resolution No. 2022-039 (Exhibit A).
14

15 **Background**

16 During Title 21, *Chapter 11: Downtown* zoning code update, there were three
17 inconsistencies identified for correction in the *2040 Plan*. Action Item 3-9 of the
18 *Anchorage 2040 Land Use Plan (2040 Plan)* states "Complete a comprehensive
19 update to the downtown regulations, establishing new DT districts, as part of a
20 targeted plan review and update to the *Downtown Comprehensive Plan* with an
21 analytical report of issues and conditions."
22

23 The Planning Department has recommended the existing B-2A, B-2B, and B-2C
24 zoning districts' nomenclature not be changed to the DT-1, DT-2, and DT-3 as
25 recommended in the *2040 Plan*. Significant effort and cost would fall on Municipal
26 departments including updates to Municipal Assessor records, GIS mapping
27 including zoning maps and databases, as well as for property owners and any legal
28 documents displaying the current B-2 zoning.
29

30 Title 21 will continue to refer to the Downtown zoning districts as the DT districts.
31 It is recommended by staff and the Downtown Code Working Group to not change
32 the DT references as they are accepted nomenclature for the B-2 zoning districts
33 downtown in Title 21.
34

35 **Approval Process**

36 AMC 21.03.070 Comprehensive Plan Amendments

37 This section allows concurrent comprehensive plan amendments to occur using
38 the same procedures for substantial amendments, including initiation, public
39 notice, department review, planning and zoning, and assembly action. Approval

1 criteria for the proposed amendment ensure that the “internal consistency” of the
2 2040 Plan will be maintained.

3
4 This text amendment also clarifies that no future action will occur to rename the
5 downtown zoning districts.

6 7 **Working Group Concurrence**

8 The Downtown Code Update Working Group was presented with the question of
9 whether the zoning districts should be renamed. The working group concurred with
10 staff that a name change could be confusing and add unnecessary effort and cost
11 for property owners and the Municipality of Anchorage.

12 13 **Plan Edits**

14 Three proposed text amendments to the 2040 Plan are on the following pages:

15 16 **1. Page 46 – Zoning:**

17 *Existing language:*

- 18 • New DT-1, DT-2, and DT-3 districts in Downtown

19 *Proposed language:*

- 20 • Downtown zoning districts B-2A, B-2B, B-2C

21 22 **2. Page 76 – Figure 3.2, Summary Table, Centers-City Center:**

23 City Center: [NEW DT-1, DT-2, AND DT-3 IN DOWNTOWN;
24 JPCD and I-2 in Ship Creek; ...

25 26 **3. Page 85 – Figure 3-5. Actions Checklist:**

27 Action 3-9: Complete a comprehensive update to the
28 downtown zoning regulations [, ESTABLISHING NEW DT
29 DISTRICTS, AS PART OF A TARGETED PLAN REVIEW
30 AND UPDATE TO THE DOWNTOWN COMPREHENSIVE
31 PLAN] with an analytical report of issues and conditions.

32 33 **Public Engagement**

34 The plan edits were posted on the Downtown Plan and Code Project website and
35 in CityView for municipal departments and community council information and
36 comment. Additionally, staff discussed the plan amendments during public open
37 houses and presentations held in 2022 on the following dates:

- 38
- 39 • November 2 – Downtown Community Council meeting
- 40 • November 4 – Public Open House at the Anchorage Museum
- 41 • November 8 – Lunch & Learn at the Pioneer School House
- 42 • November 9 – Public Open House at the Pioneer School House
- 43 • November 29 – Anchorage Community Development Authority
44 (ACDA) Board Meeting.
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Comments Received

Five agency comments of *no comment* or *objection* were received from (1) the Alaska Department of Transportation and Public Facilities and the MOA’s (2) Traffic Department, (3) Development Services’ Right-of-Way Section, (4) Development Services’ Private Development Division, and (5) Anchorage Water and Wastewater Utility.

Additionally, there were no public comments received during December 12, 2022, PZC public hearing on this issue.

Department Recommendation

The Planning Department recommends approval of these amendments to the *Anchorage 2040 Land Use Plan*.

THE ADMINISTRATION RECOMMENDS APPROVAL.

Prepared by: Kristine Bunnell, Long-Range Planning Manager
Planning Department

Approved by: Craig H. Lyon, Planning Director

Concur: Lance Wilber, Director
Office of Economic and Community Development

Concur: Courtney Petersen, OMB Director

Concur: Blair M. Christensen, Acting Municipal Attorney

Concur: Grant Yutrzenka, CFO

Concur: Kent Kohlhase, Acting Municipal Manager

Respectfully submitted: Dave Bronson, Mayor

Attachments: Exhibit A—PZC Resolution No. 2022-039
Exhibit B—PZC Case No. 2022-0133 Staff Packet
Exhibit C—PZC Meeting Minutes for December 12, 2022

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2023-21

Title: **AN ORDINANCE AMENDING ANCHORAGE 2040 LAND USE PLAN
AND AMENDING AMC SECTION 21.01.080 TABLE 21.01-1:
COMPREHENSIVE PLAN ELEMENTS**

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

| CHANGES IN EXPENDITURES AND REVENUES: | (In Thousands of Dollars) | | | | |
|--|----------------------------------|-------------|-------------|-------------|-------------|
| | FY23 | FY24 | FY25 | FY26 | FY27 |
| 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:

There are no public sector economic effects. This Anchorage 2040 Land Use Plan amendment cleans up references to the downtown zoning districts to refer to the zoning districts in the same nomenclature used in Title 21, Chapter 11: Downtown.

PRIVATE SECTOR ECONOMIC EFFECTS:

There are no private sector economic effects.

Prepared by: Kristine Bunnell

Telephone: 343-7920

**Planning and Zoning Commission
Resolution of Support No. 2022-039**

***Proposed Amendments to Anchorage
2040:Anchorage Bowl Comprehensive Plan***

PZC Case No. 2022-0133

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2022-039

A RESOLUTION RECOMMENDING TO THE ANCHORAGE ASSEMBLY APPROVAL OF EDITS TO THE *ANCHORAGE 2040 LAND USE PLAN* TO MAINTAIN CONSISTENCY BETWEEN THE *OUR DOWNTOWN: ANCHORAGE DOWNTOWN PLAN 2021*, AND VARIOUS REFERENCES TO THE DOWNTOWN ZONING DISTRICT IN THE TITLE 21 LAND USE CODE.

(Case No. 2022-0133)

WHEREAS, in several adopted plans including the *Anchorage Bowl: Anchorage 2020 Comprehensive Plan* and the *Anchorage 2040 Land Use Plan (2040 Plan)* there are action items specific to renaming the downtown zoning districts from the current B-2A, B-2B, B-2C adopted into Title 21, Chapter 11: Downtown to a new naming convention as the DT-1, DT-2, DT-3 downtown zoning districts; and

WHEREAS, the Planning Department has felt for some time to change the existing B-2A, B-2B, and B-2C zoning districts to the DT-1, DT-2, and DT-3 as recommended in these adopted plans would result in a significant economic impact for the Municipal Assessor records, mapping updates including zoning maps and databases, as well as for property owners, and for any legal documents displaying the current zoning held by the State of Alaska; and

WHEREAS, AMC 21.03.070 *Comprehensive Plan Amendments* allows concurrent comprehensive plan amendments to occur following the same procedures for substantial amendments, including initiation, public notice, department review, planning and zoning and assembly action; and

WHEREAS, the approval criteria for the recommended *2040 Plan* amendment ensures that the “internal consistency” of the *2040 Plan* will be maintained; and

WHEREAS, the recommended *2040 Plan* amendment also clarifies that no future action will occur to rename the downtown zoning districts; and

WHEREAS, Title 21 will continue to refer to the downtown zoning districts as the “DT” districts due to the DT reference being common knowledge and accepted nomenclature for the B-2 zoning districts in downtown; and

WHEREAS, the Planning and Zoning Commission opened and closed a public hearing on Monday, December 12, 2022 to consider the merits of the staff and working group recommendation to keep the downtown zoning district nomenclature as is, concluded its deliberations, and finalized its recommendation and findings to the Anchorage Assembly for approval.

NOW, THEREFORE, BE IT RESOLVED by the Anchorage Planning and Zoning Commission:

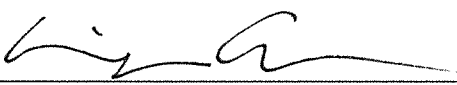
- A. The Commission makes the following findings of fact:

1. The text amendment meets the approval criteria of AMC 21.03.070 – Comprehensive Plan Amendments by maintaining the internal consistency of the *2040 Plan* as adopted on September 26, 2017 (A.O. No. 2017-116).
2. Department staff sought input of the Downtown Code Update working group to determine whether a zoning district name change was necessary or warranted with the code update. The working group felt a name change would be an undue cost for property owners and municipal departments to update legal and other associated documents, GIS databases, and zoning maps.

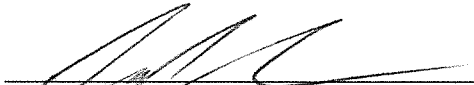
B. The Planning and Zoning Commission recommends to the Anchorage Assembly the approval of the recommended edits to the *2040 Plan*.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission this 12th day of December, 2022.

ADOPTED by the Anchorage Planning and Zoning Commission this 9th day of January, 2023.



Craig H. Lyon
Secretary



Jared Gardner
Chair

(Case No. 2022--0133)

krb