

CLERK'S OFFICE  
**AMENDED AND APPROVED**  
Date: 5-8-01

Submitted by: Chairman of The Assembly at  
the Request of the Mayor  
Prepared by: Planning Department  
For reading: APRIL 17, 2001



Anchorage, Alaska  
AO 2001- 79(S)

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.35.020 AND AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.50.210 TO AMEND THE DEFINITIONS FOR *OPEN SPACE* AND *USABLE OPEN SPACE*; ADD A DEFINITION FOR *COMMON OPEN SPACE* AND TO PROVIDE STANDARDS FOR THE PROVISION OF *COMMON USABLE OPEN SPACE* IN CLUSTER HOUSING DEVELOPMENT.

(PZC 2000-260; Platting Board S-10693)

#### THE ANCHORAGE ASSEMBLY ORDAINS

**Section 1:** Anchorage Municipal Code section 21.35.020 is hereby amended by amending certain definitions to read as follows: *(the remainder of the definitions are not affected and therefore not set out.)*

*Common areas and facilities* means those areas of a subdivision, building, planned unit development or condominium, including the property upon which it is located, that are for the common use and enjoyment of the owners and occupants of the subdivision, building, planned unit development or condominium. The areas may include the land, roofs, main walls, elevators, staircases, lobbies, halls, parking space, open space and communal facilities. Common areas are shared by all tenants and are distinguished from space designated for private use.\*

\*Text provided for the Assembly's convenience

*Open space* means those areas of a subdivision, planned unit development or condominium that are not occupied by structures. Open space may include parkland, play areas, walkways, trails and streets [ROADS]. The open space may be common open space [COMMUNAL] or private, or a combination thereof, and may be devoted to active or passive use. Open space may be formally landscaped or retained as natural vegetation.

- A. <sup>C</sup> *Common open space* means open space for the common use and enjoyment of the owners and occupants of the subdivision, building, planned unit development or condominium. *Common* means shared by all tenants and is distinguished from space designated for private use.

- B.** *Usable open space* means open space within a proposed development site, excluding areas devoted to roadways and parking. Unless otherwise specified in this Title, a[A]t least one-half of all areas designated as usable open space must have a slope of less than 20 percent. The space may be common or private.

**Section 1:** Anchorage Municipal Code subsection 21.50.210.G is hereby amended to read as follows: *(the remainder of the section is not affected and therefore not set out.)*

**21.50.210. Cluster housing site plan review.**

**G.** *Common area.*

- 1.[2.] Development of the common area in accordance with an [THE] approved site plan and subdivision plat shall be guaranteed in accordance with chapter 21.87, pertaining to subdivision agreements.
- 2.[3.] All areas of the common area not devoted to buildings, structures, parking areas, courts, walkways, improved [SPECIALIZED] areas for sport and game activities and driveways shall be covered by one or more of the following: lawn grass, shrubbery, trees or undisturbed indigenous vegetation.
- 3.[4.] The space between and surrounding clusters is allocated to pedestrian circulation and open space. [, PASSIVE OR ACTIVE OPEN SPACE AND COOPERATIVE RECREATIONAL USES].

**4.** *Common open space.*

- a.[1.] In a cluster housing development at least 30 percent of the site area shall be common open space as defined under section 21.35. [CONSERVATION WETLANDS MAINTAINED AS OPEN SPACE UNDER SECTION 21.05.115] Environmentally sensitive features such as wetlands under section 21.05.115, natural drainage ways, steep slopes, ponds, lakes, creeks, streams and the like may be included in the computation of open space provided toward this requirement. Private spaces, such as patios, decks, balconies, yards within individually owned lots and the like are not included in the definition of common open space.

- b. [AT LEAST 15 PERCENT OF THE SITE SHALL BE USABLE OPEN SPACE:] Of the required common open space at least 600 square feet per dwelling unit shall be provided as common usable open space within cluster subdivisions that are created with any lots less than 6,000 square feet in area.

5 Common usable open space

- a. [TWO THOUSAND FIVE HUNDRED SQUARE FEET OR MORE IN AREA.] Shall have an area of not less than two thousand five hundred square feet;
- b. Shall not be used for roads, parking facilities, driveways, storage, including the storing of snow, or service areas; [AND]
- c. [NO LESS THAN 30 FEET IN ITS SMALLEST DIMENSION, UNLESS THE PLATTING AUTHORITY FINDS THAT A LESSER MINIMUM DIMENSION IS CONSISTENT WITH THE INTENT OF THIS SECTION.] Shall have no dimension that is less than 30 feet;
- d. Shall not include Type 'A' or Type 'B' wetlands. Water bodies may be permitted only if the area provides or substantially contributes to a recreation area;
- e. Shall be within a distance of one thousand feet from every lot within the cluster subdivision;
- f. Shall have a slope equal to or less than five percent when the usable open space has an area of 10,000 square feet or less. A common usable open space area greater than 10,000 square feet in size may have slopes exceeding 15 percent on no more than ten percent of the usable open space, unless the platting authority finds that a greater slope is consistent with the intent of this section;
- g. Except as provided in subsection d., shall be drained to carry away storm and seepage water; and
- h. May be retained as natural vegetation. Improvements may include seeding with lawn grass or other seed mix approved by the planning department with an established access to a source of water for maintenance. Improvements may also include pavement or other appropriate surfaces or

complementary structures to allow for active outdoor recreation uses.


6. Site Plan. A conceptual site plan for the common open space shall be submitted with the preliminary plat.

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

PASSED AND APPROVED by the Anchorage Assembly this 8<sup>th</sup> day of May, 2001.

ATTEST:

  
Chairman

  
Municipal Clerk

(PZC Case 2000-260)  
(PB Case S-10693)