

Submitted by: Chair of the Assembly at the
request of Assemblymembers
Tesche, Fairclough, Taylor,
Traini, Tremaine, Van Etten,
and Von Gemmingen
Prepared by: Planning Department



For reading: APRIL 10, 2001

ANCHORAGE, ALASKA
AO NO. 2001-80

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
ANCHORAGE MUNICIPAL CODE TITLE 21 BY ADDING A DEFINITION OF
LARGE RETAIL ESTABLISHMENT; ADDING *LARGE RETAIL*
ESTABLISHMENT AS A PERMITTED USE SUBJECT TO A NON-PUBLIC
HEARING SITE PLAN REVIEW IN ZONING DISTRICTS B-1B, B-2A, B-2B, B-
2C, B-3, B-4, I-1, I-2, AND I-3 DISTRICTS; ADDING SITE PLAN REVIEW
STANDARDS FOR *LARGE RETAIL ESTABLISHMENTS*; AND ADDING
NONCONFORMING CHARACTERISTICS FOR EXISTING *LARGE RETAIL*
ESTABLISHMENTS TO ANCHORAGE MUNICIPAL CODE CHAPTER 21.55.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: AMC 21.35.020 is amended by addition of a definition for *large retail establishment* to read:

large retail establishment means one or more buildings located on a single lot that are used or intended for use principally for the retail sale of merchandise, and whose total floor area exceeds 20,000 square feet. Large retail establishment includes without limitation general merchandise retailers, warehouse and club retailers, superstores, discount stores, outlet stores, second-hand stores, and thrift stores.

Section 2: AMC 21.40.145(B) is amended to read

21.40.145 B-1B community business district.

1. pp. Large retail establishment, subject to non-public hearing site plan review.

Section 3: AMC 21.40.150(B) is amended to read.

21.40.150 B-2A Central Business District Core.

1 ee. Large retail establishment, subject to non-public hearing site plan review.

Section 4: AMC 21.40.160(B) is amended to read:

21.40.160 B-2B central business district, intermediate.

1. ee. Large retail establishment, subject to non-public hearing site plan review.

Section 5 : AMC 21.40.170 (B) is amended to read:

21.40.170 B-2C central business district periphery.

1. ff. Large retail establishment, subject to non-public hearing site plan review.

Section 6: AMC 21.40.180(B) is amended to read:

21.40.180 B-3 general business district.

1. a. Large retail establishment, subject to non-public hearing site plan review.

Section 7: AMC 21.40.190(B) is amended to read:

21.40.190 B-4 rural business district.

2. fff. Large retail establishment, subject to non-public hearing site plan review.

Section 8: AMC 21.40.200(B) is amended to read

21.40.200 -1 light industrial district

1 eee. Large retail establishment, subject to non-public hearing site plan review.

Section 9: AMC 21.40.210(B) is amended to read

21.40.210 I-2 heavy industrial district

a Large retail establishment, subject to non-public hearing site plan review.

Section 10 : AMC 21.40.220(B) is amended to read

21.40.220 I-3 rural industrial district

a Large retail establishment, subject to non-public hearing site plan review

Section 11: AMC 21.50 is amended by addition of a new section 21.50.240 to read:

21.50.320 Non Public Hearing Site Plan Review – large retail establishment.

A *Intent.* The standards in this section promote architectural variety, compatible scale, access amenities, and mitigation of negative impacts. These standards govern site plan review by the Planning and Zoning Commission for large retail establishments. Where these standards conflict with other provisions of this Title, these standards and the terms of site plan reviews approved under this section shall govern.

* The intent of this ordinance is to provide guidelines that will be applied uniformly to all applicants to the extent possible.

- B. Vehicular access.** Primary vehicular access shall be from a street designated collector or greater on the official streets and highways plan. Secondary vehicular access may be from a street designated less than a collector on the Official Streets and Highways Plan, provided the applicant demonstrates that any traffic and visual impacts on adjacent residential and commercial areas are sufficiently minimized.
- C. Traffic Impacts.** The applicant shall have a professional entity perform a Traffic Impact Analysis (TIA) and traffic mitigation measures for approval by the Commission.
- D. Drainage.** A site drainage and grading plan shall be submitted and approved as required by this Code along with the site plan.
- E Visual and noise buffers.** The large retail establishment shall provide a landscape plan that provides acceptable visual and noise buffers, including at least 25-foot wide buffer landscaping, to separate the commercial development from abutting residentially-zoned areas.
- F Outdoor storage or display areas.** Products stored or displayed outside shall not be visible from abutting R-zoned property. Areas for the outdoor storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. The height of stored materials shall not exceed the height of the screening wall or fence. Materials, colors, and the design of screening walls and/or fences and their covers shall be complementary to those used as predominant materials and colors on the building. Commercial trailers, shipping containers, and similar equipment used for transporting merchandise, shall remain on the premises only as long as required for loading and unloading operations, and shall not be maintained on the premises for storage purposes.
- G Trash collection and recycling.** Trash handling and recycling shall be screened from public streets and pedestrian ways, internal pedestrian sidewalks, and adjacent R-zoned property by landscaping or architectural features in conformity with the external design and materials used by the establishment. Screening shall be designed to abate noise and to confine loose trash. The

Commission may limit hours of trash collection as necessary to reduce the effects of noise or traffic on surrounding residential and commercial areas.

- H. *Snow storage or removal.* A plan for snow storage or removal from the site shall be submitted and approved. Use of sidewalks for snow storage shall be prohibited. Use of landscaped areas for snow storage may be allowed under the approved snow storage landscaping plan. The Commission may impose such restrictions on snow removal operations as are necessary to reduce the effects of noise or traffic on surrounding residential and commercial areas.

Parking. A detailed parking plan shall address the convenience and safety of patrons, adequate winter lighting, and landscaping amenities and the configuration of parking spaces, walkways, and other amenities. To the maximum extent feasible, parking shall not be located between a building and its principal street frontages. The number and configuration of parking spaces may be determined by the Commission as necessary to achieve these standards. Additional landscaping and community spaces may be required where the applicant wishes to provide parking that exceeds the minimum standards of this Title. The site shall not allow storage or overnight camping of trailers or recreational vehicles.

- J. *Pedestrian access.* The establishment shall provide sufficient accessibility, safety, and convenience to pedestrians, customers and employees. Unobstructed sidewalks shall link the site to existing public sidewalks, its entrances, adjacent transit stops, and abutting residential and commercial areas. Sidewalks shall also be provided along the full length of any building where it adjoins a parking lot. Sufficient sidewalks or barriers shall be provided between parked cars and buildings to prevent vehicles from protruding into reasonable pedestrian passage. Sidewalks shall be separated from adjacent streets by an area sufficient for snow storage and to provide a buffer for pedestrians from vehicular traffic.

- K. *Community spaces.* Particularly in larger establishments, appropriate interior and exterior public areas shall be provided and maintained for customers and visitors to the site to congregate and relax.

- L. *Delivery and loading spaces.* Delivery and loading operations shall be designed and located to mitigate visual and noise impacts on adjacent R-zoned property or commercial areas. The Commission may limit hours of delivery and loading as necessary to reduce the

effects of noise or traffic on surrounding residential and commercial areas.

M *Exterior Signs.* An exterior sign plan which respects the needs of the establishment to establish its location as well as the higher aesthetic aspirations of the community in general and the immediately surrounding areas shall be submitted for approval. Signs shall be architecturally treated to compliment the building architecture.

N *Outdoor lighting.* A photometric and outdoor lighting plan to mitigate negative impacts on adjacent uses shall be submitted for approval.

O. *Northern design elements.* The Commission may require the provision of design elements that address Anchorage's distinct geography, low light angles, length of days, cold temperatures, wind, snow and ice.

P *Abandonment.* The Commission may require such security, bonds or other legal measures be undertaken by the applicant to ensure the building is not abandoned, left vacant or underutilized.

Q. *Aesthetic Characteristics*

1 *Facades and exterior walls, including side and back walls.* The building shall be designed in order to reduce the appearance of massive scale or a uniform and impersonal appearance and to provide visual interest. Long building walls shall be broken up with projections or recessions. Along any public street frontage, the building design should include windows, arcades, or overhangs along at least sixty (60) percent of the building length. When appropriate, architectural treatment, similar to that provided to the front face, shall be provided on the sides and rear of the building to mitigate any negative view from abutting properties and/or streets. The site plan shall ensure buildings have complexity at street level with human scale such as change in building form at entrances, provide windows, enhanced trim and architectural detail.

2. *Detail features.* The design shall provide architectural features that contribute to visual interest at the pedestrian scale and reduce the massive scale effect by breaking up the building wall, front, side, or rear, with color, texture

change, and repeating wall offsets, reveals, or projecting ribs.

3 *Roofs.* The roof design shall provide variations in roof lines and heights to add interest to, and reduce the massive scale of, large buildings. Parapet walls shall be architecturally treated to avoid a plain or monotonous style.

4 *Materials and colors.* The buildings shall have exterior building materials and colors, which are aesthetically pleasing and compatible with the overall site plan. Construction material shall provide color, texture and scale.

5. *Entryways.* Entryways shall be designed to orient customers and add aesthetically pleasing character to buildings by providing inviting customer entrances that are protected from the weather.

6 *Screening of mechanical equipment.* Roof or ground-mounted mechanical equipment shall be screened to mitigate noise and views in all directions. If roof mounted, the screen shall be designed to conform architecturally with the design of the building, whether it is with varying roof planes or with parapet walls.

Ground-mounted mechanical equipment shall be screened. The screen shall be of such material and be of sufficient height to block the view and noise of the equipment.

R If the Planning and Zoning Commission does not act on an application under this section within 60 days after submission of a complete application, the application shall be deemed approved.

Section 12: AMC 21.55 is amended by the addition of a new section to read:

21.55.320 Large Retail Establishments.

A. Large retail establishments existing on or before the date this section takes effect shall be deemed to be approved site plans and not nonconforming uses or structures. The provisions of this chapter notwithstanding, the expansion, reconstruction, renovation, or remodeling of a large retail

establishment existing on the date this section takes effect may be allowed only after a limited site plan permit is issued by the Planning and Zoning Commission. Applications for limited site plan permits under this subsection shall be processed in the same manner as applications for a site plan permit required for new establishments. This section shall not, however, apply to the interior remodeling, renovation, or repair to interior portions of large retail establishments existing on the date this section becomes effective. In approving applications for limited site plan permits under this subsection, the Commission shall apply the standards set out in 21. 50. 320 in a manner proportionate to the extent of the expansion, reconstruction, renovation, or remodeling proposed. The cost of compliance with the standards set forth in 21.50.320 shall not exceed 10% of the cost of the expansion, reconstruction, renovation, or remodeling. In determining the degree to which the standards set out in 21.50.320 shall apply to the expansion, reconstruction, renovation, or remodeling proposed, the Commission shall also consider:

- 1 Whether strict application of any standard of 21.50.320 would result in peculiar or exceptional practical difficulties or work an undue hardship on the owner of the property;
- 2 Whether the proposed design and site plan satisfies the intent of this section as well or better than would strict compliance with standards set forth in 21.50.320;
- 3 Whether relaxation of any requirement of 21.50.320 would impose any significantly greater negative impact on surrounding property; and
- 4 Whether the proposed design and site plan brings the site into greater compliance with the standards set forth in 21.50.320 than the existing structure.
5. To grandfather existing large retail establishments and to set standards for their renovation which encourage conformity to the new ordinance without undue economic hardship.

Section 13 : That this ordinance shall become effective immediately upon its passage and approval by the Assembly and shall expire one year after its effective date.

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

Chair

ATTEST:

Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2001- 80 Title: An ordinance of the Anchorage Municipal Assembly amending Municipal Code Title 21 to provide for a new definition of Large Retail Establishments, amending the B-1B, B-2A, B-2B, B-2C, B-3, B-4, I-1, I-2 and I-3 zoning districts to allow Large Retail Establishments as a non-public hearing site plan review, and to provide standards for existing properties with nonconforming characteristics.

Sponsor: Municipality of Anchorage
Preparing Agency: Planning Department
Others Affected

CHANGES IN EXPENDITURES AND REVENUES (Thousands of Dollars)

	FY00	FY01	FY02	FY03	FY04
Operating Expenditures					
1000 Personal Services					
2000 Supplies					
3000 Other Services					
4000 Debt Services					
5000 Capital Outlay					
TOTAL DIRECT COSTS					
6000 IGCs					
FUNCTION COST:					
REVENUES:					
CAPITAL:					
POSITIONS: FT/PT and Temp.					

PUBLIC SECTOR ECONOMIC EFFECTS:

The ordinance regulates large retail establishments on lots over 20,000 square feet in size. The proposed definition helps identify these establishments and will be applied in the business and industrial zoning districts as a permitted use requiring a non-public hearing site plan review with codified standards. The public sector impacts will be better-designed retail structures constructed on lots over 20,000 square feet in size. This higher standard will enhance community value with future developments.

PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of the ordinance amendment will have private sector impacts. The new regulatory requirements will require the developer to build in the 60-day review process for new developments. There will also be the need for professional expertise to help design the structures to meet the proposed standards.

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Validated by
OMB:

Date

Approved By:



Director, Preparing Agency

Date

4/6/01

4/4/01