

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

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

For reading: April 10, 2001

ANCHORAGE, ALASKA
AO NO. 2001-80 as amended

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: Anchorage Municipal Code section 21.35.020 is amended by addition
of a definition for *large retail establishment* to read: (*the remainder of this section
is not affected and therefore not set out*)

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.

(GAAB 21.05.020; AO No. 77-355; AO No. 78-16; AO No. 78-28; AO No.
78-171; AO No. 78-231; AO No. 79-214; AO No. 80-42; AO No. 81-67(S);
AO No. 81-97; AO No. 81-180; AO No. 82-54; AO No. 82-167; AO No.
83-91(S); AO No. 84-14; AO No. 84-52; AO No. 85-58; AO No. 85-159;
AO No. 85-91, 10-1-85; AO No. 85-216; AO No. 86-19; AO No. 86-78;
AO No. 86-90; AO No. 86-171; AO No. 88-172; AO No. 88-171(S-1), 12-

31-88; AO No. 89-35, 4-7-89; AO No. 88-147(S-2); AO No. 90-50(S); AO No. 91-35; AO No. 90-152(S); AO No. 91-90(S); AO No. 91-184; AO No. 92-7(S-2); AO No. 92-26; AO No. 92-93; AO No. 92-128(S); AO No. 92-129(S); AO No. 93-58; AO No. 93-148, § 1, 11-16-93; AO No. 94-62, § 2, 4-12-94; AO No. 95-68(S-1), §§ 2, 3, 8-8-95; AO No. 95-173, § 1, 11-14-95; AO No. 96-41, § 1, 3-5-96; AO No. 96-131(S), § 1, 10-22-96; AO No. 98-106, § 1, 7-21-98; AO No. 98-160, § 3, 12-8-98; AO No. 99-62, § 2, 5-11-99)

Section 2: Anchorage Municipal Code subsection 21.40.145B. is amended to read as follows: *(the remainder of this section is not affected and therefore not set out)*

21.40.145 B-1B community business district.

B. *Permitted principal uses and structures.*

1. *Retail uses:*

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

(GAAB 21.05.050.J; AO No. 77-355; AO No. 78-28; AO No. 78-169; AO No. 81-67(S); AO No. 81-143; AO No. 83-210; AO No. 85-18; AO No. 85-23; AO No. 85-173, 3-17-86; AO No. 86-90; AO No. 87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 95-68(S-1), § 5, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 98-173, § 1, 11-3-98; AO No. 99-62, § 18, 5-11-99)

Section 3: Anchorage Municipal Code subsection 21.40.150B. is amended to read as follows: *(the remainder of this section is not affected and therefore not set out)*

21.40.150 B-2A Central Business District Core.

B. *Permitted principal uses and structures:*

Principal uses permitted when visible from street level or occupying street level floorspace:

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

(GAAB 21.05.050.W; AO No. 77-20; AO No. 77-355; AO No. 80-57; AO No. 81-67(S); AO No. 81-72; AO No. 82-49; AO No. 85-173, 3-17-86; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 87-62; AO No. 87-148; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 90-124; AO No. 91-1; AO No. 91-39; AO No. 91-144; AO No. 92-57; AO No. 95-68(S-1), § 6, 8-8-95; AO No. 98-160, § 4, 12-8-98; AO No. 98-188, §§ 1-3, 1-12-99; AO No. 99-62, § 19, 5-11-99; AO No. 99-131, § 7, 10-26-99)

Section 4: Anchorage Municipal Code subsection 21.40.160B. is amended to read as follows: *(the remainder of this section is not affected and therefore not set out)*

21.40.160 B-2B central business district, intermediate.

B. Permitted principal uses and structures.

1. Retail uses.

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

(GAAB 21.05.050.Y; AO No. 77-20; AO No. 77-355; AO No. 80-57; AO No. 81-67(S); AO No. 81-72; AO No. 82-49; AO No. 85-173, 3-17-86; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 90-124; AO No. 91-1; AO No. 91-39; AO No. 91-144; AO No. 92-57; AO No. 95-68(S-1), § 7, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 98-160, § 5, 12-8-98; AO No. 98-188, §§ 4--6, 1-12-99; AO No. 99-62, § 20, 5-11-99; AO No. 99-131, § 8, 10-26-99; AO No. 99-149, § 2, 12-14-99)

Section 5 : Anchorage Municipal Code subsection 21.40.170B. is amended to read as follows: *(the remainder of this section is not affected and therefore not set out)*

21.40.170 B-2C central business district periphery.

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B. Permitted principal uses and structures.

Retail uses.

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

(GAAB 21.05.050.X; AO No. 77-20; AO No. 77-355; AO No. 80-57; AO No. 81-67(S); AO No. 82-49; AO No. 85-173, 3-17-86; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 90-124; AO No. 91-1; AO No. 91-39; AO No. 91-144; AO No. 92-57; AO No. 95-68(S-1), § 8, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 98-160, § 6, 12-8-98; AO No. 98-173, § 4, 11-3-98; AO No. 98-188, §§ 7--9, 1-12-99; AO No. 99-62, § 21, 5-11-99; AO No. 99-131, § 9, 10-26-99; AO No. 99-149, § 3, 12-14-99)

Section 6: Anchorage Municipal Code subsection 21.40.180B. is amended to read as follows: (*the remainder of this section is not affected and therefore not set out*)

21.40.180 B-3 general business district.

B. Permitted principal uses and structures.

- 1 Business, business services, professional services and personal services, including incidental manufacturing or processing of goods for sale at retail or wholesale on the premises, except conditional uses under subsection D of this section and uses prohibited under subsection E of this section.

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

(GAAB 21.05.050.M; AO No. 77-355; AO No. 78-28; AO No. 80-57; AO No. 80-132; AO No. 81-67(S); AO No. 83-209; AO No. 85-18; AO No. 85-91, 10-1-85; AO No. 85-173, 3-17-86; AO No. 86-90; AO No. 86-182; AO No. 87-32; AO No. 87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-26; AO No. 92-114; AO No. 95-68(S-1), § 9, 8-8-95;

AO No. 96-107, § 1, 7-30-96; AO No. 96-131(S), § 3, 10-22-96; AO No. 98-160, § 7, 12-8-98; AO No. 99-62, § 22, 5-11-99)

Section 7: Anchorage Municipal Code subsection 21.40.190B. is amended to read as follows: *(the remainder of this section is not affected and therefore not set out)*

21.40.190 B-4 rural business district.

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B. *Permitted principal uses and structures.*

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2. *Commercial-retail uses:*

* * * * *

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

(GAAB 21.05.050.N; AO No. 77-355; AO No. 81-67(S); AO No. 84-41; AO No. 85-18; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 87-32; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 97-78, § 1, 6-3-97; AO No. 98-149(S), § 1, 11-17-98; AO No. 98-160, § 8, 12-8-98; AO No. 99-62, § 23, 5-11-99)

Section 8: Anchorage Municipal Code subsection 21.40.200B. is amended to read as follows: *(the remainder of this section is not affected and therefore not set out)*

21.40.200 I-1 light industrial district.

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B. *Permitted principal uses and structures.*

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Commercial uses:

* * * * *

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

(GAAB 21.05.050.O; AO No. 77-355; AO No. 79-95; AO No. 81-67(S);
AO No. 82-105; AO No. 84-57; AO No. 85-91, 10-1-85; AO No. 85-95;
AO No. 86-50; AO No. 86-90; AO No. 87-32; AO No. 88-147(S-2); AO
No. 90-50(S); AO No. 92-114; AO No. 95-68(S-1), § 11, 8-8-95; AO No.
95-76, § 1, 4-4-95; AO No. 95-194, § 1, 1-2-96; AO No. 98-160, § 9, 12-8-
98; AO No. 98-173, § 5, 11-3-98; AO No. 99-62, § 24, 5-11-99)

Section 9: Anchorage Municipal Code subsection 21.40.210B. is amended to
read as follows: *(the remainder of this section is not affected and therefore not set
out)*

21.40.210 I-2 heavy industrial district.

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B. Permitted principal uses and structures.

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

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(GAAB 21.05.050.P; AO No. 77-355; AO No. 85-91, 10-1-85; AO No. 87-
32; AO No. 91-184; AO No. 93-148, § 4, 11-16-93; AO No. 96-60, § 1, 8-
6-96; AO No. 96-125, § 1, 11-12-96; AO No. 97-78, § 2, 6-3-97; AO No.
99-62, § 25, 5-11-99)

Section 10 : Anchorage Municipal Code subsection 21.40.220B. is amended to
read as follows: *(the remainder of this section is not affected and therefore not set
out)*

21.40.220 I-3 rural industrial district.

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B. Permitted principal uses and structures.

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

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(GAAB 21.05.050.Q; AO No. 77-355; AO No. 85-91, 10-1-85; AO No. 87-32; AO No. 93-148, § 2, 11-16-93; AO No. 99-62, § 26, 5-11-99)

Section 11: Anchorage Municipal Code chapter 21.50 is amended by adding a new section 21.50.320 to read:

21.50.320 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 plans 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.

1 F. *Outdoor storage or display areas.* Products stored or displayed
2 outside shall not be visible from abutting R-zoned property. Areas
3 for the outdoor storage and sale of seasonal inventory shall be
4 permanently defined and screened with walls and/or fences. The
5 height of stored materials shall not exceed the height of the
6 screening wall or fence. Materials, colors, and the design of
7 screening walls and/or fences and their covers shall be
8 complementary to those used as predominant materials and colors on
9 the building. Commercial trailers, shipping containers, and similar
10 equipment used for transporting merchandise, shall remain on the
11 premises only as long as required for loading and unloading
12 operations, and shall not be maintained on the premises for storage
13 purposes.

14
15 G *Trash collection and recycling.* Trash handling and recycling shall
16 be screened from public streets and pedestrian ways, internal
17 pedestrian sidewalks, and adjacent R-zoned property by landscaping
18 or architectural features in conformity with the external design and
19 materials used by the establishment. Screening shall be designed to
20 abate noise and to confine loose trash. The Commission may limit
21 hours of trash collection as necessary to reduce the effects of noise
22 or traffic on surrounding residential and commercial areas.

23
24 H *Snow storage or removal.* A plan for snow storage or removal from
25 the site shall be submitted and approved. Use of sidewalks for snow
26 storage shall be prohibited. Use of landscaped areas for snow
27 storage may be allowed under the approved snow storage
28 landscaping plan. The Commission may impose such restrictions on
29 snow removal operations as are necessary to reduce the effects of
30 noise or traffic on surrounding residential and commercial areas.

31
32 *Parking.* A detailed parking plan shall address the convenience and
33 safety of patrons, adequate winter lighting, and landscaping
34 amenities and the configuration of parking spaces, walkways, and
35 other amenities. Aesthetic features, landscaping, and the design of
36 parking areas shall, wherever practicable, reduce the appearance of
37 large expanses of parking from neighboring streets and enhance the
38 view of the establishment from its principal point(s) of access. The
39 number and configuration of parking spaces may be determined by
40 the Commission as necessary to achieve these standards. Additional
41 landscaping and community spaces may be required where the

1 applicant wishes to provide parking that exceeds the minimum
2 standards of this Title. The site shall not allow storage or overnight
3 camping of trailers or recreational vehicles.
4

5 J. *Pedestrian access.* The establishment shall provide sufficient
6 accessibility, safety, and convenience to pedestrians, customers and
7 employees. Unobstructed sidewalks shall link the site to existing
8 public sidewalks, its entrances, adjacent transit stops, and abutting
9 residential and commercial areas. Sidewalks shall also be provided
10 along the full length of any building where it adjoins a parking lot.
11 Sufficient sidewalks or barriers shall be provided between parked
12 cars and buildings to prevent vehicles from protruding into
13 reasonable pedestrian passage. Sidewalks shall be separated from
14 adjacent streets by an area sufficient for snow storage and to provide
15 a buffer for pedestrians from vehicular traffic.
16

17 K *Community spaces.* Appropriate interior and exterior public areas
18 shall be provided and maintained for customers and visitors to the
19 site to congregate and relax.
20

21 L. *Delivery and loading spaces.* Delivery and loading operations shall
22 be designed and located to mitigate visual and noise impacts on
23 adjacent R-zoned property or commercial areas. The Commission
24 may limit hours of delivery and loading as necessary to reduce the
25 effects of noise or traffic on surrounding residential and commercial
26 areas.
27

28 M *Exterior Signs.* An exterior sign plan which respects the needs of
29 the establishment to establish its location as well as the higher
30 aesthetic aspirations of the community in general and the
31 immediately surrounding areas shall be submitted for approval.
32 Signs shall be architecturally treated to compliment the building
33 architecture. Pole signs, rotating signs, and flashing signs shall be
34 prohibited.
35

36 N. *Outdoor lighting.* A photometric and outdoor lighting plan to
37 mitigate negative impacts on adjacent uses shall be submitted for
38 approval.
39

40 O. *Northern design elements.* The Commission may require the
41 provision of design elements that address Anchorage's distinct

geography, low light angles, length of days, cold temperatures, wind, snow and ice.

P. *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 by providing features such as changes in building form at entrances, and providing 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.

1
2 6. *Screening of mechanical equipment.* Roof or ground-
3 mounted mechanical equipment shall be screened to mitigate
4 noise and views in all directions. If roof mounted, the screen
5 shall be designed to conform architecturally with the design
6 of the building, whether it is with varying roof planes or with
7 parapet walls. Ground-mounted mechanical equipment shall
8 be screened. The screen shall be of such material and be of
9 sufficient height to block the view and noise of the
10 equipment.

11
12 Q The Planning and Zoning Commission shall schedule a meeting to
13 act on an application within ninety (90) days after receipt of a
14 "complete" application.

15
16 Section 12: Anchorage Municipal Code chapter 21.55 is amended by adding a
17 new section to read as follows:

18
19 21.55.130 Large Retail Establishments.

20
21 A Large retail establishments existing on or before May 8, 2001 shall
22 be deemed to be approved site plans and not nonconforming uses or
23 structures. The provisions of this chapter notwithstanding, the
24 expansion, reconstruction, renovation, or remodeling of a large retail
25 establishment existing on the date this section takes effect may be
26 allowed only after a limited site plan approval is granted by the
27 Planning and Zoning Commission. Applications for limited site plan
28 approval under this subsection shall be processed in the same
29 manner as applications for a site plan approval required for new
30 establishments. This section shall not, however, apply to the interior
31 remodeling, renovation, or repair to interior portions of large retail
32 establishments existing on the date this section becomes effective. In
33 approving limited site plans under this subsection, the Commission
34 shall apply the standards set out in 21.50.320 in a manner
35 proportionate to the extent of the expansion, reconstruction,
36 renovation, or remodeling proposed. The cost of compliance with
37 the standards set forth in 21.50.320 shall not exceed 10% of the cost
38 of the expansion, reconstruction, renovation, or remodeling. In
39 determining the degree to which the standards set out in 21.50.320
40 shall apply to the expansion, reconstruction, renovation, or
41 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.

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


Chair

ATTEST:


Municipal Clerk

Clerk's Note: The Assembly authorized the Reviser of Ordinances to make minor changes so that the document is internally consistent and conforms to the proper format.