

AO 2001-135(S)
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Submitted by: Chair of the Assembly at
the request of the Mayor
Prepared by: Planning Department
For Reading: JULY 10, 2001

ANCHORAGE, ALASKA
AO 2001-135

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY PROVIDING FOR THE
REZONING OF APPROXIMATELY 42 ACRES FROM R-2A SL (TWO-FAMILY
RESIDENTIAL DISTRICT WITH SPECIAL LIMITATIONS) TO R-2A SL (TWO-FAMILY
RESIDENTIAL DISTRICT WITH SPECIAL LIMITATIONS) FOR FIRE LAKE
SUBDIVISION #2, BLOCK 1, LOTS 1A, 3A, 4A, 5 – 8, AND BLOCK 2, LOTS 1 – 8;
FIRE LAKE HEIGHTS, LOTS 1 – 5; T15N, R1W, SECTION 31,
SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$; FIRE LAKE
SUBDIVISION, LOT 3, TRACTS H, I1, I2, K1, K2, K3, L1, and M, GENERALLY
LOCATED SOUTH OF FISH HATCHERY ROAD AND EAST KNOB HILL DRIVE, FOR
THE PURPOSE OF ADDING AN ADDITIONAL SPECIAL LIMITATION LIMITING THE
NUMBER OF DOGS OVER THE AGE OF FOUR MONTHS TO NO MORE THAN (3)
THREE PER LOT.

Chugiak Community Council; Case 2001-019)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: The zoning map be amended by designating the following
described property as an R-2A (two-family residential district) zone with special
limitations: that property as illustrated on Exhibit 'A' attached, consisting of Fire
Lake Subdivision #2, Block 1, Lots 1A, 3A, 4A, 5 – 8, and Block 2, Lots 1 – 8; Fire
Lake Heights, Lots 1 – 5; T15N, R1W, Section 31, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,

NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$; Fire Lake Subdivision,
2 Lot 3, Tracts H, I1, I2, K1, K2, K3, L1, and M.

3 **Section 2:** The zoning map for the R-2ASL (two-family residential district
4 with special limitations) designation for the property described in Section 1 above,
5 in addition to the special limitations contained in AO 82-111(S), is further limited
6 by a fourth limitation to read as follows:

7 4. The outdoor harboring of dogs over the age of four months is limited
8 to no more than three (3) per lot.

9
10 **Section 3:** The special limitations set forth in this ordinance prevail over
any inconsistent provision(s) of Title 21 of the Anchorage Municipal Code (AMC),
12 unless specifically provided otherwise. All provisions of AMC Title 21 not
13 specifically affected by the special limitation set forth in this ordinance shall apply
14 in the same manner as if the district classification applied by the ordinance was
5 not subject to special limitations.

16 **Section 4:** This ordinance shall become effective within 10 days after the
17 Director of the Planning Department has received the written consent of the
18 owners of the property within the area described in Section 1 above to the special
19 limitation contained herein. The rezone approval contained herein shall
20 automatically expire and be null and void if the written consent is not received
21 within 120 days after the date on which this ordinance is passed and approved.

PASSED AND APPROVED by the Anchorage Municipal Assembly this _____ day of

2 _____, 2001.

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ATTEST:

Chair

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Municipal Clerk

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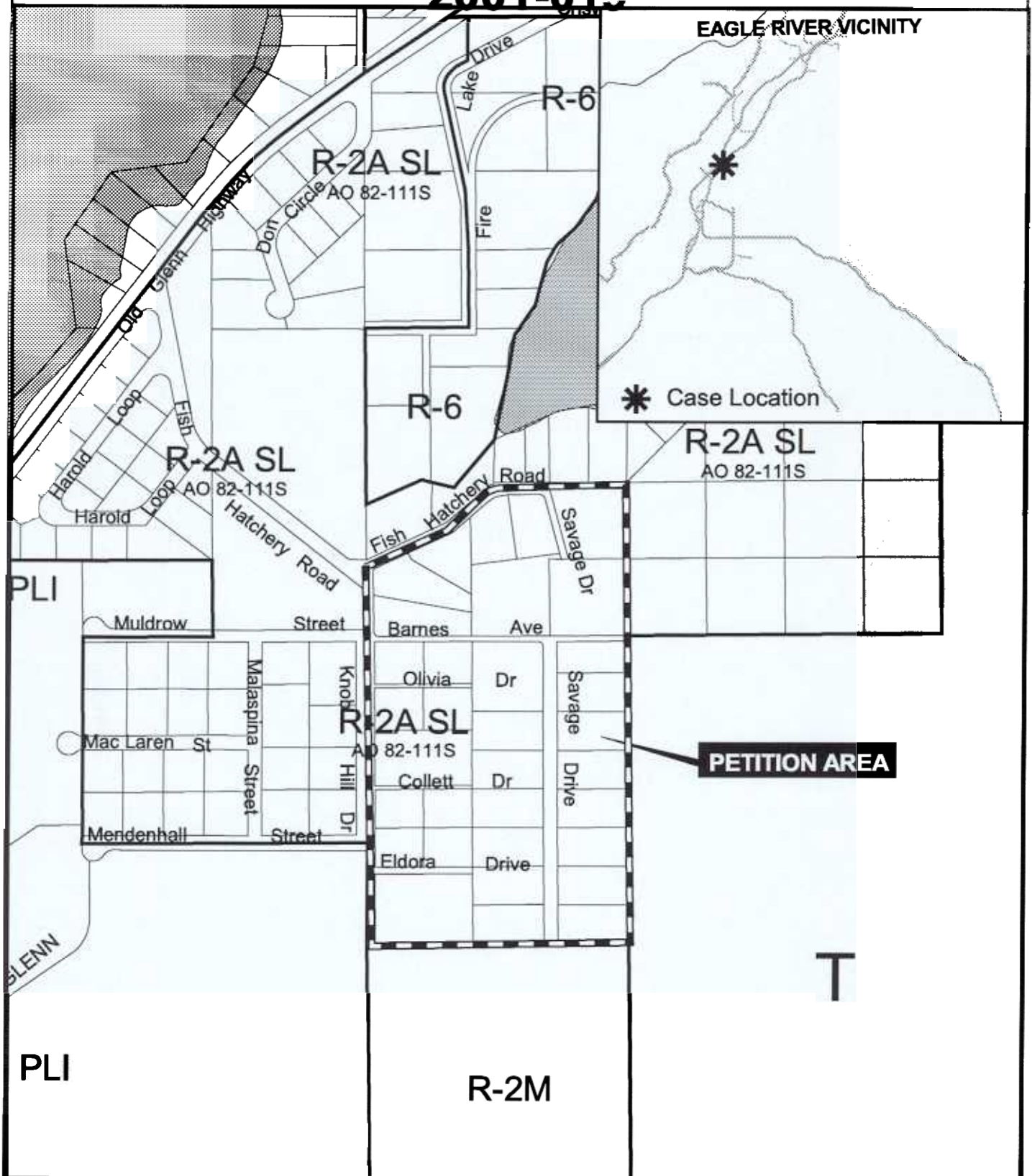
14

15

16

EXHIBIT - A

2001-019



Municipality of Anchorage
Planning Department



Date: JUNE 8, 2001

Flood Limits

- 100 Year Floodplain
- 500 Year Floodplain
- Floodway



0 500 1000 Feet

8-10-82

Submitted by: Assemblyman O'Connor

Prepared by: Department of Community Planning

For Reading: August 10, 1982

Anchorage, Alaska
AO No. 82-111 (5)

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM R-2 (TWO FAMILY RESIDENTIAL DISTRICT UP TO EIGHT UNITS ON 20,000 SQUARE FEET) AND R-6 (SUBURBAN RESIDENTIAL DISTRICT) TO R-2A (TWO FAMILY RESIDENTIAL DISTRICT WITH SPECIAL LIMITATIONS) FOR THAT PROPERTY IN THE SW 1/4 OF SECTION 30, AND IN THE NW 1/4 OF SECTION 31, AND IN THE NW 1/4 OF THE SW 1/4 OF SECTION 31 OF T15N, R3W, AND THE EAST HALF OF SECTION 36, T15N, R2W, S.M. (CHUGIAK COMMUNITY COUNCIL).

THE ANCHORAGE ASSEMBLY ORDAINS:

SECTION 1. The zoning map be amended by designating the following described property as an R-2A (two family residential district) S.L. zone: that property as illustrated on Exhibit A, attached, located in the SW 1/4 of Section 30, and in the NW 1/4 of Section 31, and in the NW 1/4 of the SW 1/4 Section 36 of T15N, R3W, and in the east 1/2 of Section 36, T15N, R2W, S.M.

SECTION 2. The zoning map for the R-2A (two family residential district) S.L. use district designation for the property described in Section 1 above is restricted with the following limitations:

1. Lots 1 thru 14, Block 9, Lots 1 thru 8, Block 10, Lots 1 thru 13, Block 11, and Tract C of Lakeridge Terrace Subdivision shall be restricted to a minimum lot size of 1/2 acre.
2. All other property included in this rezoning ordinance shall be restricted to a minimum lot size of one acre.
3. The provisions of AMC 21.45.190 shall not be applied.

SECTION 3. In accordance with Section 21.20.045(I) of the Municipal Code of Ordinances, all district and supplementary district regulations that are applicable to an R-2A (two-family residential district) zone not specifically affected by the restrictions and standards set forth in Section 2. above shall apply to the subject property in the same manner as if the district were not subject to special limitations.

SECTION 4. This ordinance shall take affect ten (10) days after passage by the Municipal Assembly.

SECTION 5. The Director of Community Planning is hereby directed to change the zoning map accordingly.

PASSED AND APPROVED by the Municipal Assembly this
10th day of August, 1982.

Am Smith
Chairman

ATTEST:

Leahy E. Smith
Municipal Clerk

4282-111(6)

ZP 82-73

REZONING

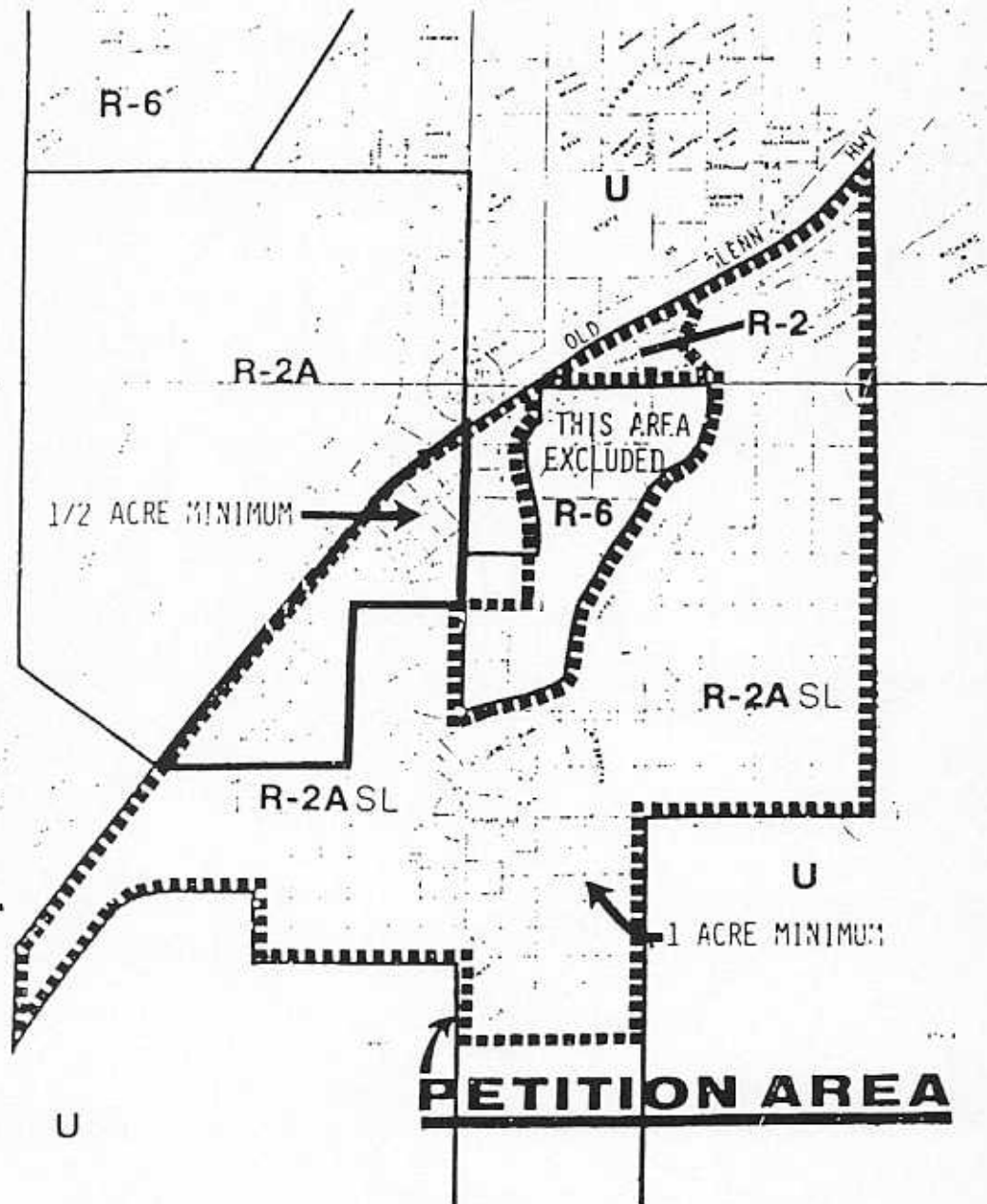


Exhibit A

002

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2001- <u>135</u>	Title: The zoning of 42.37 acres of R-2ASL to add an additional special limitation which restricts the outdoor harboring of dogs over the age of four months to not more than three per lot.
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Sponsoring Petitioner: Janet Reid McGurgan, et al
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:

Approval of this zoning amendment should have no significant economic impact on the public sector. The subject property was previously zoned R-2ASL, and this amendment adds an additional special limitation to restrict an accessory use (the outdoor harboring of dogs over the age of four months to not more than three per lot). The subject property, as well as the surrounding area, is zoned residential, and this amendment does not affect density. There will be no noticeable public sector impact by approving this limitation.

PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of the rezoning should have no significant economic impact on the private sector. It has been suggested that the new special limitation to the R-2ASL - zoned area may be perceived to add value to the affected and surrounding properties by potentially reducing noise, thus enhancing quality of life.

Prepared by: Jerry Weaver Jr., Planning Supervisor

Telephone: 343-4215

Validated by
OMB:

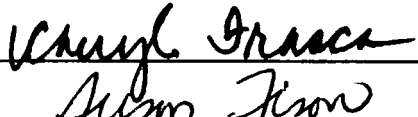
Date:

6/22/01

Approved By:

Date:

6/12/01


Susan Fison, Planning Director, Preparing Agency



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 627-2001

Meeting Date: JULY 10, 2001

From: Mayor

Subject: AO 2001- 135 Planning and Zoning Commission Recommendation For
A Rezoning From R-2A SL To R-2A SL

1 On March 26, 2001, the Planning and Zoning Commission approved the rezoning of Fire
2 Lake Subdivision #2, Block 1, Lots 1A, 3A, 4A, and 5-8, Block 2, Lots 1-8; Fire Lake
3 Heights Subdivision, Lots 1-5; T15N, R1W, Section 31, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,
4 SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,
5 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$; and Fire Lake Subdivision, Lot 3 and Tracts H, I-1, I-2,
6 K-1, K-2, K-3, L-1, and M, from R-2A SL (Two-family Residential District, with Special
7 Limitations) to R-2A SL, to incorporate a fourth limitation restricting the outdoor harboring
8 of dogs over the age of four months to no more than three per lot.

9 Approval of this ordinance is recommended.

10 Reviewed by:

Harry J. Kieling, Jr.
Municipal Manager

Reviewed by:

Craig E. Campbell, Executive Director
Office of Planning, Development & Public Works

Respectfully submitted

George P. Wuerch
Mayor

Prepared by:

Susan R. Fison, Director
Planning Department

AO 2001-135

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2001-019

A RESOLUTION RECOMMENDING THE REZONE OF APPROXIMATELY 42.37 ACRES FROM R-2ASL (TWO-FAMILY RESIDENTIAL DISTRICT) WITH SPECIAL LIMITATIONS (PERTAINING TO MINIMUM LOT SIZE OF ½-ACRE AND 1-ACRE) TO R-2ASL, WITH AN ADDITIONAL SPECIAL LIMITATION TO RESTRICT THE OUTDOOR HARBORING OF DOGS OVER THE AGE OF FOUR MONTHS TO NO MORE THAN THREE (3) PER LOT; ON 33 LOTS IN THE SW¼NW¼ AND NW¼SW¼ SECTION 31, T15N, R1W, INCLUDING FIRE LAKE HEIGHTS, GENERALLY LOCATED IN CHUGIAK, EAST OF OLD GLENN HIGHWAY, ACCESSED VIA FISH HATCHERY ROAD.

(Case 2001-019; Tax ID. # 051-333-13, -14, -15; 051-333-39, -40, -41, -42, -43; 051-351-01, -02, -03, -04, -05, -06, -07, -12, -13, -14, -15, -16, -17, -18, -19, -20, -21, -22, -23, -26, -27, -28, -29, -30, and -31; in grids NW454 and NW554.

WHEREAS, the Planning Department received and processed a petition from Janet Reid McGurgan and others, representing twenty-six owners who were signatory to the petition, and as further represented by Sandra J. Wicks, attorney-at-law, requesting to rezone approximately 42.37 acres by amending the special limitations on an R-2ASL (two-family residential) zoning district, by incorporating an additional special limitation to restrict the outdoor harboring of dogs over the age of four months to no more than three (3) per lot, for those thirty-three contiguous tax lots in the SW¼NW¼ and NW¼SW¼ Section 31, T15N, R1W including Fire Lake Heights Subdivision, generally located in Chugiak, east of the Old Glenn Highway, and accessed via Fish Hatchery Road; and

WHEREAS, notices were published, posted and mailed, and a public hearing was held March 26, 2001.

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

A. The Commission makes the following findings of fact:

1. The petitioners, Janet McGurgan et al, have submitted a rezone application to amend the special limitations on an R-2ASL zoning district, by incorporating an additional special limitation to restrict the outdoor harboring of dogs over the age of four months to no more than three (3) per lot.
2. After review and public hearing, the Commission determined that this request to amend the zoning's special limitations would not adversely affect the existing dog mushing facility, because grandfather rights would be afforded the owner, but the special limitation would protect the neighborhood from future conflicts and deterioration.

3. The petition area was zoned during an areawide zoning, with portions zoned R-2 and portions zoned R-6. The entire petition area was rezoned to R-2ASL on August 10, 1982. Existing restrictions imposed upon the property through the 1982 zoning amendment increased the minimum allowable lot size to not less than ½-acre on a portion of the properties and to not less than 1-acre on others.
4. "The outdoor harboring or keeping of dogs, animals and fowl in a manner consistent with the requirements of all titles of this Code" is a permitted accessory use in the R-2A district.
5. Based on public testimony, the Commission finds the outdoor harboring of dogs is viewed as a use in conflict with the character of the neighborhood. Any issues the neighbors may have with the owner of the existing dog mushing facility would best be resolved through legal avenues, as a civil matter.
6. The Commission heard testimony concerning the noise and odor emanating from the existing dog musher facility. The Commission finds it appropriate to ensure, by special limitation, that no further properties in the subject area be allowed to harbor more than three dogs over the age of four months.
7. The Comprehensive Plan Generalized Land Use Plan Map classifies the petition site as residential. In addition to the actual zoning district standards, the Commission and Assembly have the prerogative to limit zoning districts by attaching special limitations to the approval to ensure that uses proposed are integrated compatibly with surrounding uses and development and to ensure conformity with the goals and objectives of the comprehensive plan.
8. The Commission and the Assembly may apply special limitations or conditions of approval to ensure that the proposed use will be compatible with conforming uses in the surrounding area.
9. Although the surrounding property owners may have remaining issues with the existing dog mushing facility, the Commission finds the zoning amendment of the subject properties is in the best interests of the overall community.

B. Special Limitations:

- A. The special limitations contained in AO 82-111(s) remain in effect
- B. A fourth limitation is added to read as follows: "Restrict the outdoor harboring of dogs over the age of four months to no more than three (3) per lot."

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission this
26th day of March 2001.



Susan R. Fison
Secretary



Daphne Brown
Chair

[Case #2001-019]
(Tax ID. 014-281-04, et al)

Municipality of Anchorage
MUNICIPAL CLERKS OFFICE
Agenda Document Control Sheet

Ad 2001-135

1	SUBJECT OF AGENDA DOCUMENT Rezoning from R-2A SL to R-2A SL of 42.37 acres of property in Chugiak to add an additional special limitation restricting the outdoor harboring of dogs over the age of four months to no more than three per lot. Chugiak Community Council [P&Z case 2001-019]	DATE PREPARED June 12, 2001 INDICATE DOCUMENTS ATTACHED <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM
2	DEPARTMENT NAME Planning Department	DIRECTOR'S NAME Susan R. Fison, Director
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Jerry T. Weaver Jr	HIS/HER PHONE NUMBER 343-4267
4	COORDINATED WITH AND REVIEWED BY	INITIALS
6	Mayor	
	Heritage Land Bank	
	Merrill Field Airport	
	Municipal Light & Power	
	Port of Anchorage	
	Solid waste services	
	Water & wastewater utility	
5	Municipal Manager	[Signature]
	Cultural & Recreational Services	
	Employee Relations	
	Finance, Chief Fiscal Officer	
	Fire	
	Health & Human Services	
4	Office of Management & Budget	CF
	Management Information Services	
	Police	
2	Planning, Development & Public Works	CCL
	Development Services	
	Facility Management	
1	Planning	[Signature]
	Project Management & Engineering	
	Street Maintenance	
	Traffic	
	Public Transportation Department	
	Purchasing	
3	Municipal Attorney	[Signature]
	Municipal Clerk	
	Other	
5	SPECIAL INSTRUCTIONS/COMMENT <div style="text-align: right;">7.6 introduction</div>	
6	ASSEMBLY MEETING DATE REQUESTED JUL 10 2001	PUBLIC HEARING DATE REQUESTED 4 weeks after introduction 7/11/01

