

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 7-16-02

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Departments of Law and Planning
For reading: June 11, 2002



ANCHORAGE, ALASKA
AO NO. 2002-95

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 TO ALLOW ABBREVIATED PLATTING FOR THE CREATION OF SUBDIVISIONS OF THREE TRACTS OR EIGHT LOTS; TO PROHIBIT ABBREVIATED SUBDIVIDING OF A CONTIGUOUS PARCEL UNDER THE SAME OWNERSHIP AS A PLATTED PARCEL PLATTED WITHIN 48 MONTHS; AND TO ALLOW THE PLATTING OFFICER TO VACATE CERTAIN PUBLIC OR PRIVATE EASEMENTS AND REFER APPLICATIONS TO THE PLATTING BOARD FOR ADDITIONAL ANALYSIS.

THE ANCHORAGE ASSEMBLY ORDAINS

Section 1. Anchorage Municipal Code section 21.15.100 is hereby amended to read as follows: *(the remainder of the section is not affected and therefore not set out)*

21.15.100 **Approval of subdivision plats--Review required; public hearing; pre-application.**

A. *Review required.* The platting authority shall review all subdivisions of land within the municipality in accordance with the procedures set forth in this chapter and the standards and requirements set forth in chapters 21.75 through 21.87.

B. *Public hearing.* The platting authority shall hold a public hearing on the application before action on an application:

To vacate a dedicated public area under subsection 21.15.130C.2.[, EXCEPT AN APPLICATION TO VACATE A PUBLIC UTILITY EASEMENT]

(GAAB 21.10.030.A; AO No. 78-187; AO No. 84-32; AO No. 85-21)

Section 2. Anchorage Municipal Code section 21.15.125 is hereby amended to read as follows:

21.15.125 **Approval of subdivision plats--Abbreviated plat procedure.**

B. *Eligible preliminary plats.* Eligible preliminary plats are as follows:

2. The simple subdivision of a single tract, parcel or lot into no more than three tracts or eight lots, provided that the subdivision does not:

a. Allow a change in the permitted use to which the lot or tract may be devoted under existing zoning.

b. Deny adequate access to and from all lots or tracts created by the subdivision or those adjacent to it.

c. Divide a tract, parcel or lot;

1. created within the previous 12 months pursuant to the approval of a preliminary plat under this section; or

2. contiguous to and ~~under the same ownership~~ as a preliminary plat approved within the previous 48 months. *having any of the same owners*

3. Vacations and relocations under section 21.15.130.

[A PLAT DEPICTING ONLY A VACATION APPROVED BY THE PLATTING AUTHORITY AND ANY RELOCATION OF A PUBLIC UTILITY EASEMENT REQUIRED BY THE PLATTING AUTHORITY AS A CONDITION OF APPROVING THE VACATION.]

[6. VACATION OF A DRAINAGE EASEMENT REQUIRED FOR COMPLIANCE WITH SECTION 21.85.140.]

[7. VACATION OF ZERO LOT LINE MAINTENANCE EASEMENTS |

6.[8.] A plat depicting the creation of two townhouse lots.

E. *Action on plat.*

1. *Platting authority.* Except as provided in section 21.15.030.I for conditional uses and site plans and subsection 21.15.130C. for vacation or relocation of certain dedicated public areas, the platting authority under this section is the platting officer. The platting officer may refer any application to the Platting Board which the officer deems may need further or more extensive analysis and public comment concerning access into adjacent property.

(AO No. 16-76; AO No. 78-50; AO No. 79-25; AO No. 79-34; AO No. 81-209; AO No. 83-187(S); AO No. 84-32; AO No. 84-70; AO No. 85-21; AO No. 85-72; AO No. 86-155; AO No. 88-24; AO No. 89-108, 9-8-89; AO No. 94-63, § 1, 4-12-94; AO No. 96-124, § 1, 10-1-96)

Section 3. Anchorage Municipal Code section 21.15.130 is hereby amended to read as follows:

21.15.130 **Approval of vacations.**

A. *Authority.* The platting authority shall consider the merits of each vacation request, and in all cases the platting authority shall deem the area being vacated to be of value to the municipality unless proven otherwise. The burden of proof shall lie entirely with the petitioner. The presumption contained herein does not apply to vacations of private easements where the beneficiaries have provided written concurrence.

B. *Required submittals.* Submission requirements are as follows:

1 For an application to vacate a public utility or drainage easement:

- a. A written application on forms provided by the planning department [OF COMMUNITY PLANNING AND DEVELOPMENT].
- b. Three copies of the recorded document establishing the easement.
- c. Three copies of a map illustrating the area to be vacated. In addition to showing the area to be vacated, the map must show the outer boundary of the property receiving the benefit of the dedication and the location of all known public improvements within the area being vacated.
- d. A written statement approving the utility easement vacation from every public utility authorized to use the easement or a written statement approving the drainage easement vacation from the Office of Planning, Development and Public Works.

2. For all other vacations subject to approval by the platting officer:

- a. A written application on forms provided by the Planning Department.
- b. Three copies of the recorded document establishing the easement.
- c. Three copies of a map illustrating the area to be vacated. In addition to showing the area to be vacated, the map must show the outer boundary of the property receiving the benefit of the dedication and the location of all known public improvements within the area being vacated.

3.[2 For an application to vacate a dedicated public area subject to approval by the platting board [OTHER THAN A PUBLIC UTILITY EASEMENT]:

- a. A written application on forms provided by the planning department [OF COMMUNITY PLANNING AND DEVELOPMENT].

- b. Thirty copies of a map illustrating the area to be vacated. In addition to showing the area to be vacated, the map must show the outer boundary of the property receiving the benefit of the dedication, and the location of all known public improvements within the area being vacated.
- c. A written statement containing the reasons in support of the vacation.

C. *Action by platting authority.*

1. The platting officer is the platting authority for applications to vacate the following platted interests: [A PUBLIC UTILITY EASEMENT.]
- a. Drainage easements granted under section 21.85.140.
- b. Zero lot line maintenance easements.
- c. Public utility easements.
- d. Private easements, but only upon the written concurrence of the beneficiaries.
- e. Relocation of any of the above-described interests.
2. The platting board is the platting authority for all other applications to vacate a dedicated public area. The platting board [AUTHORITY] shall take action on the vacation application within 60 days after the submission date. The reasons for the approval of the vacation shall be stated upon the record of the platting board [AUTHORITY].
3. The planning department [OF COMMUNITY PLANNING AND DEVELOPMENT] shall refer to the assembly the action of the platting authority on an application to vacate a public area, with an ordinance authorizing the conveyance of the area proposed to be vacated, when:

(AO No. 16-76; AO No. 82-49; AO No. 83-142; AO No. 88-32)

Section 4. Anchorage Municipal Code of Regulations section 21.15.001 is hereby amended to read as follows:

21.15.001 Submittal of plat application.

- A. An application for a preliminary plat or a plat vacation shall be reviewed at the next meeting of the platting board if that application has been filed 6[3]0 or more days before that meeting.

- 1 B. An application for an abbreviated plat which can be approved by the platting
2 officer shall be reviewed by the planning department within 60 days
3 [COMMENCING THE MONDAY] following its receipt by the planning
4 department.
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10 APPROVED by the Anchorage Assembly this 16th day of
11 , 2002.
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14 Chair of the Assembly

15 ATTEST:

16 Shirley Meyer
17 Municipal Clerk
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* New section 5: On or before August 15, 2003, the Administration shall report to the Assembly the experience with the effect of this ordinance's amendments and the public's reaction hereto. If the Assembly fails to reauthorize the amendments provided for in this ordinance on or before January 15, 2004, then this ordinance shall sunset and be automatically repeated without any action of the Assembly.

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2002- 95 Title: An ordinance amending Anchorage Municipal Code Sections 21.15.100, 21.15.125 and 21.15.130 to allow for the creation of subdivisions of three tracts or eight lots and to allow the vacation of certain public or private easements using the abbreviated platting procedures and to amend Anchorage Municipal Code of Regulations 21.15.011 concerning plat submittals.

Sponsor: Planning Department
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 the ordinance amendments will help expedite plat processing and use staff resources more efficiently by increasing the allowable number of lots from three to eight and allowing the vacation of certain public and private easements with beneficiary concurrence using the Abbreviated Platting procedures.

PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of the ordinance amendments will expedite plat processing and decrease costs and increase efficiency by increasing the allowable number of lots from three to eight and allowing the vacation of private easements with beneficiary concurrence.

Prepared by: Jerry T. Weaver Jr., Zoning and
Platting Division Manager

Telephone: 343-4260

Validated by
OMB:

Date:

Approved By:



Director, Preparing Agency

Date:

5.16.02
April 17, 2002



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 513-2002

Meeting Date: June 11, 2002

From: Mayor

Subject: AO 2002- 95

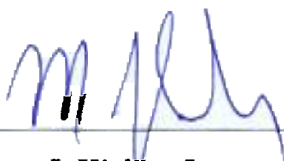
An ordinance amending Anchorage Municipal Code Sections 21.15.100, 21.15.125 and 21.15.130 to allow abbreviated platting for the creation of subdivisions of three tracts or eight lots and to allow the Platting Officer to vacate certain public or private easements and to amend Anchorage Municipal Code of Regulations 21.15.001 concerning plat submittals.

1 Respectively, on June 6, 2001 and September 10, 2001, the Platting Board and the
2 Planning and Zoning Commission, approved the proposed ordinance amendment without
3 any recommended changes. Subsequent to that review by the Platting Board and Planning
4 and Zoning Commission, the Law Department made additional changes to the original
5 ordinance and recommended that the Planning and Zoning Commission review the
6 ordinance with a new public hearing. The Planning and Zoning Commission, on April 1,
7 2002, evaluated the revised ordinance and made one additional change which requires a
8 48-month waiting period between subdivisions when using the abbreviated plat procedure
9 for any given property or contiguous property.

10 This ordinance will utilize staff resources more efficiently by increasing the number of
11 allowable lots allowed under the abbreviated plat process from three to eight, and allow the
12 vacation of drainage, utility, zero lot line maintenance and miscellaneous private
13 easements to be vacated with the plat procedure with beneficiary concurrence. The lots
14 being created must conform to the existing zoning and subdivision requirements. No
15 variances are allowed when using the abbreviated plat procedure. The ordinance includes
16 authority for the Platting Officer to defer action to the Platting Board, any access issues
17 into adjacent public property, where necessary.

18 Approval of this ordinance is recommended.

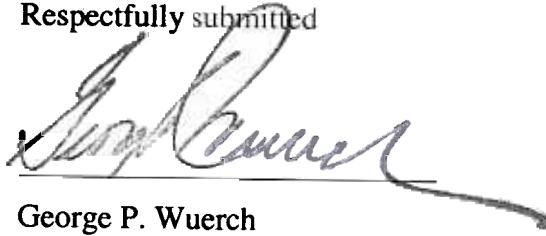
Reviewed by:


Harry J. Kielling Jr.
Municipal Manager

Reviewed by:

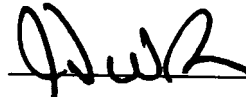

Craig E. Campbell, Executive Director
Office of Planning, Development and Public
Works

Respectfully submitted

A handwritten signature in dark ink, appearing to read "George P. Wuerch", written over a horizontal line.

George P. Wuerch
Mayor

Prepared by:

A handwritten signature in dark ink, appearing to read "Susan R. Fison", written over a horizontal line.
for Susan R. Fison, Director
Department of Planning

DRAFT

**MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2002-027**

A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 21.15.125 AND 21.15.130 TO ALLOW ABBREVIATED PLATTING FOR THE CREATION OF SUBDIVISIONS OF THREE TRACTS OR EIGHT LOTS, TO ALLOW THE PLATTING OFFICER TO VACATE CERTAIN PUBLIC OR PRIVATE EASEMENTS, REFER APPLICATIONS TO THE PLATTING BOARD FOR ADDITIONAL ANALYSIS, AND TO PROHIBIT SUBDIVIDING A CONTIGUOUS PARCEL UNDER THE SAME OWNERSHIP OF THE PLATTED PARCEL WITHIN 48 MONTHS.

(Case 2002-071)

WHEREAS, the Planning and Zoning Commission recommended approval of a similar ordinance at its September 10, 2001 meeting and adopted Planning and Zoning Commission resolution number 2001-070; and

WHEREAS, the Planning and Zoning Commission has reevaluated the ordinance amendments and made one additional change requiring a 48-month waiting period between subdivisions for the use of the abbreviated plat procedure for any given property or contiguous property; and

WHEREAS, the Municipal Code presently allows three lots to be created in the abbreviated plat process; and

WHEREAS, the Municipal Code allows vacation of certain limited easements to be vacated in the abbreviated plat process; and

WHEREAS, the Municipal Code is being amended to provide additional oversight by the Platting Board, where needed, concerning access to surrounding public properties; and

WHEREAS, the Municipal Code is being amended to prohibit platting of property under contiguous ownership within subsequent 48 months to discourage the abbreviated plat ordinance from being utilized for phased developments without a public hearing process; and

WHEREAS, the Municipal Code amendment will allow staff resources to be utilized more efficiently and not harm the general public; and

WHEREAS, the Municipal Code standards for abbreviated plat are the same as public hearing plats and no variances can be granted with the abbreviated plat process.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Planning and Zoning Commission that the ordinance, as amended by the Planning and Zoning Commission, is recommenced for approval.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission
this 1st day April 2002.

Susan R. Fison
Secretary

Toni Jones
Chair

(2002-071)

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AYE: Klinkner, Penney, Brown, Jones, Coffey, Knepper, Klein
NAY: None

DRAFT

PASSED

Case 2002-089

COMMISSIONER BROWN moved for approval subject to the 1 Staff condition.

COMMISSIONER COFFEY seconded.

AYE: Klinkner, Penney, Brown, Coffey, Knepper, Klein
NAY: None
ABSTAIN: Jones

PASSED

E. UNFINISHED BUSINESS AND ACTIONS ON PUBLIC HEARINGS - None

F. REGULAR AGENDA

5. Other

a. 2002-011 Draft Assembly Ordinance.

Staff member JERRY WEAVER asked that this item be continued to the next meeting of the Commission in order for Staff to evaluate additional items.

COMMISSIONER BROWN moved to continue this item to April 8, 2002.

COMMISSIOER COFFEY seconded

AYE: Klinkner, Penney, Brown, Jones, Coffey, Knepper, Klein
NAY: None

PASSED

G. PUBLIC HEARINGS

1. 2002-071 Municipality of Anchorage. An Ordinance amending Anchorage Municipal Code Title 21 to allow abbreviated platting for the creation of subdivisions of three tracts or eight lots; to prohibit abbreviated subdividing of a contiguous parcel under the same ownership as a platted parcel platted

within 24 months; and to allow the platting officer to vacate certain public or private easements and refer applications to the platting board for additional analysis.

Staff member JERRY WEAVER indicated the majority of Commissioners reviewed this ordinance on September 10, 2001. This ordinance expands the abbreviated plat process to increase the number of allowable lots from three to eight and to clarify the vacations allowed under the ordinance. Presently, the ordinance allows the vacation of drainage easements and zero lot line easements. This has been expanded to include drainage, zero lot line maintenance easements, public utilities, private easements with the concurrence of the beneficiaries and relocation, and relocation of an of these interests. This ordinance is back before the Commission because the Law Department restructured the ordinance to include a new Section 1 AMC21.15.100 is a new section, as is AMC 21.15.010 by modifying review time from 30 to 60 days. Substantively, the ordinance is the same as the Commission last saw. Staff recommended that the ordinance be adopted by the Commission and forwarded to the Assembly. Objections were received from Rabbit Creek Community Council and Abbott Loop Community Council. The Rabbit Creek Community Council felt this ordinance would allow piecemeal development and vacations they did not feel were appropriate. MR. WEAVER noted that Seattle allows administrative processing of subdivisions up to nine lots. He stated this proposal is put forward as a matter of efficiency.

COMMISSIONER COFFEY asked what is meant by "piecemeal development" as referenced in the comments from the Rabbit Creek Community Council. MR. WEAVER believed this comment related to the possibility of incremental plats. He noted that, frankly, that could occur, although no one has used the present abbreviated plat process in this manner.

COMMISSIONER KLEIN recalled that Mr. Weaver had indicated at the hearing on the previous ordinance that staff would have the authority to bring a controversial case that comes to the Department to the Platting Board so there is a public hearing process in order to give the neighborhood protection. MR. WEAVER stated Section E of the ordinance does allow for this with regard to access to adjacent properties. There are also appeal rights to this process. That appeal would go to the Platting Board. He stated if Staff believed there are significant issues with an abbreviated plan, Staff would ask the petitioner to take the plat to the Platting Board.

COMMISSIONER KLINKNER noted the proposal says an abbreviated plat cannot be done if it allows a change in the permitted use to which the lot or tract may be devoted under existing zoning. He asked how that relates to the density of the property being platted. As an example, if there is a 10-acre parcel that is

permitted to have one dwelling unit under the zoning and two units can be placed on the property if it is divided in half, is that allowing for a change in the permitted use. MR. WEAVER stated this language could probably be improved. He indicated that multi-family zoning districts that allow larger structures to be placed on a property with the removal of lot lines would not be allowed under this ordinance because it allows for intensification of the use. MR. KLINKNER knew in some cases people are under the impression that a utility easement is available for public use. He wondered if this was the basis of the Rabbit Creek Community Council's objection to the vacation of utility easements. MR. WEAVER stated there is a new provision suggested by the Law Department that would allow for vacations of access easements, however, Staff would have to determine who is the beneficiary interest in that easement and have their concurrence before a vacation could occur.

The public hearing was opened

DIANNE HOLMES, representing the Rabbit Creek Community Council, stated the Council has previously communicated its concerns regarding the abbreviated plat process. The Council remained concerned the proposed ordinance runs the risk of facilitating development by "creep" and the Council is not assured that recent changes protect against this. She found it interesting that the Seattle ordinances supplied to the Commission do not allow any further short plat divisions within a five-year period, not a two-year period as in this proposal. She noted that Seattle is much more developed than Anchorage. She indicated her Council is concerned about the vacation of easements being available for other uses such as trails. She recounted an example of a property with a creek, a park on one side, and a road that is platted but not constructed on the other side. That road serves as a driveway to a home. That homeowner requested to vacate this road along the creek. If that request was approved, it would eliminate an option for access along the creek and into the parkland on the other side via a bridge. It could potentially severely restrict good planning efforts and economical access to parkland. The Council is not comfortable that such a situation would be caught through agency review. She stated the proposed ordinance is also difficult for her to understand. She stated the reduced review time of 30 days could preclude some Councils from responding since some meet every 30 days or less frequently in the summer. She stated her Council asked for an amendment to protect against piecemealing, eliminate allowing the vacation of public access along streams beyond the current 25-foot maintenance agreement and nearby parkland, and that Councils still be guaranteed the ability to review requests with an adequate response time.

COMMISSIONER PENNEY believed there would still be access to the parkland in the example given by Ms. Holmes. MS. HOLMES stated that, if the road in question is the preferable means of accessing the parkland because of area development, it should be preserved.

COMMISSIONER KLEIN asked Mr. Weaver to comment on Ms. Holmes' concern regarding access. He understood the ordinance does say the platting officer may refer access vacation requests to the Platting Board. He also understood the Council would be notified and, if there were concerns, the matter would be sent to the Board. MR. WEAVER stated that, once a request is put into the database, it goes online and the public can become aware the case exists. He stated this ordinance does not allow the vacation of public rights-of-way under the abbreviated plat process. The only types of easements that can be vacated are private easements, drainage easements, zero lot line easements, and public utility easements.

COMMISSIONER COFFEY asked if Ms. Holmes was suggesting amending the ordinance to not allow another plat on adjacent property within five years. MS. HOLMES explained that often a developer purchases one piece of property for development and then another, which results in poor planning. COMMISSIONER COFFEY noted that the two-year limit is placed on the parcel being platted and any contiguous parcel, whereas, the Seattle ordinance applies only to the existing parcel. MS. HOLMES stated the Council would feel comfortable with a period longer than two years.

JOE BURNHAM, a local property owner, expressed his support of the ordinance, as well as the support of Don Henson. He indicated there are parcels on the Hillside that have slope requirements that will be subdivided into four lots. The abbreviated plat process would allow him and Mr. Henson to subdivide their property into 7-8 acre parcels for development without having to go through the long plat process, which requires a public hearing process and carries additional costs.

COMMISSIONER PENNEY wanted Mr. Burnham to understand that, while this ordinance precludes the need for a public hearing, there would be review by all reviewing agencies. MR. BURNHAM understood that other reviews would be required and he believed they should be required. He noted that the elimination of the public hearing process would shorten the time frame involved in subdivision development. COMMISSIONER PENNEY noted this ordinance also does not preclude the possibility of appeal. MR. BURNHAM indicated he did not understand that, but he still supported the ordinance.

COMMISSIONER BROWN noted the ordinance language allows for the platting authority to bring an abbreviated plat forward to the Platting Board for review. She asked how the judgement would be made that a certain subdivision proposal should go forward for a public hearing. MR. WEAVER stated issues that could trigger a plat being brought before the Platting Board would be access into parkland or access into a developed or undeveloped property that Staff feels involves a public policy issue upon which the Board should make a decision.

The public hearing was closed

COMMISSIONER KNEPPER noted Ms. Holmes had referenced both a 30-day and possibly a 40-day review period. She asked where that time frame was contained. MR. WEAVER replied there is no mail notification requirement to the Council for an abbreviated plat. There is still a 21-day period to distribute the application to the Community Council. The request goes on line when it enters the Department's database and there is a "heads up" notice sent every two weeks to the Councils.

COMMISSIONER COFFEY asked if the ordinance change from 30 days to 60 days applies to these abbreviated plats or to all plats. MR. WEAVER replied that the change applies to abbreviated plat procedures. CHAIR JONES read the language of that section into the record and indicated it appears to apply to plats or plat vacations being heard by the Platting Board. MR. WEAVER explained this change would bring trying to bring the abbreviated and long platting procedures in line with each other and allow for more reasonable processing time frames. COMMISSIONER COFFEY asked why this change with respect to long plats was contained in this ordinance that primarily relates to abbreviated plats. MR. WEAVER replied the Law Department felt that a 60-day period was more realistic and it was efficient to include this change in this ordinance amendment.

COMMISSIONER COFFEY moved for approval

COMMISSIONER BROWN seconded.

COMMISSIONER COFFEY thought the issues raised by the Rabbit Creek Community Council were appropriate for discussion, but he felt they were adequately addressed in the proposed language of the ordinance. He believed it was appropriate to allow subdivisions to be processed more quickly so long as adequate review remains. He indicated he personally did not have the same fear as the Rabbit Creek Community Council that a developer would purchase adjacent properties and subdivide them every two years.

COMMISSIONER BROWN moved to amend Section 2 B.2.c.2 to change "24 months" to "48 months."

COMMISSIONER KLEIN seconded.

COMMISSIONER BROWN agreed with Mr. Coffey that it is not a likely scenario that a developer would buy adjacent properties and replat the one two years from the replatting of the other, but 24 months is a relatively short time frame when a project is being done. She did not believe 48 months was an unreasonable period of time to ensure there is not piecemeal development.

COMMISSIONER KLEIN supported the amendment. He stated it is possible to stack plats and do piecemeal development. He had confidence that the Planning Department

would refer the plat to the Board, if that was occurring, however, 24 months is a short time frame and he felt that 48 months is more appropriate.

COMMISSIONER COFFEY noted the 24-month period is also mentioned in the title of the ordinance. COMMISSIONER BROWN indicated her amendment would also include the title.

COMMISSIONER COFFEY confirmed through Staff his understanding that, if someone wanted to do this, they would simply have to go to a full public hearing before the Platting Board.

Amendment

AYE: Klinkner, Penney, Brown, Jones, Coffey, Knepper, Klein

NAY: None

PASSED

Main Motion

AYE: Klinkner, Penney, Brown, Jones, Coffey, Knepper, Klein

NAY: None

PASSED

2. 2002-069 Southcentral Foundation. A Conditional Use for a quasi-institutional use which would allow for an adult and a youth transitional living facility. Australaska Subdivision, Block 1, Lots 1 & 2. Located at 3900 and 3916 East 9th Avenue.

POSTPONED TO MAY 6, 2002

I. REPORTS

1. **Chair** - None

2. **Secretary**

MR. WEAVER stated there are a number of cases scheduled for the Commission's May 6, 2002 and May 13, 2002 meetings. He was looking to May 15, 2002 as a possible carryover date.

COMMISSIONER COFFEY asked if the May calendar could be provided to the Commission by next week. MR. WEAVER indicated this could be done. He noted the agenda was crowded because of three ordinances the Assembly wants to have heard. He suggested the Commission might wish to have dialogue with the Assembly about not calendaring the ordinances that they introduce and instead allowing the Department to


**MUNICIPALITY OF ANCHORAGE
PLANNING DEPARTMENT**


G.1.

MEMORANDUM

DATE: March 26, 2002

TO: Planning and Zoning Commission

THRU:  Susan R. Fison, Director

FROM:  Jerry T. Weaver Jr., Zoning and Platting Division Manager

SUBJECT: Planning Case 2002-071, an ordinance amending Anchorage Municipal Code Sections 21.15.100, 21.15.125 and 21.15.130 (Abbreviated Plat Procedures) to allow the creation of three tracts or eight lots, to allow the vacation of certain public or private easements and to amend Anchorage Municipal Regulation 21.15.001, plat submittal requirements.

Respectively, on June 6, 2001 and September 10, 2001, the Platting Board and the Planning and Zoning Commission, approved similar ordinance amendments without any substantial changes. The Law Department, in its final review while inserting Planning and Zoning Commission amendments, made some structural reorganization to the original ordinance and included a new amendment to the Code of Regulations concerning the submittal requirements and scheduling of submitted applications. The Law Department recommended that the Planning and Zoning Commission review and evaluate the revised ordinance before submitting the final ordinance to the Municipal Assembly.

This ordinance amendments will help utilize staff resources more efficiently by increasing the number of allowable lots allowed from three to eight, and allow the vacation of miscellaneous private easements, with beneficiary concurrence, to be vacated with this when using the abbreviated plat process plat procedures. The lots being created must conform to existing zoning and subdivision requirements and no variances are allowed with the abbreviated plat procedure. The ordinance includes authority for the Platting Officer to defer access issues into adjacent public property to the Platting Board where necessary.

The local engineering and surveying firms see the need to allow the above types of changes to the Municipal Code to allow the processing of simple subdivisions in an efficient time period. Abbreviated Plats can be advertised and acted upon within a forty days, whereas a regular plat processing to the Platting Board can take up to 60 days or more. This can be a critical time period for some applicants. The Development Services

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Department originally objected to the original ordinance with respect to the vacation of drainage easements; and text changes were made to accommodate the Right-of Way Division's concerns to require written concurrence of Development Services when vacating a drainage easement.

There were no negative review comments received from the other review agencies. Two community councils did object to the proposed ordinances and recommend the ordinance no be approved. The Department of Natural Resources requested changes to the original ordinance, which would prohibit Abbreviated Plats when the property adjoins various public lands. Staff believes that because review agencies will continue to part of the review process, this provision is not needed. The present ordinance allows the Platting Officer the ability to defer to the Platting Board any case requiring additional review concerning access to surrounding public property.

Staff has included sections from the Seattle code with similar provisions for simple subdivision (Short Plats) which allows the creation of nine (9) lots with administrative procedures and authority. The professional review process will remain the same as with all other platting cases and the standards of the code are applied equally regardless of whether the case is a public hearing case or a non-public hearing case.

Approval of this ordinance is recommended.