

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 7-8-03

Submitted by: Assemblymembers Tesche, Sullivan
Prepared by: Assembly Department
For reading: March 18, 2003

ANCHORAGE, ALASKA
AO NO. 2003-58

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
2 ANCHORAGE MUNICIPAL CODE 21.10.030 AND 2.30.030 TERMINATING
3 DESIGNATION OF THE ASSEMBLY AS THE BOARD OF ADJUSTMENT, CREATING
4 A SEPARATE BOARD OF ADJUSTMENT, AND TRANSFERRING ALL FUNCTIONS OF
5 THE BOARD OF ADJUSTMENT FROM THE ASSEMBLY TO THE NEWLY
6 CONSTITUTED BOARD.
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9 THE ANCHORAGE ASSEMBLY ORDAINS:

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11 **Section 1.** Anchorage Municipal Code Section 21.10.030B1, board of adjustment, is
12 amended by adding language to read as follows:

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14 **21.10.030** **Board of adjustment.**

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16 A. There is a board of adjustment, which shall decide appeals from:

- 17
18 1. Decisions regarding the approval or disapproval of a plat or variance from the
19 provisions of chapters 21.80 and 21.85; and
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21 2. Decisions regarding the approval or disapproval of applications for concept
22 or final approval of conditional uses;

23
24 in accordance with Chapter 21.30.

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26 B. The board of adjustment shall be:

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28 1. A three-member board of adjustment [THE ASSEMBLY], for appeals from
29 the platting board and the planning and zoning commission, whose members
30 are nominated by the mayor and confirmed by the assembly for three-year
31 staggered terms. The board's seats shall be designated Seats 1, 2, and 3;
32
33 2. The planning and zoning commission, for appeals from the hearing officer.

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35 (GAAB 21.30.360, 21.30.370; AO No. 73-76; AO No. 77-355; AO No. 84-70; AO
36 No. 85-72; AO No. 86-155)

* eight members of

FLOOR AMENDMENTS TO AO NO. 2003-58
MR. TESCHE

AO NO. 2003-58 is amended on the recommendation of the Planning and Zoning Commission Resolution 2003-032, set forth in AM 553-2003, and formatted in **bold** to read as follows:

Line 26: B. The board of adjustment shall be:

1. A three-member board of adjustment, with two alternate members to serve in the absence of the three sitting members, [THE ASSEMBLY], for appeals from the platting board and the planning and zoning commission, whose members are nominated by the mayor and confirmed by the assembly for three-year staggered terms. The board's seats shall be designated Seats 1, 2, and 3[;]. The board members shall be knowledgeable and experienced in administrative law and in the provisions of Title 21 of the Municipal Code.

C. When transmitting to the Assembly for confirmation the name of appointees to the board of adjustment, the Mayor shall cause a notice of a 10-day comment period inviting public comment on the qualifications of such appointees to be published in a newspaper of general circulation in the Municipality. The notice shall advise that comments shall be in writing and filed with the Municipal Clerk. Upon receipt, the Municipal Clerk shall forward comments received to the Mayor and the Assembly. The Assembly shall not take action on any appointment to the board of adjustment until after the close of the public comment periods.