

CLERK'S OFFICE
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Submitted by: Vice-Chair COFFEY
Prepared by: Assembly Department
For reading: September 27, 2005

ANCHORAGE, ALASKA
AO No. 2005-73(S)

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 21.05 TO
2 ADD A NEW SECTION FOR CREATING AND ADOPTING A NEIGHBORHOOD OR
3 DISTRICT PLAN.

4
5 THE ANCHORAGE ASSEMBLY ORDAINS:
6

7 **Section 1:** Anchorage Municipal Code chapter 21.05 is amended by adding a new section as
8 follows (*the remainder of the chapter is not affected, and therefore not set out*):
9

10 **21.05.155 Procedure for creating and adopting a neighborhood or district plan.**
11

12 A. Purpose and Authority.
13

14 1. *Purpose.* Neighborhood or district plans shall be guided by the
15 elements of the Comprehensive Plan, as defined in section 21.05.030.
16 Neighborhood or district plans should give specificity to the goals,
17 objectives, policies, and strategies of the Comprehensive Plan. These
18 plans shall supplement and elaborate on the Comprehensive Plan. The
19 goal of a neighborhood or district plan is to promote the orderly growth,
20 improvement, and future development of the neighborhood, community,
21 or municipality.
22

23 2. *Authority.* These procedures and minimum standards are established for
24 the creation and review of plans for the development, growth, and
25 improvement of the municipality, its neighborhoods and communities.
26 The plans may be sponsored by the Mayor, the Assembly, the Planning
27 and Zoning Commission (the "Commission"), the Planning Department
28 (the "Department"), the Community Development Division, or upon the
29 express approval of the Assembly by resolution, any Community
30 Council or group of Councils, or other groups or organizations
31 representing the broad public interest recognized by the Assembly to
32 sponsor a neighborhood or district plan (hereafter called the "sponsor").
33

34 In order to obtain the approval of the Assembly, as a sponsor, any
35 Community Council, group of councils or other groups or organizations
36 shall request a resolution from the Assembly authorizing them to
37 proceed with the development of a neighborhood or district plan. The
38 group shall demonstrate, to the reasonable satisfaction of a majority of
39 the Assembly, that they represent the broad public interest necessary to
40 successfully develop a plan; that they have read and understand the
41 requirements of this ordinance; that their proposed plan will comply with

1 the standards set forth in this ordinance; and that they have sufficient
2 financial resources and a sufficient level of knowledge and expertise to
3 warrant the expenditure of public resources as provided herein.
4

- 5 3. *Policy Guidance.* An adopted plan shall be an element of the
6 Comprehensive Plan and shall serve as a policy to guide subsequent
7 actions by municipal agencies. The Assembly and the Commission shall
8 consider adopted plans in review of land use, zoning actions, and capital
9 improvement programs, where consideration is consistent with the
10 Charter, the Comprehensive Plan, and general law. Agencies shall
11 consider adopted neighborhood or district plans as guidance for actions,
12 whether or not actions are subject to Commission review. The existence
13 of an adopted neighborhood or district plan shall not preclude the
14 Assembly, any municipal department or agency, or any board or
15 commission of the municipality from developing other plans or taking
16 actions not contemplated in the neighborhood or district plan affecting
17 the same geographic area or subject matter.
18

19 B. Plan Submission.
20

- 21 1. *Initiation Meeting.* The sponsor of a plan shall meet with the
22 Department at the initiation of the planning process to discuss and clarify
23 content requirements, scheduling, and other relevant issues.
24 Periodically, the Department shall report to the Commission, and to the
25 Assembly by an Assembly Information Memorandum requiring no
26 further action, on the progress of neighborhood or district plans
27 underway.
28
- 29 2. *Work Program.* Following the Initiation Meeting, the sponsor shall
30 prepare a Work Program which shall be submitted to the Department for
31 approval. The Work Program shall include a project schedule, a
32 proposed Table of Contents, a proposed public participation plan, and at
33 least three milestones at which times the sponsor shall meet with the
34 Department.
35
- 36 3. *Submission.* Twenty (20) printed copies along with an electronic version
37 of all proposed plans shall be submitted to the Planning Department,
38 4700 Bragaw Street, Anchorage, Alaska 99507. The submission shall
39 include the name(s) and address(es) of the person(s) designated by the
40 sponsor to be its representative(s) in any discussions of the plan.
41

42 C. Threshold Review and Determination.
43

- 44 1. *Department Review and Determination.* Within ninety (90) days of the
45 submission of a plan, the Department shall review the plan and

1 determine whether the plan meets the standards for form, content and for
2 consistency with sound planning, as set forth in subsection D.1. below.

3
4 a. If the Department determines that the plan does meet the
5 threshold standards of subsection D.1.d., the Department shall
6 distribute the plan for public review and Commission public
7 hearing as described in subsection E.1.

8
9 b. If the Department determines the plan does not meet the
10 threshold standards of subsection D.1., the staff shall provide
11 written notification to the sponsor of all deficiencies with respect
12 to form, content, process and any changes, additions or deletions
13 which, in the opinion of the staff, may correct such deficiencies.
14 The sponsor may indicate its willingness to make such changes,
15 additions, or deletions. Only in such event may the sponsor be
16 permitted to continue with the plan.

17
18 2. *Coordination of Plan Review.* The Department may determine, despite a
19 finding of appropriate form, content and sound planning policy, a
20 proposed plan should not immediately proceed, due to other municipal
21 planning efforts underway which should be coordinated with the plan. In
22 such a case, the Department shall develop an appropriate timetable for
23 distributing the plan for public review and Commission public hearings.

24
25 D. Standards.

26
27 1. *Form and Content.* The form and content of all proposed plans shall be
28 consistent with the following:

29
30 a. The plan shall state its sponsoring entity or entities and the
31 names of the individuals who participated in the development of
32 the plan.

33
34 b. A plan shall enhance or implement goals, objectives, policies,
35 and/or strategies of the Comprehensive Plan and provide further
36 detail and specificity. A plan may take the form of a master plan
37 or targeted plan.

38
39 (1) A master plan for a neighborhood, district, or other
40 geographic area of the municipality may combine
41 elements related to housing, industrial and commercial
42 uses, transportation, land use regulation, open space,
43 recreation, cultural features, health, economic vitality,
44 community facilities and other infrastructure.

1 (2) A targeted plan may consider one or a small number of
2 elements of neighborhood, district, or municipal-wide
3 problems or needs, and shall focus on issues related to
4 the use, development, and improvement of land within
5 the plan study area.

6
7 c. A plan shall not be limited to a single zoning district or a specific
8 parcel in private ownership. A plan shall cover an identifiable,
9 cohesive geographic area or neighborhood.

10
11 d. Plans shall be presented in clear language and coherent form
12 with elements, chapters, or sections organized in logical
13 sequence.

14
15 e. Plans shall state goals, objectives, or purposes clearly and
16 succinctly. Policy statements or recommendations shall contain
17 documentation and explanation of the data, analysis, or rationale
18 underlying each. Plans shall analyze and propose policies to
19 address identified problems.

20
21 f. A plan shall contain, as applicable:

22
23 (1) Inventories or description and analysis of existing
24 conditions, problems, or needs; projections of future
25 conditions, problems, or needs; and recommended goals
26 and strategies to address those conditions, problems, or
27 needs.

28 (2) Alternatively, or concomitantly with the elements
29 described above, a plan may also contain a vision for a
30 future end state and a strategy(ies) for achieving it.

31
32 The level of detail and analysis shall be appropriate to the goals
33 and recommendations presented in the plan. The information
34 and analysis relied upon to support the recommendations shall be
35 sufficiently identified to facilitate later plan review, including
36 accuracy and validity of the information and analysis.
37 Supporting information may be contained in the form of
38 narrative, maps, charts, tables, technical appendices or the like.

39
40 g. A plan shall contain a land use plan map for the geographic area
41 encompassed by the plan. The land use plan map shall propose
42 appropriate land use categories, which generally include:
43 residential, commercial, industrial, institutional, transportation,
44 community facilities, parks, and natural open space. The land

1 use plan map may provide more specificity than the general
2 categories.

- 3
4 h. Plans shall be accompanied by documentation showing public
5 participation in the plan formulation and preparation. Public
6 outreach, such as surveys, workshops, hearings, or technical
7 advisory committees, is recommended as a tool for community
8 support and consensus, in addition to Department, Commission,
9 and Assembly approval.

10
11 2. Sound Planning Policy.

- 12
13 a. All plans, regardless of form and content, shall include
14 discussion of:

- 15
16 (1) Its long-range consequences;
17 (2) Impact on economic and housing opportunity for all
18 persons, particularly low- and moderate-income, and
19 persons with disabilities;
20 (3) provision of future growth and development
21 opportunities;
22 (4) ability to improve the physical environment; and
23 (5) effect on the geographic distribution of municipal
24 facilities.

- 25
26 b. A plan shall set forth goals, objectives, purposes, policies,
27 strategies, and/or recommendations within the legal authority of
28 the municipality.

- 29
30 c. A plan considering issues under the jurisdiction of specific
31 municipal or state agencies shall disclose all agency comments.

- 32
33 d. A plan shall analyze its relationship to applicable policy
34 documents, including all adopted elements of the Comprehensive
35 Plan, as well as its relationship to adjoining neighborhoods and
36 other areas.

- 37
38 e. A plan shall solicit input from residents, local businesses,
39 agencies and non-profit organizations local to the neighborhood
40 and demonstrate it has considered these comments on their
41 merits.
42

1 E. Plan Distribution and Review.

2
3 1. *Plan Distribution.* When, pursuant to subsection C.1. above, a plan is
4 ready for public review, the Department shall, within thirty (30) days of
5 its determination, provide copies of the plan simultaneously to all
6 municipal and state agencies with jurisdiction over elements of the plan,
7 and to all Community Councils. The Department shall also make copies
8 available to the general public at City Hall and the Planning &
9 Development Center, and post the plan on the Department website.

10
11 2. *Public, Agency, and Community Council Review.* Each Community
12 Council may conduct its own review of the plan. Within a period of
13 ~~seventy-five (75)~~ **one hundred and twenty (120)** days following receipt
14 of the plan, the Community Council may provide written
15 recommendation(s) to the Department and the sponsor.

16
17 Members of the public and other municipal or state agencies may
18 provide written comments to the Department during the ~~seventy-five~~
19 ~~(75)~~ **one hundred and twenty (120)** day review period.

20
21 3. *Department Review.* When the Department is not the sponsor of a plan,
22 it shall review the plan during the one hundred and twenty (120) day
23 review period, and prepare a staff report and recommendation for the
24 Commission. The Department shall consider the neighborhood,
25 community, and municipal-wide impacts and the long-term effects of the
26 actions or policies recommended by the plan. The Department shall also
27 consider the impact of the plan on economic and housing opportunity,
28 future growth and development, and the physical environment, including
29 the consistency of the plan with other adopted plans.

30
31 F. Planning and Zoning Commission Review.

32
33 1. *Schedule for Review.* At the conclusion of the one hundred and twenty
34 (120) day review period, the Commission shall schedule a public hearing
35 within sixty (60) days following the final day of the public review
36 period.

37
38 2. *Public Hearing.* Notice of the public hearing shall be given in
39 accordance with section 21.15.005.

40
41 3. *Commission Recommendation.* The Commission shall vote, within sixty
42 (60) days following the close of the public hearing, to recommend
43 approval, approval with modifications, remand to the sponsor, or
44 disapproval of the plan. In reviewing the substance of the plan, the
45 Commission shall consider the neighborhood, community, and

1 municipal-wide impacts and the potential long-term effects from the
2 actions or policies recommended by the plan. The Commission shall
3 consider the impact of the plan on economic and housing opportunity,
4 future growth and development, and the physical environment, including
5 consistency of the plan with other adopted plans, and any other pertinent
6 adopted neighborhood or district plans. Any modifications
7 recommended by the Commission shall be consistent with the standards
8 for form, content and sound planning policy, as set out in subsection D.1.
9 above.

- 10
11 4. *Commission Findings.* The Commission's recommendation shall
12 include findings describing its considerations and providing explanation
13 for its determination. The findings may include recommendations for
14 the implementation of plan elements. The recommendation shall be
15 transmitted to the Assembly for final approval.

16
17 G. Assembly Adoption.

- 18
19 1. *Transmission to Assembly.* The Commission's recommendation shall be
20 transmitted to the Assembly for introduction within forty-five (45) days
21 of the Commission recommendation. The Assembly shall schedule a
22 public hearing not more than forty-five (45) days after introduction.
23
24 2. *Public Hearing.* Notice of the public hearing shall be provided and the
25 hearing conducted in accordance with chapter 2.30.
26
27 3. *Assembly Decision.* Within forty-five (45) days of the close of the public
28 hearing, the Assembly shall either:
29
30 a. adopt the plan;
31 b. adopt the plan with modifications;
32 c. remand the plan to the Commission; or
33 d. not adopt the plan.

34
35 If the Assembly adopts the plan with modifications, the modifications
36 shall be consistent with the standards for form, content and sound
37 planning policy, as set out in subsection D.1. above. If the plan is
38 adopted, either as proposed or with modifications, it shall become an
39 element of the Comprehensive Plan as described in section 21.05.030.

40
41 H. Review and Revision.

- 42
43 1. *Revision of Plans.* A plan shall be reviewed by the Department
44 concurrent with the review of the comprehensive plans as otherwise
45 provided in this title to determine if the plan is consistent with the

1 Comprehensive Plan. If the sponsor shows a major change of
2 circumstances in the neighborhood or district, the sponsor may request a
3 review of the plan before the end of any ten-year period. Any revisions
4 shall be presented for adoption as an amendment to the plan, in
5 accordance with the procedures set forth herein.
6

7 **Section 2:** This ordinance shall become effective immediately upon its passage and approval
8 by the Assembly.
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10 PASSED AND APPROVED by the Anchorage Assembly this 27th day of
11 September 2005.
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14
15 Anna J. Fairclough
16 Chair

17 ATTEST:
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19
20
21 Dynia L. Heemi
22 Municipal Clerk
Deputy