Submitted by: ASSEMBLY MEMBER TESCHE **ASSEMBLY MEMBER COFFEY** 

Prepared by: Assembly Counsel

For reading:

October 17, 2006

APPROVED Date...

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30 31 32 CLERK'S OFFICE

11-14-06 ANCHORAGE, ALASKA AO NO. 2006-150

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.55.020 TO REDUCE MINIMUM LOT SIZES REQUIRED FOR SEPARATE SALE OF ABUTTING NONCONFORMING LOTS OF RECORD.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 21.55.020, Nonconforming Lots of Record, is hereby amended to read as follows:

### 21.55.020 Nonconforming lots of record.

If two or more abutting lots in single ownership and containing less than C. 5,500 [6,000] square feet of area in any one lot are of record on or after November 27, 1990, and are nonconforming by virtue of this title or any amendment thereto, the lands involved shall be considered to be an undivided parcel for the purpose of this title, and no portion of such parcel shall be sold individually after being developed under this provision.

\*\*\* (GAAB 21.05.070.B; AO No. 85-90; AO No. 86-175; AO No. 90-138; AO No. 2004-133(S), § 1, 12-7-04; AO No. 2005-67(S), § 1, 6-28-05)

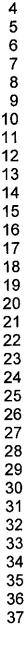
AMC 21.10.015 notwithstanding, this amendment to AMC 21.55.020 does not require prior Planning and Zoning Commission review for the reasons expressed in the accompanying Assembly Memorandum.

This ordinance shall become effective immediately upon its passage and Section 3. approval by the Assembly.

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AO 2006-150 Page 2 of 2





## **MUNICIPALITY OF ANCHORAGE**

#### **ASSEMBLY MEMORANDUM**

**NO.** <u>AM 781–2006</u>

Meeting Date: October 17, 2006

From:

Assemblymembers Tesche and Coffey

Subject:

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AO 2006-150 — An Ordinance Amending AMC 21.55.020 to Reduce Minimum Lot Sizes Required for Separate Sale of Abutting

Nonconforming Lots of Record.

This amendment to AMC 21.55.020C allows a relatively small number of abutting nonconforming lots to be sold separately if each is at least 5,500 square feet in size. Current law treats these lawful nonconformities as one lot if both are less than 6,000 square feet. The relatively small change in current law will facilitate easier transfer of lawful nonconforming lots in older, more dense neighborhoods, such as the South Addition, where developable parcels are relatively small and sell at a premium. Property assessment of abutting nonconforming lots that would qualify for separate sale under the ordinance are expected to rise above current levels, reflecting the ease of transferability among private owners.

Because this same section of Title 21 was reviewed recently by the Planning and Zoning Commission only last year, and because AO 2006-150 makes only a relatively minor change to current law, prior review of this proposed amendment to Title 21 is not required under the ordinance.

Enactment of AO 2006-150 is recommended.

Respectfully submitted

Allan Tesche Assemblymember, Section 1

Dan Coffey Assemblymember, Section 4

# Municipality of Anchorage MUNICIPAL CLERK'S OFFICE

#### **Agenda Document Control Sheet**

AO 2006-150

	REVERSE SIDE FOR FURTHER INFORMATION)			
1	SUBJECT OF AGENDA DOCUMENT AMEND AMC 21.55.020 TO REDUCE MINIMUM LOT		DATE PREPARED 10/17/06	
	SIZES REQUIRED FOR SEPARATE SALE OF ABUTTING			
	NONCONFORMING LOTS OF RECORD		Indicate Documents Attached	
	·		X AO AR X AM AIM	
	DEPARTMENT NAME		DIRECTOR'S NAME	
2	Assembly		Daniel A. Sullivan, Chairman	
	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY		HIS/HER PHONE NUMBER	
3	Julia Tucker, Assembly Counsel		343-4419	
4	COORDINATED WITH AND REVIEWED BY	INIT	IALS DATE	
	Mayor	·		
	Municipal Clerk			
	Municipal Attorney			
	Employee Relations			
	Municipal Manager			
	Anchorage Parks & Recreation			
	Fire			
	Health & Human Services			
	Merrill Field Airport			
	Municipal Light & Power			
	Office of Management and Budget			
	Police			
	Port of Anchorage			
	Office of Economic & Community Development			
	Solid Waste Services			
	Public Transportation			
	Anchorage Water & Wastewater Utility			
	Executive Manager			
	Planning Department			<b>2006</b>
	Chief Fiscal Officer			
	Heritage Land Bank			
	Information Technology Department			2
	Project Management & Engineering			0.A 7 A
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5	Special Instructions/Comments			
	LAID ON THE TABLE - INTRODUCTION			
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6	ASSEMBLY HEARING DATE REQUESTED 10/17/06	7 PUBLIC HE	ARING DATE REQU	DESTED