

Submitted by: ASSEMBLY MEMBER TESCHE
ASSEMBLY MEMBER Shamberg
Prepared by: Assembly Counsel
For reading: December 12, 2006

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 1-9-07

ANCHORAGE, ALASKA
AO NO. 2006-175

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY REPEALING
2 AND REENACTING ANCHORAGE MUNICIPAL CODE SECTION 4.60.030 TO
3 CREATE AN HISTORIC PRESERVATION COMMISSION PROMOTING A
4 BROADER COMMUNITY PURPOSE FOR HISTORIC PRESERVATION, AND
5 AMENDING SECTION 6.100.020, FINANCING HISTORIC PRESERVATION
6 PROJECTS.
7

8
9 THE ANCHORAGE ASSEMBLY ORDAINS:

10
11 **Section 1.** Anchorage Municipal Code section 4.60.030 is hereby repealed and
12 reenacted. As required by AMC 1.05.050B, the current text of AMC Section 4.60.030
13 is attached.
14

15 **4.60.030** **Historic preservation commission.**
16

17 A. *Purpose.* There is established an historic preservation commission to
18 encourage and further the interests of historic preservation by identifying,
19 protecting, and interpreting the municipality's significant historic and
20 cultural resources for the economic and social benefit of the community.
21

22 B. *Composition and terms of members.*
23

24 1. The commission shall consist of eleven (11) voting members,
25 appointed by the mayor subject to confirmation by the assembly.
26 Members of the commission serve at the pleasure of the mayor.
27

28 2. Each member shall be appointed pursuant to chapter 4.05 or for
29 the unexpired portion of a predecessor's term. No person shall serve
30 more than two consecutive terms.
31

32 3. Unless otherwise provided in this section, the commission shall be
33 governed by the provisions of Chapter 4.05.
34

AM 855-2006

C. *Ex-officio members.*

1. To assist the commission, there shall be three (3) ex-officio members. The Director of the Office of Economic and Community Development shall assign a municipal employee to serve as support staff for the commission and to act as Historic Preservation Officer (HPO).

2. The Director of the Office of Economic and Community Development, or designee, shall serve as an ex-officio member; and

3. The Director of the Department of Planning, or designee, shall serve as an ex-officio member; and

4. The Alaska State Historic Preservation Officer (SHPO) shall serve as an ex-officio member.

D. *Qualifications.* At a minimum, each voting member of the commission shall have a demonstrated interest, competence or knowledge of:

1. The history of Anchorage;

2. Architecture, design, history, real estate, construction or other matters relevant to judging the economic and cultural value of particular historic preservation activities; or

3. Historic preservation.

4. To the extent available in the Municipality, commission members shall include:

a. One architect, art historian or historic preservation architect;

b. One member with experience in building construction, such as a building contractor or structural engineer;

c. One member with experience in the real estate, such as a real estate developer, appraiser or broker;

d. One member as a representative of a recognized local historic preservation association or historic preservation group;

- e. One historian;
 - f. One archeologist;
 - g. One Native Culture Advisor with knowledge of local indigenous history and culture;
 - h. One member with legal expertise in historic preservation, land use, or real estate;
 - i. Three citizens-at-large members, as set out below.
 - i. Initially, the at-large members shall be appointed pursuant to the minimum qualifications in this section.
 - ii. Upon designation of one or more Historic Districts pursuant to this chapter, an at-large position shall be filled by a person residing within the Historic District, if a person so qualified is available to service.
 - iii. If more than three Historic Districts are designated, the mayor shall determine the three Historic Districts to be represented on the commission.
5. If upon written documentation that a reasonable effort has been made to fill a position from a professional discipline that is not represented on the commission, the commission shall seek expertise in this area from consultants meeting the SECRETARY OF THE INTERIOR'S PROFESSIONAL QUALIFICATIONS STANDARDS.

E. *Powers and duties of commission.* The commission shall:

1. **Prepare** Promulgate regulations **and submit to the Assembly for approval** establishing standards, definitions, and procedures for identification of, designation of, and review of actions pertaining to historic resources.
2. Prepare and maintain a comprehensive inventory of historic resources. The local Historic Inventory shall be compatible with the

1 Alaska Heritage Resource Survey and shall be submitted annually to the
2 State of Alaska Office of History and Archeology.

3
4 3. Prepare and submit to the assembly, mayor, and planning &
5 zoning commission for approval by ordinance, a procedure for
6 designating, without changing or modifying the underlying zoning
7 classification:

8
9 a. Resources on the Historic Inventory with "HI"; and

10
11 b. Properties listed in local, state and federal Historic
12 Registries with "HR".

13
14 4. Formulate an Historic Preservation Plan, and submit to the
15 assembly, mayor, and planning & zoning commission for incorporation
16 into the 2020 COMPREHENSIVE PLAN.

17
18 5. Review applications for designation of Historic Properties, Historic
19 Resources or Historic Districts, including nominations to the State and
20 National Registers of Historic Places, and under applicable federal and
21 state laws, nominate such properties, resources or districts for the local
22 Historic Register.

23
24 a. Initially the commission shall nominate appropriate
25 municipal properties on the State and National Registers
26 for the local Historic Register.

27
28 6. Under the ALASKA HISTORIC PRESERVATION ACT and the NATIONAL
29 HISTORIC PRESERVATION ACT of 1966, 16 USC 470 *et seq.*:

30
31 a. Serve as the historic preservation review commission for
32 the municipality for the purpose of maintaining the
33 municipality as a certified local government;

34
35 b. Serve as the local historical district commission for the
36 municipality under AS 29.55 and AS 45.98, and maintain
37 the local Historic Register.

38
39 c. Under federal and state law, recommend eligible properties
40 to the state historic preservation officer for nomination to
41 the National Register of Historic Places.
42

1 7. Recommend **to the Mayor and the Assembly** resources and
2 potential incentives to assist historic property owners in the preservation,
3 restoration, rehabilitation and repair of historic property.
4

5 8. Advise the assembly and planning & zoning commission
6 concerning historic preservation planning and its implementation, and
7 recommend appropriate amendments to the Comprehensive Plan,
8 Title 21, and other local development regulations to promote the
9 purposes of this chapter.
10

11 9. Recommend **to the Assembly and the Planning and Zoning**
12 **Commission** maintenance programs for municipally-owned Historic
13 Properties, Historic Resources or properties within Historic Districts.
14

15 10. Make recommendations to the mayor and assembly concerning:
16

17 a. Acquisition of property or interests in property;
18

19 b. Availability and use of public or private funds to promote
20 the preservation of properties and districts within the
21 municipality;
22

23 c. Enactment of legislation, regulations and codes to
24 encourage the use and adaptive reuse of historic
25 properties.
26

27 11. Provide information, in the form of pamphlets, newsletters,
28 workshops or similar activities, to historic property owners on methods of
29 maintaining and rehabilitating historic resources.
30

31 12. Officially recognize excellence in the rehabilitation of historic
32 buildings, structures, sites and districts, and new construction in historic
33 areas.
34

35 13. Develop and participate in public information, educational and
36 interpretive programs and activities to increase public awareness of the
37 value of historic preservation.
38

39 14. Establish liaison, support, communication and cooperation with
40 federal, state and municipal governmental entities and departments, as
41 well as boards and commissions, to further historic preservation
42 objectives, including public education.

F. *Historic Preservation Officer.*

1. The Director of the Office of Economic and Community Development shall appoint an Historic Preservation Officer (HPO).

2. The HPO shall have a demonstrated interest in historic preservation and be a qualified professional in one or more pertinent fields, such as historic preservation, architecture, archeology, architectural history, cultural anthropology, history, historic architecture or a closely related field.

3. The duties of the HPO shall include:

- a. Act as secretary for the commission;
- b. Act as intermediary between the commission and municipal departments, including notification of appropriate officials of Historic Inventory (HI) and Historic Register (HR) properties.
- c. Receive and present applications, with comments and evaluation as appropriate, to the commission for review.
- d. Provide technical and background information to the commission.
- e. Perform such other duties as required by the commission.

Section 2. Anchorage Municipal Code section 6.100.020 is amended as follows (*the remainder of the section is not affected and therefore not set out*):

6.100.020 Financing of historic preservation projects.

D. The municipality may [SHALL] contract with any qualified entity for administration of [ANCHORAGE HISTORIC PROPERTIES, INC., TO IDENTIFY, INITIATE, NEGOTIATE AND ADMINISTER] historic preservation projects authorized under this section.

(AO No. 86-47; AO No. 86-154; AO No. 87-75)

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

PASSED AND APPROVED by the Anchorage Assembly this 9th day of January, 2007.

Dan Sullivan
Chair

ATTEST:

Bonnie S. Gwendt
Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

An ordinance of the Anchorage Municipal Assembly repealing and reenacting
AMC section 4.60.030, To Create an Historic Preservation Commission
Promoting a Broader Community Purpose for Historic Preservation, and
amending section 6.100.020, Financing Historic Preservation Projects.

AO Number: 2006-175 Title:

Sponsor: Assemblymember Tesche
Preparing Agency: Assembly
Others Impacted: Office of Economic and Community Development

| CHANGES IN EXPENDITURES AND REVENUES: | | (In Thousands of Dollars) | | | | |
|--|-------------|----------------------------------|-------------|-------------|-------------|--|
| | FY06 | FY07 | FY08 | FY09 | FY10 | |
| Operating Expenditures | | | | | | |
| 1000 Personal Services | \$ - | \$ - | \$ - | \$ - | \$ - | |
| 2000 Non-Labor | - | - | - | - | - | |
| 3900 Contributions | | | | | | |
| 4000 Debt Service | | | | | | |
| TOTAL DIRECT COSTS: | \$ - | \$ - | \$ - | \$ - | \$ - | |
| Add: 6000 Charges from Others | | | | | | |
| Less: 7000 Charges to Others | | | | | | |
| FUNCTION COST: | \$ - | \$ - | \$ - | \$ - | \$ - | |
| REVENUES: | | | | | | |
| CAPITAL: | | | | | | |
| POSITIONS: FT/PT and Temp | | | | | | |

PUBLIC SECTOR ECONOMIC EFFECTS:

There are no significant public sector economic effects associated with this ordinance. Support staff duties for the commission will initially be absorbed by the Office of Economic and Community Development; however, there may be need of a FTE in the future. In addition, there will be some relatively minor costs associated with providing information in the form of pamphlets, newsletters, workshops, etc.

PRIVATE SECTOR ECONOMIC EFFECTS:

There are no significant private sector economic effects associated with this ordinance.

Prepared by: Steven B. King, Utility Budget Analyst
Reviewed by: Guadalupe Marroquin

Telephone: 343-4714
Telephone: 343-4376



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
NO. AM 855-2006

Meeting Date: December 12, 2006

From: Assemblymembers Tesche and Shamberg

Subject: AO 2006-175 — AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY REPEALING AND REENACTING ANCHORAGE MUNICIPAL CODE SECTION 4.60.030 TO CREATE AN HISTORIC PRESERVATION COMMISSION PROMOTING A BROADER COMMUNITY PURPOSE FOR HISTORIC PRESERVATION, AND AMENDING SECTION 6.100.020, FINANCING HISTORIC PRESERVATION PROJECTS.

The historical, cultural, and aesthetic heritage of Anchorage is among our most valuable community assets. It consists of several themes resulting from human events and changes in technology as people have increasingly settled in this area. Beginning with Native habitation in the area, Anchorage has evolved through a series of subsequent activities here and in the region; for example, mining and trapping, railroad construction, New Deal farming and homesteading, military build-ups, post-earthquake reconstruction, oil and gas development, resolution of Native and State land claims, and international trade. All of these activities have left, and will continue to leave, physical reminders in our community. They make up a rich historical resource that represents who we were then, and will continue to be, as a community. Coupled with our physical setting, they help to provide us with our unique identity.

In recognition of the growing appreciation for our historic and cultural resources, particularly our physical environment, to revitalize historic neighborhoods, and to promote economic development, AO 2006-175 is proposed. The ordinance creates an eleven-member Historic Preservation Commission ~~from the former board of Anchorage Historic Properties, Inc.~~, and assigns the Commission with the tasks of maintaining an official inventory of historic places and buildings, together with preparation of a historic preservation plan under Policy #51 of the *Anchorage 2020/Anchorage Bowl Comprehensive Plan*. The Commission will recommend legislation the Assembly might consider in future years to protect historic resources of the community. The new commission will serve as the official review authority for a "certified local government" [CLG] under the Alaska Historic Preservation Act and the National Historic Preservation Act of 1966, 16 USC 270 *et seq.*

AO 2006-175

Specific means by which voluntary historic preservation activities may be pursued by property owners, neighborhoods, and the municipal government are left to future legislation and measures the Commission might review and recommend to the Assembly and the Mayor.

Enactment of AO 2006-175 is recommended.

Respectfully submitted,

Allan Tesche
Assemblymember, Section 1

Janice Shamberg
Assemblymember, Section 6

4.60.030 Historic preservation board.

There is established a historic preservation board consisting of the board of directors of Anchorage Historic Properties, Inc., a nonprofit corporation incorporated under AS 10.20.005 et seq. The board of directors of Anchorage Historic Properties, Inc., consists of 11 members, six of whom are appointed by the mayor subject to confirmation by the assembly, and five of whom are members of Anchorage Historic Properties, Inc., and elected by its membership. All board members shall have a demonstrated interest, competence or knowledge in historic preservation. To the extent available in the municipality, the board shall include professional members from the disciplines of architecture, history, architectural history, planning, archaeology or other historic preservation related disciplines.

The board shall:

- A. Advise the mayor, assembly and others in the identification and preservation of all buildings and areas within the municipality that are of cultural, historic or geographical importance in the heritage of the municipality or region;
- B. Under the National Historic Preservation Act of 1966, 16 USC 470 et seq.:
 - 1. Serve as the historic preservation review commission for the municipality for the purpose of qualifying the municipality as a certified local government; and
 - 2. With property owner consent, recommend eligible properties to the state historic preservation officer for nomination to the National Register of Historic Places;
- C. Serve as the local historical district commission for the municipality under AS 29.55 and AS 45.98;
- D. Designate buildings and structures which have special historical or architectural significance for the purpose of facilitating the relaxation of certain requirements of Title 23, in the manner permitted by that title for such buildings and structures;
- E. Develop and maintain an inventory of historic structures and sites;
- F. Advise the planning and zoning commission concerning historic preservation planning and its implementation, and in the review of projects that affect historic structures;
- G. Coordinate, assist or plan with or between other municipal departments, public agencies, educational institutions, community groups or interested persons to develop preservation projects, including the preservation of architecturally or historically significant buildings, sites, objects or structures; and
- H. Advise municipal departments and boards and commissions on the continuing maintenance and utilization of publicly owned historic properties.

(CAC 2.64.670--2.64.680; AO No. 77-304; AO No. 82-49; AO No. 83-44; AO No. 86-154; AO No. 87-96)

Charter references: Boards and commissions, § 5.07.

Cross references: Naming of municipal buildings, other fixed facilities and public places, Ch. 3.97; historic preservation project fund, Ch. 6.100; land use planning, supplementary district regulations, Ch. 21.45; building regulations, Ch. 23.05; public lands, Tit. 25.

State law references: Historical commissions, AS 29.55.010; historical district revolving loan fund, AS 45.98.

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

AO 2006-175

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

| | | | |
|----------|--|---|-------------------------------|
| 1 | SUBJECT OF AGENDA DOCUMENT | DATE PREPARED | |
| | HISTORIC PRESERVATION COMMISSION | 12/4/06 | |
| | | Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM | |
| 2 | DEPARTMENT NAME | DIRECTOR'S NAME | |
| | Assembly | Daniel A. Sullivan, Chairman | |
| 3 | THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY | HIS/HER PHONE NUMBER | |
| | JULIA TUCKER - ASSEMBLY COUNSEL | 343-4419 | |
| 4 | COORDINATED WITH AND REVIEWED BY | INITIALS | 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 | | |
| | Chief Fiscal Officer | | |
| | Heritage Land Bank | | |
| | Information Technology Department | | |
| | Project Management & Engineering | | |
| | Purchasing | | |
| | Other | | |
| | | | |
| | | | |
| 5 | Special Instructions/Comments | | |
| | CONSENT AGENDA - INTRODUCTION | | |
| | | | |
| | | | |
| | | | |
| 6 | ASSEMBLY HEARING DATE REQUESTED | 7 | PUBLIC HEARING DATE REQUESTED |
| | 12/12/06 | | 1/9/07 |

M.C.A.
 2006 DEC - 4 AM 8:36
 CLERK'S OFFICE