

Submitted by: ASSEMBLY MEMBER Birch

Prepared by: Assembly Counsel

For reading: February 13, 2007

*Proposed indefinitely 2/14/07*

**ANCHORAGE, ALASKA**

**AO NO. 2007-37**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY REPEALING**  
2 **ANCHORAGE MUNICIPAL CODE SECTIONS 4.40.125 AND 21.10.028, URBAN**  
3 **DESIGN COMMISSION, AND AMENDING AMC CHAPTER 7.40 TO REMOVE THE**  
4 **URBAN DESIGN COMMISSION FROM THE JURY IN SELECTION OF ART IN**  
5 **PUBLIC FACILITIES, AND PROVIDING FOR TRANSITION OF ADVISORY URBAN**  
6 **DESIGN COMMISSION WORK IN PROGRESS TO THE PLANNING AND ZONING**  
7 **COMMISSION.**

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10 **THE ANCHORAGE ASSEMBLY ORDAINS:**

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12 **Section 1.** Anchorage Municipal Code section 4.40.125 is hereby repealed in its  
13 entirety:

14  
15 **4.40.125 [URBAN DESIGN COMMISSION.]**

16  
17 [THERE IS ESTABLISHED AN URBAN DESIGN COMMISSION TO EXERCISE THE  
18 POWERS AND DUTIES MORE PARTICULARLY SET FORTH IN TITLE 21.]

19  
20 (CAC 2.64.520--2.64.540; AO No. 81-180; AO No. 82-167; AO No. 84-30; AO No. 85-  
21 160, 1-8-86; AO No. 97-145, § 1, 12-9-97; AO No. 2000-114, § 1, 1-9-01; AO No. 2004-  
22 68, § 1, 4-13-04)

23  
24 **Section 2.** Anchorage Municipal Code chapter 7.40, Regulations Governing Funds  
25 For Works Of Art In Public Facilities, is amended to read as follows:

26  
27 **7.40.003 Jury selection.**

- 28  
29 A. The public art committee shall recommend a panel of jurors to the mayor who shall  
30 appoint a jury to select artwork for each construction project with proposed capital  
31 expenditures in excess of \$1,000,000.00. A jury shall consist of at least seven  
32 members and include [ONE REPRESENTATIVE FROM THE URBAN DESIGN  
33 COMMISSION,] one representative from the Anchorage Arts Advisory Commission,  
34 one representative from the historical and fine arts commission, the project designer,  
35 a representative from the user department or Anchorage School District and at least  
36 two interested local residents.

**7.40.004 Jury.**

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H. Within five working days after rendering a decision, a jury shall provide written notice of its selection to [THE URBAN DESIGN COMMISSION,] the Anchorage Arts Advisory Commission, the historical and fine arts commission, the public art committee and the administration. Neither a commission nor the administration may reject a jury selection except as provided in subsection G of this section.

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(AR No. 79-109; AO No. 80-79; AR No. 81-270; AO No. 84-30; AR No. 87-309, 1-1-88; AO No. 91-41)

**Section 3.** Anchorage Municipal Code section 21.10.028, Urban Design Commission, is hereby repealed in its entirety:

**21.10.028 [URBAN DESIGN COMMISSION.]**

[THERE SHALL BE AN URBAN DESIGN COMMISSION, WHICH SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

A. ADVISE THE MAYOR AND ASSEMBLY REGARDING URBAN DESIGN MATTERS.

B. REVIEW AND DECIDE SPECIAL LIMITATIONS OF ZONING MAP AMENDMENTS, CONDITIONAL USES, PLATS AND SITE PLANS IN ACCORDANCE WITH AUTHORITY DELEGATED BY THE PLANNING AND ZONING COMMISSION OR PLATTING BOARD UNDER THIS TITLE.

C. HEAR AND DECIDE UPON APPLICATIONS FOR HIGHWAY LANDSCAPING APPROVAL UNDER SECTION 21.45.130.

D. REVIEW AND DECIDE UPON STREET AND HIGHWAY LANDSCAPE PLANS IN ACCORDANCE WITH SECTION 24.15.030.

E. REVIEW AND DECIDE UPON PUBLIC FACILITY PROJECT LANDSCAPING PLANS IN ACCORDANCE WITH SECTION 21.15.025.

F. REVIEW AND MAKE RECOMMENDATIONS TO THE PLANNING AND ZONING COMMISSION ON PUBLIC FACILITY SITE PLANS.

1 G. REVIEW AND MAKE RECOMMENDATIONS TO THE MAYOR AND  
2 ASSEMBLY REGARDING PLANS OF GOVERNMENT AGENCIES NOT  
3 EXEMPT BY LAW FROM SUCH REVIEW, FOR CONSTRUCTION IN, UPON  
4 OR ADJACENT TO MUNICIPAL PROPERTY, INCLUDING STREETS AND  
5 SIDEWALKS, CONCERNING THE COMPATIBILITY OF THE CONSTRUCTION  
6 WITH URBAN DESIGN STANDARDS AND OBJECTIVES.  
7

8 H. REVIEW AND MAKE RECOMMENDATIONS TO THE MAYOR AND  
9 ASSEMBLY REGARDING ANY STATE OR MUNICIPAL PLAN OR PROGRAM  
10 AFFECTING URBAN DESIGN OR AESTHETICS IN THE MUNICIPALITY.  
11 THESE PLANS SHALL BE REVIEWED BY THE PLANNING AND ZONING  
12 COMMISSION PRIOR TO TRANSMITTAL TO THE MAYOR OR ASSEMBLY.  
13

14 I. PREPARE AND MAKE RECOMMENDATIONS ON DESIGN STANDARDS  
15 AND GUIDELINES, ORDINANCES AFFECTING URBAN DESIGN, AND URBAN  
16 DESIGN STUDIES AND PLANS TO THE MAYOR AND ASSEMBLY. THESE  
17 STANDARDS, ORDINANCES AND PLANS SHALL BE REVIEWED BY THE  
18 PLANNING AND ZONING COMMISSION PRIOR TO SUBMITTAL TO THE  
19 MAYOR OR ASSEMBLY.  
20

21 J. ANNUALLY, BEFORE PREPARATION OF THE CAPITAL IMPROVEMENT  
22 PROGRAM, PREPARE AND SUBMIT TO THE MAYOR A LIST OF PUBLIC  
23 FACILITY PROJECTS NEEDING LANDSCAPING BUT NOT SCHEDULED FOR  
24 MAJOR REMODELING, CONSTRUCTION OR RECONSTRUCTION. THE LIST  
25 SHALL INCLUDE COST ESTIMATES FOR EACH PROJECT AND INDICATE  
26 EACH PROJECT'S PRIORITY.  
27

28 K. DEVELOP, ADOPT AND RECOMMEND TO THE ASSEMBLY A STREET  
29 AND HIGHWAY LANDSCAPE PLAN, AND RECOMMEND MEASURES TO  
30 IMPLEMENT THAT PLAN. THIS PLAN SHALL BE REVIEWED BY THE  
31 PLANNING AND ZONING COMMISSION PRIOR TO SUBMITTAL TO THE  
32 MAYOR OR ASSEMBLY.  
33

34 L. EXERCISE SUCH OTHER POWERS, AND PERFORM SUCH OTHER  
35 DUTIES, AS ARE PROVIDED BY LAW.]  
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37 (CAC 2.64.520--2.64.540; AO No. 81-180; AO No. 82-167; AO No. 84-30; AO  
38 No. 85-160, 1-8-86)  
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40 **Section 4.** Within 30 days of passage and approval, the Planning Department shall  
41 redirect to the Planning and Zoning Commission advisory work in progress before the  
42 Urban Design Commission.

1  
2 **Section 5.** Within 30 days of passage and approval, the Planning Department shall  
3 prepare by resolution for adoption by the Assembly, repeal of the Urban Design  
4 Commission regulations set out in AMCR 21.13 and recommendation for additional  
5 Planning and Zoning Commission regulations necessitated by repeal of the Urban  
6 Design Commission.

7  
8 **Section 6.** Upon passage and approval, the Code Revisor shall delete any cross  
9 references to the Urban Design Commission in the Anchorage Municipal Code.

10  
11 **Section 7.** This ordinance shall become effective immediately upon its passage and  
12 approval by the Assembly.

13  
14 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of  
15 \_\_\_\_\_, 2007.

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20 \_\_\_\_\_  
21 Chair

22 ATTEST:

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25  
26 \_\_\_\_\_  
27 Municipal Clerk  
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# MEMORANDUM

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**To:** Chris Birch, Assembly Member  
**Through:** Julia Tucker, Assembly Counsel  
**From:** Susan Lutz, Legal Research Analyst  
**Date:** January 12, 2007  
**Subject:** Urban Design Commission

**Historical Origin of Urban Design Commission:** In 1968, the City of Anchorage Code (CAC) enacted Section 2.104, the Urban Beautification Commission. This commission had many advisory powers and duties, including the review of "proposed plans of federal, state, borough and city governments concerning structures, appurtenances or other improvements in, upon or adjacent to city property, including city streets, sidewalks," as well as the investigation of public nuisances and advising *private* property owners in relation to beautification. The commission was carried over after unification and eventually renamed the Urban Design Commission, with modifications of its powers and duties.

**Title 21 "Rewrite":** On November 21, 2006, the Planning Department introduced AO 2006-172. In accordance with the revised planning schedule for the Title 21 Rewrite Project approved by resolution AR 2006-27 on January 24, 2006, this is the first ordinance to begin the adoption of certain new sections of Title 21 after the more than five-year consultant and public review process of rewriting the land use code. Section 2 of that ordinance includes adoption of a new chapter 21.02, which includes the powers and duties of the Urban Design Commission.

**Notes, Comments & Drafts:** We have collected excerpts, including information from the MOA Planning webpage notes of the meeting of July 29, 2005 -- the Title 21 Committee review of the section on the Urban Design Commission. That committee was established by the Assembly and met regularly to methodically review, under the direction of Debbie Ossiander and Dan Coffey, every section of the proposed new title. The Planning Department also has an annotated page which shows changes from an earlier public review draft. THE PUBLIC HEARING DRAFT OF SEPTEMBER 2006 is the final version appended to AO 2006-172 for consideration by the Assembly. Public hearing on AO 2006-172 was first opened on January 9, 2007.

**Elimination of the Urban Design Commission:** In addition to Title 21 revisions, elimination of the Urban Design Commission requires repeal of AMC 4.40.125 (under boards and commissions) and all of the UDC regulations set out in AMCR 21.13. The UDC also is a member of the jury in the selection process for works of art in public facilities under Chapter 7.40. That duty is repeated in the new subsection 21.02.080A.2.d.

**Reference Documents:** Current code on the Urban Design Commission in Title 21, and the packet of Title 21 Rewrite comments and code on the UDC are attached as PDF documents.

**21.02.070 BOARD OF ADJUSTMENT**

**A. Powers and Duties**

As authorized by section 5.07 of the *Anchorage Municipal Home Rule Charter* and AMC section 4.05.020, there shall be a board of adjustment, which shall have the responsibilities set forth in subsection 21.03.040A.1., to be carried out in accordance with the terms of this title.

**B. Composition**

There shall be a three-member board of adjustment with two alternates, 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.

**C. Qualifications**

The board of adjustment shall include at least one attorney and at least one person with practical experience and knowledge of planning.

**21.02.080 URBAN DESIGN COMMISSION**

**A. Powers and Duties**

There shall be an urban design commission, which shall have the following responsibilities to be carried out in accordance with the terms of this title.

1. The urban design commission has decision-making authority over the following:

- a. Major site plan reviews;
- b. Landscaping and streetscape and pedestrian facilities for streets of collector classification or greater in the *Official Streets and Highways Plan*, and for trail projects involving all trails for which any portion utilizes publicly-owned land, easements, or rights-of-way that are over one-half mile in length;
- c. Preliminary plats, when a major site plan review creates a subdivision or requires the vacation of a dedicated public area, and the commission directs in the major site plan approval that it shall act as the platting authority (21.03.180F.);
- d. Unified development plats, where the site plan includes a large commercial establishment;
- e. Variances from the provisions of chapter 21.11, *Signs*;
- f. Appeals of administrative site plan reviews; and
- g. Appeals of the director's decision regarding subsection 21.12.060B., *Bringing Characteristics Into Compliance*.

2. The urban design commission shall:

- a. Advise the mayor, assembly, and planning and zoning commission regarding urban design, northern climate design, and winter city design matters, including design-related amendments to the comprehensive plan and title 21.

- b. Review and make recommendations regarding any entitlement requests, in accordance with authority delegated by the planning and zoning commission or platting board under this title.
- c. Determine eligibility for a proposed neighborhood conservation overlay district, assist in the preparation of a neighborhood conservation plan, and make a recommendation regarding the plan to the planning and zoning commission, pursuant to section 21.04.070D.
- d. Perform those duties stated in title 7, relating to the art funding requirements for public buildings and facilities.
- e. Designate historic signs pursuant to subsection 21.12.070F.
- f. Exercise such other powers, and perform such other duties, as are provided by law.

**B. Recommended Qualifications**

At least four members of the urban design commission should have professional experience in architecture, planning, landscape architecture, horticulture, engineering, or practical experience and knowledge of design issues in the municipality.

**21.02.090 GEOTECHNICAL ADVISORY COMMISSION**

**A. Powers and Duties**

1. The geotechnical advisory commission shall serve as a technical advisory board in the municipality as established in AMC section 4.50.050.
2. The commission shall act in an advisory capacity to the assembly, the mayor, boards, commissions, and heads of municipal departments and agencies, and shall have the following responsibilities:
  - a. To make recommendations and give advice on geotechnical engineering issues and natural hazards risk mitigation.
  - b. To recommend and review special studies relating to geotechnical engineering and natural hazards risk mitigation issues.
  - c. To act in an advisory capacity regarding proposed development located in high or moderate snow avalanche hazard zones, in areas designated with high or very high susceptibility to seismically induced ground failure, and in areas susceptible to other natural hazards.

**B. Qualifications**

At least four members of the geotechnical advisory commission shall possess professional civil engineering registration in the state of Alaska and have knowledge of past studies of the natural hazards affecting the municipality. The remaining members shall have skills and experience that complement the overall mission of the commission (e.g., structural engineering, geology, hydrology, seismology, planning).

attendance requirements be clearly stated in this section. Another felt that to be duplicative of language already in Title 4.

P.23-24, lines 35-28..... This section deals with the appeal and reconsideration process. The Assembly dealt with these issues in a recent code amendment. The committee wants to be sure the language here fully aligned with that new code language.

p. 25, lines 19-23 ..... This section requires the Assembly to take no final action until it has received recommendations from subordinate bodies. The committee believes sometimes speed is important and would like to add new language exempting this requirement if a super majority of the Assembly agrees.

p. 27, line 24-25..... This requires ZEBA to review and ratify each of the Director's decisions regarding unlisted uses. We believe this should be changed from "review and ratify" to "hear and decide appeals" of the Director's decisions on unlisted uses. If there is no objection to a Director's decision why create more work for a Board or Commission?

p. 28, line 6-7..... Board of Adjustment composition---add provision for one or two alternates to the three member board so the work load can be occasionally shifted. The current practice now with one alternate is to assign the alternate to cases on a regular basis and thus allow the other members some relief from the work load. If there were two alternates, this efficient use of our volunteers could be increased.

p. 28-29 Urban Design Commission

Concern was expressed about the level of responsibility given to the UDC. Some members felt UDC responsibilities could be transferred to other existing bodies and that this would expedite decision making. There were concerns about the broad scope of responsibilities listed in Section 4, lines 26-29. The committee would like to delete Section 6, line 36-37 requiring the UDC to review capital improvement plans and to recommend measures for their implementation. We also suggested amending Section 7, to read exercise such other powers and perform such other duties **as delegated**. The recommended qualifications for UDC members should include business, project management and budget experience



## 21.02.070 BOARD OF ADJUSTMENT<sup>19</sup>

### A. Review and Decision-Making Responsibilities

As authorized by Section 5.07 of the Anchorage Municipal Charter and Section 4.05.020 of the Anchorage Municipal Code, there is a Board of Adjustment, which shall decide appeals in accordance with Chapter 21.03.210, *Appeals*, from:<sup>20</sup>

1. Decisions regarding the approval or disapproval of a plat or variance from the provisions of Chapter 21.08, *Subdivision Standards*; and
2. Decisions regarding the approval or disapproval of applications for approval of conditional uses.

### B. Composition

There shall be a three-member Board of Adjustment, 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.

## 21.02.080 URBAN DESIGN COMMISSION

### A. Review and Decision-Making Responsibilities

There shall be an Urban Design Commission, which shall have the powers and duties set forth in Table 21.02-1, to be carried out in accordance with the terms of this Title.

### B. Other Powers and Duties<sup>21</sup>

In addition, the Urban Design Commission shall have the following powers and duties, to be carried out in accordance with the terms of this Title:

1. Advise the Mayor and Assembly regarding urban design matters;
2. Review and decide special limitations of zoning map amendments, conditional uses, and plats in accordance with authority delegated by the Planning and Zoning Commission or Platting Board under this Title;
3. Review and decide upon applications for highway screening landscaping approval under [Section 24.15.030];

Deleted: 21.02.100

Deleted: Municipal Staff

Comments: PZC: the Board of Adjustment should be able to set their own rules.

Comments: PZC: a part "C-Recommended Qualifications" should be added.

Comment: AK: This section completely ignores earlier correspondence from the State of Alaska Department of Law expressing deep reservations about these changes to the Urban Design Commission responsibilities.

Comments: ZS: Staff wanted to ensure that the specific reviews go to the correct Boards. There should not be separate or different procedures for public facilities, such as roads and buildings that are different from private projects.

Comments: AK: This section gives authority to the Urban Design Commission to be the governing body to approve or deny applications for public facilities site selection, leasing, and site plans. However, AS 29.71.800 (10) establishes the Assembly as having this authority.

Comments: ZS: Staff has concerns with this. It needs to be very clear that they recommend only on these, and the Assembly have final authority over SL's and PZC on conditional uses.

<sup>19</sup> NOTE: This section reflects changes to the land use code under the recently drafted ordinance AO 2003-58. This section contains no specific rules of procedure, reflecting the absence of such provisions in the recent ordinance language. Formerly, the BOA section was not in compliance with Charter Section 5.07, which required "quorum and voting requirements" to be part of any authorization for the Assembly to act as the Board of Adjustment. Since the Assembly is no longer acting as the BOA, the provisions in the recent ordinance now meet municipal requirements. Without specific rules, the BOA is empowered (by AMC 4.05.120) to establish its own rules. Should the Assembly wish to provide such rules, we need feedback on this draft to determine if general rules will be developed, or if boilerplate rules should be specifically adapted to the BOA section.

<sup>20</sup> NOTE: Map and text interpretations, a typical BOA function, are not included in the board's current powers. In fact, the interpretation powers are still unclear in this draft.

<sup>21</sup> NOTE: This draft section carries forward the provisions, as amended or proposed for amendment, of AMC 21.10.028. This section reflects modifications based on the proposed changes to the UDC in planning case # 2003-040. Several new UDC authorities are also included, as noted. As discussed in the Diagnosis and Outline, the authority of the UDC is a major policy issue and will continue to require ongoing discussion.

Deleted: 21.02.100

Deleted: Municipal Staff

4. Review and decide upon individual street and highway landscape plans in accordance with Section 24.15.030;
5. Review and make recommendations to the Planning and Zoning Commission regarding rezoning, conditional use, and platting cases for sites within the central business district (CBD), and for sites within any mixed use or town center districts as defined in Chapter 21.04, *Zoning Districts*. *(possible to move this to Table 21.02-1)*
6. Review and make recommendations to the administrative official charged with making decisions on site plans and other administratively reviewed cases for sites within the central business district (CBD), and for sites within any mixed use or town center districts as defined in Chapter 21.04, *Zoning Districts*.<sup>22</sup> *(possible to move this to Table 21.02-1)*
7. Review and make recommendations to the Mayor and Assembly regarding any state or municipal plan or program affecting urban design or aesthetics in the Municipality. The Planning and Zoning Commission shall review these plans prior to transmittal to the Mayor and Assembly.
8. Review and make recommendations on design standards and guidelines, ordinances affecting urban design, and urban design studies and plans to the Mayor and Assembly. These standards, ordinances, and plans shall be reviewed by the Planning and Zoning Commission prior to submittal to the Mayor or Assembly.
9. Annually, before preparation of the capital improvement program, prepare and submit to the Mayor a list of public facility projects needing improvements but not scheduled for major remodeling, construction, or reconstruction. The list shall include cost estimates for each project and indicate each project's priority.
10. Review, adopt, and recommend to the Mayor and Assembly any updates and amendments to the street and highway landscape plan and the capital improvements plan, and recommend measures to implement those plans. This plan shall be reviewed by the Planning and Zoning Commission prior to submittal to the Mayor and Assembly.<sup>23</sup>
11. Exercise such other powers, and perform such other duties, as are provided by law.

Comment: AK: This provision must be restricted to Municipal facilities. The local government does not have the power to plan for or decide improvements for State or Federal facilities.

<sup>22</sup> NOTE: Sections 5 and 6 were added based on feedback regarding UDC capabilities received during Clarion visits to Anchorage. This language is based on no prior ordinance and presumes the desire for a greater, more substantive role for the UDC. The status of the UDC ordinance and related discussions will determine the viability of this provision.

<sup>23</sup> NOTE: This section reflects modifications based on the proposed changes to the UDC in planning case # 2003-040, updated and revised by proposed ordinance AO 2003-\_\_\_\_.

C. Qualifications<sup>24</sup>

At least four members of the Urban Design Commission shall possess degrees in architecture, planning, landscape architecture, or law, as well as practical experience and knowledge of design issues in the Municipality.

**21.02.090 GEOTECHNICAL ADVISORY COMMISSION<sup>25</sup>**

A. Authority

1. The Geotechnical Advisory Commission shall serve as a technical advisory board in the Municipality as established in Section 4.50.050 of the Anchorage Municipal Code.
2. The Commission shall act in an advisory capacity to the Assembly, the Mayor, and heads of executive departments, and shall have the following powers and duties:
  - a. To make recommendations and give advice on geotechnical matters, including but not limited to revisions to the Anchorage Environmental Atlas.
  - b. To make such special studies on geotechnical matters as may be designated from time to time.
  - c. To act in an advisory capacity to the Platting Board and Planning and Zoning Commission regarding proposed subdivision plats located in high or moderate snow avalanche hazard zones and proposed development location in areas designated with high or very high susceptibility to seismically induced ground failure.

B. Qualifications<sup>26</sup>

At least five members of the Geotechnical Advisory Commission shall possess appropriate technical qualifications, including professional registrations and certifications, practical experience, and knowledge of geotechnical studies utilized by the Municipality.

**21.02.100 MUNICIPAL STAFF<sup>27</sup>**

Municipal departments shall have the review and decision-making responsibilities set forth in Table 21.02-1, to be carried out in accordance with the terms of this Title. The departments

<sup>24</sup> NOTE: Per staff request, this is a suggested new qualifications statement. The intent behind requiring qualifications in only some members is to provide a balance of those with professional qualifications, also those who have a more general knowledge of the issues being heard by the body.

<sup>25</sup> NOTE: This section reiterates and expands upon the language of 4.50.050 creating the Geotechnical Advisory Commission.

<sup>26</sup> NOTE: Per staff request, this is a suggested new qualifications statement. The intent behind requiring qualifications in only some members is to provide a balance of those with professional qualifications, also those who have a more general knowledge of the issues being heard by the body.

<sup>27</sup> NOTE: Per direction from the legal department in May 2003, this section contains generic language about staff responsibilities under the code. This approach should allow maximum flexibility, in case duties shift among departments, or in case of reorganization under the new administration. We have relocated the old provisions from the code into the file of submittal requirements that is being submitted along with this draft chapter.

Deleted: 21.02.100

Deleted: Municipal Staff

Comment: AK: This provision is insufficient to insure that adequately trained people are appointed to the UDC, given the new powers under this revised Title. The provision, at a minimum, should require practical experience in implementation and knowledge of budgets and funding sources.

Comment: PZC: rename "Recommended Qualifications".

Comment: PZC: "shall" should not be used but possibly "should" or other verbiage to indicate that the qualifications listed are a guideline.

Comment: PZC: replace "as well as" with "or".

Comment: P8: by whom?

is eliminating the BOA and sending appeals of all regulatory decisions to Superior Court. We seek feedback from the Municipality on this matter.

**I. Administrative Hearing Officer**

Under current AMC 21.10.035, the Administrative Hearing Officer (AHO) has a role in some conditional use cases delegated by the Planning and Zoning Commission. In practice, the AHO hears evidence and makes decisions in enforcement actions but has not been used for conditional use review in a significant amount of time. The AHO will be carried forward within the Title 21 revision, with the authority of the AHO comprehensively defined in this section to include enforcement authority, the authority to hear and decide beneficial use determinations (discussed in more detail in the following chapter), and possibly the authority to hear cases currently under the jurisdiction of the Board of Adjustment. The revision of this section will also incorporate relevant provisions regarding the AHO that are currently located in Title 14.

We have heard some complaints about the willingness of the AHO to grant continuances too frequently; we will discuss this further with the Municipal Attorney to determine if it is a problem that should be addressed in the new Title 21.

**J. Urban Design Commission**

No other existing board has generated as much attention in terms of a need for redefinition during this process as the Urban Design Commission. Under the current ordinance, the UDC receives reviews from other commissions, but typically only at the discretion of those other bodies. This has resulted in an unclear mission and highly variable application of the UDC review authority.

We recommend that the Title 21 revision focus the UDC's role on the central business district and possibly mixed-use districts and town centers, where detailed design is generally agreed upon as important to the success of development projects. However, we will need to work with staff and other consultant teams that are developing the commercial design standards and other related efforts to determine the exact role that the UDC should play in such areas. We anticipate that staff will also play a major role in architectural design review, which is typical in other communities.

While we recommend that the UDC be given clear authority to focus and comment on these important issues, we recommend reevaluation of many of the UDC's current other roles, as listed in AMC 21.10.028, in order to determine whether they are still necessary. It will be important to not burden the new UDC so much that it drifts away from its core mission.

**K. Geotechnical Advisory Commission**

The Geotechnical Advisory Commission is an appointed board that receives administrative support from Planning Department staff. The duties of this board are outlined in the current AMC 4.50.050. The GAC, in its advisory capacity to the Planning Board and Planning and Zoning Commission, reviews proposed subdivision plats that are located in high or moderate snow avalanche hazard zones and proposed development located in areas mapped as having high or very high seismically induced ground failure susceptibility. We propose carrying forward the current provisions with no

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

AO 2007-37

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

<b>1</b>	SUBJECT OF AGENDA DOCUMENT REPEAL AMC 4.40.125 AND 21.10.028, URBAN	DATE PREPARED 2/13/07	
	DESIGN COMMISSION	Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM	
<b>2</b>	DEPARTMENT NAME Assembly	DIRECTOR'S NAME Daniel A. Sullivan, Chairman	
	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Julia Tucker, Assembly Counsel	HIS/HER PHONE NUMBER 343-4419	
<b>4</b>	<b>COORDINATED WITH AND REVIEWED BY</b>	<b>INITIALS</b>	<b>DATE</b>
	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		
<b>5</b>	<b>Special Instructions/Comments</b>		
	LAID ON THE TABLE ITEM - CONSENT AGENDA-INTRODUCTION		
<b>6</b>	ASSEMBLY HEARING DATE REQUESTED 2/13/07	<b>7</b>	PUBLIC HEARING DATE REQUESTED 4/10/07

M.O.A.  
 2007 FEB 13 AM 10:58  
 CLERK'S OFFICE



**MUNICIPALITY OF ANCHORAGE**  
**ASSEMBLY INFORMATION MEMORANDUM**  
**NO. AIM 47-2007**

**Meeting Date:** April 10, 2007

**From:** Assemblymembers Birch  
**Subject:** Summary of Economic Effects for AO 2007-37

Attached to this memo is the Summary of Economic Effects for AO 2007-37, regarding an ordinance of the Anchorage Municipal Assembly repealing AMC sections 4.40.125 and 21.10.028, Urban Design Commission, and amending AMC Chapter 7.40 to remove the Urban Design Commission from the jury in selection of art in public facilities, and providing for transition of Advisory urban Design Commission work in progress to the Planning and Zoning Commission.

Prepared By: Steven B. King, Utility Budget Analyst  
Reviewed By: Guadalupe Marroquin  
Submitted By: Assemblymembers Birch

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects -- General Government**

An ordinance of the Anchorage Municipal Assembly repealing AMC sections 4.40.125 and 21.10.028, Urban Design Commission, and amending AMC Chapter 7.40 to remove the Urban Design Commission from the jury in selection of art in public facilities, and providing for transition of Advisory urban Design Commission work in progress to the Planning and Zoning Commission.

AO Number: 2007-37

Title:

Sponsor: Assemblymember Birch

Preparing Agency: Assembly

Others Impacted: Urban Design Commission and Planning and Zoning Commission

**CHANGES IN EXPENDITURES AND REVENUES:**

(In Thousands of Dollars)

	<u>FY07</u>	<u>FY08</u>	<u>FY09</u>	<u>FY10</u>	<u>FY11</u>
<b>Operating Expenditures</b>					
1000 Personal Services	\$ -	\$ -	\$ -	\$ -	\$ -
2000 Non-Labor	See below	See below	See below	See below	See below
3900 Contributions					
4000 Debt Service					
<b>TOTAL DIRECT COSTS:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
<b>FUNCTION COST:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

**REVENUES:**

**CAPITAL:**

**POSITIONS: FT/PT and Temp**

**PUBLIC SECTOR ECONOMIC EFFECTS:**

There is a potential of increased costs to the public sector in regards to additional members being added to the Planning and Zoning Commission - these cost would likely not be significant.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

There could be significant cost to the private sector depending on new workloads. Many projects could be delayed due to the increased volume of cases going to one commission as opposed to two; that may translate into increased project and development costs to the applicants.

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