

Submitted by: THE CHAIR OF THE ASSEMBLY AT THE
REQUEST OF THE MAYOR,
DEBBIE OSSIANDER, ASSEMBLY VICE-CHAIR &
DAN COFFEY, ASSEMBLY MEMBER
Prepared by: Planning Department
For reading: April 17, 2007

*Postponed Indefinitely
6/12/07*

ANCHORAGE, ALASKA
AO No. 2007-71

AN ORDINANCE AUTHORIZING ANCHORAGE MUNICIPAL CODE
SECTION 21.08.060 TO BE EFFECTIVE IMMEDIATELY, CLARIFYING CROSS
REFERENCES, AND DELETING CHAPTER 21.87 IN ITS ENTIRETY.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 21.08.060, as adopted on April 10, 2007, is effective immediately upon passage and approval of this ordinance, and shall apply to all preliminary plat applications submitted after the effective date.

Section 2. Until the effective date of the remainder of chapter 21.08, as adopted on April 10, 2007, the following references in section 21.08.060 shall be interpreted as follows:

- A. Any reference to section 21.08.050 shall be to chapter 21.85;
- B. Any reference to section 21.08.060D. shall be to 21.85.050;
- C. Any reference to section 21.08.060F. shall be to 21.85.070;
- D. Any reference to section 21.08.060S. shall be to section 21.85.190;
- E. Any reference to table 21.08-3 shall be to chapter 21.85, Table A;
- F. Any reference to table 21.08-4 shall be to chapter 21.85, Table C;
- G. Any reference to table 21.08-5 shall be to chapter 21.85, Table B; &
- H. Any reference to section 21.07.080 shall be to sections 21.45.125 and 21.45.200.

Section 3. Anchorage Municipal Code chapter 21.87 is deleted in its entirety, and the Code Revisor is instructed to place a note at chapter 21.87 substantially as follows:

Editor's Note: Chapter 21.87 repealed on May **, 2007,
AO 2007-***; code provisions regarding subdivision agreements
are now located in section 21.08.060.

PASSED AND APPROVED by the Anchorage Assembly this ____ day of
_____, 2007.

Chair

ATTEST:

Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2007-71

Title: AN ORDINANCE AUTHORIZING ANCHORAGE MUNICIPAL CODE SECTION 21.08.060 TO BE EFFECTIVE IMMEDIATELY, CLARIFYING CROSS REFERENCES, AND DELETING CHAPTER 21.87 IN ITS ENTIRETY.

Sponsor: Mayor
Preparing Agency: Planning Department
Others Impacted: None

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)				
	FY07	FY08	FY09	FY10	FY11	
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:

The removal of the deed of trust guarantee option for subdivision agreements saves money for the municipality, as this method consistently requires more financial outlay than the municipality is able to recoup from the deed of trust. In general, subdivisions will be constructed in a more professional and timely manner, with fewer situations where the municipality needs to be involved in fixing problems.

PRIVATE SECTOR ECONOMIC EFFECTS:

The private sector will benefit from quicker inspections and a faster release of warranty. Those subdividers who are also engineers will be required to hire an independent engineer to inspect and test their improvement construction. Engineers will be required to carry E&O insurance.

Prepared by: Erika McConnell

Telephone: 343-7917



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 293-2007

Meeting Date: April 17, 2007

From: MAYOR

Subject: AN ORDINANCE AUTHORIZING ANCHORAGE MUNICIPAL CODE SECTION 21.08.060 TO BE EFFECTIVE IMMEDIATELY, CLARIFYING CROSS REFERENCES, AND DELETING CHAPTER 21.87 IN ITS ENTIRETY.

Through the title 21 rewrite process, the Planning Department, the Administration, the Department of Project Management and Engineering, the Assembly title 21 Committee, and the development community worked to amend the subdivision regulations to correct existing problems and create a more streamlined process.

The changes proposed in section 21.08.060 regarding subdivision agreements offer benefits both to developers and to the municipality. Benefits to developers include:

- the option of an increased time for completing improvements in large or complex subdivisions;
- administrative approval of the first subdivision agreement extension (instead of going to the platting board);
- a specified and limited amount of time for the municipality to inspect and identify deficiencies in improvements, speeding up the inspection process to get a subdivision on warranty;
- secondary inspection of corrected deficiencies only, rather than a complete re-inspection of all the improvements;
- a specified and limited amount of time for the municipality to inspect to come off warranty; and
- a specified amount of time for the municipality to return any remaining security after a project comes off warranty.

Benefits to the municipality include:

- assurance that engineers designing and inspecting public improvements are registered in the state of Alaska and carry E&O insurance;
- assurance the engineer hired by the subdivider to inspect and test the improvement construction has no financial interest in the project;
- removal of the deed of trust option for guarantees, which consistently proves problematic and expensive for the municipality; and

- a specified amount of time for the subdivider to correct any deficiencies found in the improvements.

It is to the advantage of both the development community and the municipality for these changes to subdivision agreements to be in place before the 2007 building season is fully underway. Thus the administration requests authority to implement section 21.08.060, *Subdivision Agreements*, immediately, rather than a delay until the rest of the title 21 rewrite to be completed.

In order for section 21.08.060, subdivision agreement section of the title 21, to be implemented ahead of the rest of the rewrite, the cross references must point to the appropriate sections of the current code, rather than the sections of the rewrite. For that reason, the ordinance refers all the cross references in section 21.08.060 to the appropriate sections of the current code, such as the subdivision improvement standards in chapter 21.85.

THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE AUTHORIZING ANCHORAGE MUNICIPAL CODE SECTION 21.08.060 TO BE EFFECTIVE IMMEDIATELY, CLARIFYING CROSS REFERENCES, AND DELETING CHAPTER 21.87 IN ITS ENTIRETY.

Prepared by:	Tom Nelson, Director, Planning Department
Concur:	Mary Jane Michael, Executive Director
	Office of Economic and Community Development
Concur:	James N. Reeves, Municipal Attorney
Concur:	Denis C. LeBlanc, Municipal Manager
Respectfully submitted,	Mark Begich, Mayor

Content Information**Content ID :** 005002**Type:** Ordinance - AO**Title:** AUTHORIZING AMC 21.08.060 AND DELETING
CHAPTER 21.87**Author:** thomasm**Initiating Dept:** Planning**Description:** AUTHORIZING AMC 21.08.060 AND DELETING
CHAPTER 21.87**Keywords:** Title 21**Date Prepared:** 4/13/07 3:17 PM**Director Name:** Planning**Assembly Meeting Date**
MM/DD/YY: 4/17/07 12:00 AM**Public Hearing Date**
MM/DD/YY: 5/1/07 12:00 AM**Workflow History**

Workflow Name	Action Date	Action	User	Security Group	Content ID
AllOrdinanceWorkflow	4/13/07 3:19 PM	Checkin	thomasm	Public	005002
Planning_SubWorkflow	4/13/07 3:22 PM	Approve	nelsontp	Public	005002
ECD_SubWorkflow	4/13/07 3:23 PM	Approve	thomasm	Public	005002
OMB_SubWorkflow	4/13/07 3:43 PM	Approve	mitsonjl	Public	005002
Legal_SubWorkflow	4/13/07 3:44 PM	Approve	fehlenrl	Public	005002
MuniManager_SubWorkflow	4/13/07 4:00 PM	Approve	leblancdc	Public	005002
MuniMgrCoord_SubWorkflow	4/13/07 4:19 PM	Approve	abbottmk	Public	005002

M.O.A.
 2007 APR 13 PM 4:29
 CLERK'S OFFICE