

Submitted by: ASSEMBLY CHAIR COFFEY
Prepared by: Assembly Counsel
For reading: September 11, 2007

CLERK'S OFFICE

APPROVED

Date: 9-11-07

ANCHORAGE, ALASKA
AO NO. 2007-101(S)

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.45.140, SETBACKS FROM PROJECTED RIGHTS-OF-WAY, TO PERMIT CANOPIES, AWNINGS, INCIDENTAL ARCHITECTURAL FEATURES, AND PUBLIC ART WITHIN THE RIGHT-OF-WAY SETBACK.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 21.45.140 is hereby amended to read as follows: (*Text not amended is set out for context only*)

21.45.140 Setbacks from projected rights-of-way.

A. *Minimum setback.* No new structural or land development activity requiring a building or land use permit shall be permitted within the minimum setback stated in this subsection from the existing or projected centerline of a street designated on the official streets and highways plan, except as allowed under subsection B of this section:

TABLE INSET:

Street Class on Official Streets and Highways Plan	Setback from Centerline (feet)
IC, IIA, IIIC	30
IB	35
I, IA, II	40
III, IIIB	50
IIIA, IV	65
V	75

B. *Permitted uses within setback.* The following uses and activities are permitted within the setbacks described in subsection A of this section:

1. Sidewalks and pathways;
2. Bike trails;

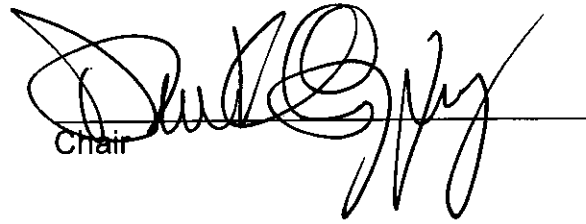
3. Bus shelters and bus turnouts;
4. Kiosks, canopies, awnings, seating units and skywalks;
5. Utilities and utility easements;
6. Landscaping required by chapters 21.40 through 21.50;
7. Temporary parking as described in subsection D of this section;
8. Additional parking to that required by this title;
9. Open space and usable yards;
10. Fences, public art, and signs;
11. Retaining walls;
12. Remodeling of or addition to structures existing as of May 19, 1987, so long as it does not further intrude within the setback area after that date; [AND]
13. Driveways and vehicular access[.] ; and
14. Incidental architectural features that are at least twelve (12) feet above grade, where "architectural feature" means a part, portion, or projection that contributes to the aesthetic quality of a building or structure, exclusive of signs, that is not necessary for the structural integrity of the building structure or to make the building or structure habitable.

(GAAB 21.05.060.R; AO No. 84-255; AO No. 87-31, 7-18-87)


Section 2. Anchorage Municipal Code subsection 21.10.015A.3 notwithstanding, this amendment to AMC 21.45.140B shall not require Planning and Zoning Commission review.

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

1 PASSED AND APPROVED by the Anchorage Assembly this 11th day of
2 September, 2007.

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Chair

ATTEST:

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Municipal Clerk