

Submitted by: Chair of the Assembly at the
Request of the Acting Mayor
Prepared by: Planning Department
For reading: April 14, 2009

CLERK'S OFFICE

APPROVED

Date: 4-28-09

ANCHORAGE, ALASKA

AO No. 2009-48

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION
2 21.09.030F.5, ADMINISTRATIVE AND REVIEW PROCEDURES, 21.10, BOARDS
3 AND COMMISSIONS; ADMINISTRATIVE OFFICERS, AND SUBSECTION
4 21.15.012 B, PROCEDURE FOR OBTAINING ADMINISTRATIVE VARIANCE FOR
5 MINOR DIMENSIONAL ERRORS, TO INCLUDE VARIANCE AUTHORITY FOR
6 CHAPTER 21.09 GIRDWOOD LAND USE REGULATIONS.
7

8 THE ANCHORAGE ASSEMBLY ORDAINS:
9

10 **Section 1.** Anchorage Municipal Code subsection 21.09.030F.5. is amended to
11 read as follows (*the remainder of the section is not affected and therefore not set*
12 *out*):
13

14 **21.09.030 ADMINISTRATION AND REVIEW PROCEDURES.**
15

16 F. Development master planning.
17

18 *** **

19 5. Modification of development master plan. The planning and
20 zoning commission shall determine whether a proposed
21 modification to an approved development master plan may be
22 approved without a public hearing, may be approved with a
23 public hearing, or is significant enough to require a new
24 development master plan. Dimensional variation(s) from an
25 adopted development master plan standard shall only be
26 allowed if approved as a modification of the development
27 master plan by the Commission through this process, and not
28 through a variance process.
29

30 *** **

31 (AO No. 2005-81(S), § 1, 11-1-05)
32

33 **Section 2.** Anchorage Municipal Code subsection 21.10.020A.3. is amended to
34 read as follows (*the remainder of the section is not affected and therefore not set*
35 *out*):
36

21.10.020 PLATTING BOARD.

- A. There shall be a platting board, which shall have the following powers and duties:

*** *** ***

3. Hear and decide applications for variances from the provisions of subsections 21.09.070C., 21.09.070D., 21.09.070F., 21.09.070G.1., 21.09.070J., 21.09.070N. and chapters 21.80 and 21.85, in accordance with Section 21.15.010.

*** *** ***

(GAAB 21.10.090, 21.30.130, 21.30.230; AO No. 83-142; AO No. 85-160, 1-8-86; AO No. 87-111; AO No. 2003-68, § 2, 9-30-03)

Cross references: Appointments of boards and commissions, Ch. 4.05; platting board, § 4.40.110.

Section 3. Anchorage Municipal Code section 21.10.025. is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

21.10.025 ZONING BOARD OF EXAMINERS AND APPEALS.

There shall be a zoning board of examiners and appeals, which shall have the following powers and duties:

- A. Hear and decide applications for variances from the provisions of chapters 21.09.050, 21.09.060, 21.09.070E., 21.09.070G.2., 21.09.070H., 21.09.070I., 21.09.070K., 21.90.070L., 21.09.070O., and 21.35 through 21.65 in accordance with Section 21.15.010, except applications for variances from the provisions of subsections 21.40.150H., 21.40.160H., and 21.40.170H.
- B. Hear and decide appeals from enforcement orders, denials of permit or certificate applications, and decisions to approve or deny Section 21.15.013 administrative variance applications, under Sections 21.30.110 through 21.30.170, and 21.55.040.
- C. Promulgate regulations concerning permitted uses under Section 21.40.015.
- D. Exercise such other powers, and perform such other duties, as are provided by law.

21.10.028 URBAN DESIGN COMMISSION.

*** *** ***

M [L]. Exercise such other powers, and perform such other duties, as are provided by law.

Cross references: Appointments of boards and commissions, Ch. 4.05; urban design commission, § 4.40.125.

21.15.012 PROCEDURE FOR OBTAINING ADMINISTRATIVE
VARIANCE FOR MINOR DIMENSIONAL ERRORS.

[illegible]

| | | | | | | | | |
|---------------|----|----|----|----|----|----|----|---|
| <u>gR-1</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gR-2</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gR-2A</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gR-3</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gR-4</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gR-5</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-1</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-2</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-3</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-4</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-5</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-6</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-7</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-8</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-9</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-10</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gl-1</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gl-2</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>GRST-1</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>GRST-2</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>GA</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>GOS</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>GIP</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>GCR-1</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>GCR-2</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>GCR-3</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>GDR</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>GRR</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>GW</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |

*** *** ***

Section 6. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 28th day of April, 2009.

Dalbi Ossian
Chair of the Assembly

ATTEST:

Barbara S. Gonsky
Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2009-48

Title: An Ordinance Amending Anchorage Municipal Code title 21
Section 21.09.030F.5, Administrative and Review Procedures,
21.10, Boards and Commissions; Administrative Officers, and
Subsection 21.15.012 B, Procedure for Obtaining
Administrative Variance for Minor Dimensional Errors, to
Include Variance Authority for Chapter 21.09 Girdwood Land
Use Regulations.

Sponsor:

Preparing Agency: Planning Department

Others Impacted:

| CHANGES IN EXPENDITURES AND REVENUES: | | (In Thousands of Dollars) | | | |
|--|-------------|----------------------------------|-------------|-------------|--|
| | FY09 | FY10 | FY11 | FY12 | |
| 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:

Approval of this ordinance should have no significant impact on the public sector.

PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of this ordinance should have no significant impacts on the private sector.

Prepared by: Jerry T. Weaver Jr.

Telephone: 343-7939



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 204-2009

Meeting Date: April 14, 2009

From: Acting Mayor

Subject: **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.09.030F.5, ADMINISTRATIVE AND REVIEW PROCEDURES, 21.10, BOARDS AND COMMISSIONS; ADMINISTRATIVE OFFICERS, AND SUBSECTION 21.15.012 B, PROCEDURE FOR OBTAINING ADMINISTRATIVE VARIANCE FOR MINOR DIMENSIONAL ERRORS, TO INCLUDE VARIANCE AUTHORITY FOR CHAPTER 21.09 GIRDWOOD LAND USE REGULATIONS.**

1 This ordinance provides for variances from land use regulations in the
2 Girdwood zoning districts.

3
4 On January of 2005, the Assembly adopted AMC 21.09, which created zoning
5 regulations specific to the Girdwood area of the Municipality. The adopting
6 ordinance is AO 2005-81 (S).

7
8 Since that time, during implementation of these new zoning regulations, it has
9 been determined that the regulations do not clearly provide for variances from
10 dimensional zoning and subdivision standards. A variance is a necessary
11 public hearing procedure to allow for some deviation from the strict application
12 of the zoning and subdivision standards, while ensuring that the process to
13 allow a variance will not be construed to permit a use not otherwise allowed in
14 the district.

15
16 The Planning Department has drafted this ordinance to clarify the variance
17 procedures, as applicable to *21.09 Girdwood Land Use Regulations*. This
18 ordinance is organized so that applications for variances from the various
19 standards will be under the jurisdiction of the applicable board/commission, as
20 is currently provided under *AMC Title 21* for all other zoning districts.

21
22 This ordinance will allow for the continued operations of existing *AMC Title 21*
23 variance procedures, clarifying the variance methodology for the Girdwood
24 zoning districts. It will have no impact on the *Title 21 Rewrite* currently in

1 process, and the procedures for obtaining a variance are not proposed to be
2 changed through this ordinance.

3
4 There was no opposition to the ordinance at the public hearing. The Planning
5 and Zoning Commission supports this ordinance.

6
7 THE ADMINISTRATION RECOMMENDS ADOPTION OF THE ORDINANCE
8 AMENDING *AMC TITLE 21* PROVIDING FOR VARIANCE PROVISIONS IN
9 *THE GIRDWOOD LAND USE REGULATIONS*.

10
11
12 Prepared by: Jerry T. Weaver Jr., Zoning Administrator,
13 Planning Department
14 Concur: Tom Nelson, Director, Planning Department
15 Concur: Mary Jane Michael, Executive Director, Office of
16 Economic and Community Development
17 Concur: James N. Reeves, Municipal Attorney
18 Concur: Michael K. Abbott, Municipal Manager
19 Respectfully submitted, Matt Claman, Acting Mayor

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2009-012

A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDMENT TO THE ANCHORAGE MUNICIPAL CODE TITLE 21 SECTION 21.09.030F.5, ADMINISTRATIVE AND REVIEW PROCEDURES, 21.10, BOARDS AND COMMISSIONS; ADMINISTRATIVE OFFICERS, AND SUBSECTION 21.15.012 B, PROCEDURE FOR OBTAINING ADMINISTRATIVE VARIANCE FOR MINOR DIMENSIONAL ERRORS, TO INCLUDE VARIANCE AUTHORITY FOR CHAPTER 21.09 GIRDWOOD LAND USE REGULATIONS.

(Case 2009-012)

WHEREAS, the Planning Department has submitted a draft ordinance to clarify the variance procedures, as applicable to 21.09 Girdwood Land Use Regulations. This ordinance is organized so that applications for variances from the various standards will be under the jurisdiction of the applicable board/commission, as is currently provided under AMC 21 for all other zoning districts. and,

WHEREAS, a public hearing was held on February 25, 2009.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Planning and Zoning Commission that:

- A. The Commission makes the following findings of fact:
1. This ordinance will allow for the continued operations of existing Title 21 variance procedures, clarifying the variance methodology for the Girdwood zoning districts.
 2. The Commission recommended approval of the ordinance as amended, by a vote of six (6) in favor and none opposed.
- B. The Commission recommends to the Anchorage Assembly approval of the amendments to the Anchorage Municipal Code Section 21.09.030F.5, Administrative and Review Procedures, 21.10, Boards and Commissions; Administrative Officers, and Subsection 21.15.012 B, Procedure for Obtaining Administrative Variance for Minor Dimensional Errors, to Include Variance Authority for Chapter 21.09 Girdwood Land Use Regulations.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 25th day of February, 2009.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this
____ day of _____, 2009.

Tom Nelson
Secretary

Toni M. Jones
Chair

(Case 2009-012)

ac

DRAFT

COMMISSIONER PEASE added that the proposed facility meets the R-O zoning district regulations. Staff has shown that the parking capacity is met on-site and the medical campus setting provides access to light, open space, and other qualities important to patients, tenants and other surrounding uses.

CHAIR JONES noted that this site is within the U-Med District, which is designed for high density uses of this type. There are many nearby recreational opportunities, including University Lake and the trail system. She felt this was an ideal location for a facility of this type.

AYE: Phelps, Weddleton, Isham, Jones, Fredrick, Pease
NAY: None

PASSED

4. **2009-018** Redoubt Development, LLC. A public hearing site plan review as required by AO 2001-24(S) for a retail building on Tract 8 and an office building on Tract 9, Alaska Village Subdivision, Tracts 8 and 9, located within the NW 1/4, Section 24, T13N, R3W, S.M., Alaska. Generally located west of Muldoon Road and south of DeBarr Road.

POSTPONED MARCH 2, 2009

5. **2009-012** Municipality of Anchorage. An ordinance amending Anchorage Municipal Code Section 21.09.030F.5, Administrative and Review Procedures, 21.10, Boards and Commissions; Administrative Officers, and Subsection 21.15.012 B, Procedure for Obtaining Administrative Variance for Minor Dimensional Errors, to Include Variance Authority for Chapter 21.09 Girdwood Land Use Regulations.

Staff member ANGELA CHAMBERS stated that in January 2005 the Assembly adopted AMC 21.09, creating zoning regulations specific to the Girdwood area of the Municipality. Since that time, during implementation of these new zoning regulations, it has been determined that the regulations do not clearly provide for variances

from dimensional zoning and subdivision regulations. Those variances go to the Zoning Board of Examiners and Appeals if it has to do with development of a particular lot, the Platting Board if it is from the subdivision standards, and the Urban Design Commission if it is for signs. The Department has drafted this ordinance to clarify the variance procedures, as applicable to 21.09 Girdwood Land Use Regulations. This is an interim ordinance while the Title 21 Rewrite is finalized and enacted. There are petitioners waiting to apply for variance, so this amendment has been structured to match the current code.

The public hearing was opened and closed without public comment.

COMMISSIONER PHELPS moved to approve the ordinance amendment as written. COMMISSIONER FREDRICK seconded.

AYE: Phelps, Weddleton, Isham, Jones, Fredrick, Pease

NAY: None

PASSED


**1. 2008-139 Municipality of Anchorage. Site Specific
Land Use Study for Chugiak-Eagle River.**

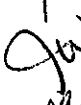
Staff member VAN LE CROCKETT stated that for the past 1.5 years the Heritage Land Bank (HLB) and Agnew::Beck consulting have worked on this land use study for HLB land around the Harry J. McDonald Recreation Center in the Chugiak-Eagle River area. In the *2006 Chugiak-Eagle River Comprehensive Plan Update* there was no designation for these lands. That plan required that HLB do a special study to designate the land uses before any disposal could occur. Agnew::Beck was hired to do a comprehensive and responsive public involvement effort. The study went through several iterations with the Planning Department in recent months. The result is this plan, which addresses the wishes of the community and the HLB mission, as well as remaining consistent with the direction of the *Chugiak-Eagle River Comprehensive Plan* policies and directives. The plan went beyond the scope of a typical land use plan in order to ensure the quality of development the community said it wants. This plan also provides development objectives and standards to guide the platting and rezoning processes that would implement the plan. The plan discusses housing types and densities, preserves and provides recreational opportunities for the community, supports connectivity policies from


**MUNICIPALITY OF ANCHORAGE
PLANNING DEPARTMENT
MEMORANDUM**

DATE: February 2, 2009

TO: Planning and Zoning Commission

THRU:  Tom Nelson, Director, Planning Department

THRU:  Jerry T. Weaver, Jr., Division Administrator

FROM:  Angela C. Chambers, AICP, Senior Planner

SUBJECT: 2009-012 - An Ordinance Amending AMC Title 21 Regarding Variances in the Girdwood Land Use Regulations

PROPOSED REQUEST:

The Department has prepared this amendment to the Anchorage Municipal Code Title 21 *Land Use Planning* to allow variances from land use regulations in the Girdwood zoning districts.

BACKGROUND AND DISCUSSION:

In January of 2005, the Assembly adopted AMC 21.09, which created zoning regulations specific to the Girdwood area of the Municipality. The adopting ordinance is AO 2005-81 (S).

Since that time, during implementation of these new zoning regulations, it has been determined that the regulations do not clearly provide for variances from dimensional zoning and subdivision standards. A variance is a necessary public hearing procedure to allow for some deviation from the strict application of the zoning and subdivision standards, while ensuring that the process to allow a variance will not be construed to permit a use not otherwise allowed in the district.

The Department has drafted this ordinance to clarify the variance procedures, as applicable to 21.09 Girdwood Land Use Regulations. This ordinance is organized so that applications for variances from the various standards will be under the jurisdiction of the applicable board/commission, as is currently provided under AMC 21 for all other zoning districts.

AMC 21.09 was adopted after the Municipality began the overall re-write process of our land use regulations. Thus, the format of AMC 21.09 differs significantly from the remainder of Title 21. An example of this can be found in AMC 21.09.070 *Site development and design standards*, which combines zoning and subdivision standards in one section. Whereas, in current code, the zoning and subdivision standards are in separate chapters. This draft ordinance ensures that the authority over the various provisions will remain with the appropriate board/commission.

For example, subdivision-related standards (roads, utilities, drainage, etc.) are to be under the jurisdiction of the Platting Board, while yard setbacks, lot coverage, landscaping, etc., will be under the jurisdiction of the Zoning Board of Examiners and Appeals. Currently, the Urban Design Commission hears sign variances, so that was mirrored in this ordinance for signs in Girdwood. The resort districts in Girdwood allow for creation by property owners/developers of their own dimensional standards through the master plan process (decided by the Commission). Thus, it was determined that any relaxation of said self-created standards remain under the jurisdiction of the Commission through an amendment process.

This ordinance will allow for the continued operations of existing Title 21 variance procedures, clarifying the variance methodology for the Girdwood zoning districts. It will have no impact on the Title 21 Rewrite currently in process, and the procedures for obtaining a variance are not proposed to be changed through this ordinance.

RECOMMENDATION:

The Department recommends approval of the ordinance as written.

Submitted by: Chair of the Assembly
at the
Request of the Mayor
Prepared by: Planning Department
For reading: _____

ANCHORAGE, ALASKA
AO No. 2008-_____

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION
2 21.09.030F.5, ADMINISTRATIVE AND REVIEW PROCEDURES, 21.10, BOARDS
3 AND COMMISSIONS; ADMINISTRATIVE OFFICERS, AND SUBSECTION
4 21.15.012 B, PROCEDURE FOR OBTAINING ADMINISTRATIVE VARIANCE FOR
5 MINOR DIMENSIONAL ERRORS, TO INCLUDE VARIANCE AUTHORITY FOR
6 CHAPTER 21.09 GIRDWOOD LAND USE REGULATIONS.
7

8
9 THE ANCHORAGE ASSEMBLY ORDAINS:

10
11 **Section 1.** Anchorage Municipal Code subsection 21.09.030F.5. is amended to
12 read as follows (*the remainder of the section is not affected and therefore not set*
13 *out*):
14

15 **21.09.030 ADMINISTRATION AND REVIEW PROCEDURES.**
16

17 F. Development master planning.
18

19 *** *** ***

20 5. Modification of development master plan. The planning and
21 zoning commission shall determine whether a proposed
22 modification to an approved development master plan may be
23 approved without a public hearing, may be approved with a
24 public hearing, or is significant enough to require a new
25 development master plan. Dimensional variation(s) from an
26 adopted development master plan standard shall only be
27 allowed if approved as a modification of the development master
28 plan by the Commission through this process, and not through a
29 variance process.
30

31 *** *** ***
32

33 (AO No. 2005-81(S), § 1, 11-1-05)
34

35 **Section 2.** Anchorage Municipal Code subsection 21.10.020A.3. is amended to
36 read as follows (*the remainder of the section is not affected and therefore not set*
37 *out*):
38

39 **21.10.020 PLATTING BOARD.**
40

41 A. There shall be a platting board, which shall have the following powers
42 and duties:

*** *** ***

3. Hear and decide applications for variances from the provisions of subsections 21.09.070C., 21.09.070D., 21.09.070F., 21.09.070G.1., 21.09.070J., 21.09.070N. and chapters 21.80 and 21.85, in accordance with Section 21.15.010.

*** *** ***

(GAAB 21.10.090, 21.30.130, 21.30.230; AO No. 83-142; AO No. 85-160, 1-8-86; AO No. 87-111; AO No. 2003-68, § 2, 9-30-03)

Cross references: Appointments of boards and commissions, Ch. 4.05; platting board, § 4.40.110.

Section 3. Anchorage Municipal Code section 21.10.025. is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

21.10.025 ZONING BOARD OF EXAMINERS AND APPEALS.

There shall be a zoning board of examiners and appeals, which shall have the following powers and duties:

- A. Hear and decide applications for variances from the provisions of chapters 21.09.050, 21.09.060, 21.09.070E., 21.09.070G.2., 21.09.070H., 21.09.070I., 21.09.070K., 21.90.070L., 21.09.070O., and 21.35 through 21.65 in accordance with Section 21.15.010, except applications for variances from the provisions of subsections 21.40.150H., 21.40.160H., and 21.40.170H.
- B. Hear and decide appeals from enforcement orders, denials of permit or certificate applications, and decisions to approve or deny Section 21.15.013 administrative variance applications, under Sections 21.30.110 through 21.30.170, and 21.55.040.
- C. Promulgate regulations concerning permitted uses under Section 21.40.015.
- D. Exercise such other powers, and perform such other duties, as are provided by law.

(GAAB 21.30.250, 21.30.350; AO No. 77-355; AO No. 85-23; AO No. 99-131, § 2, 10-26-99; AO No. 2001-117, § 1, 7-10-01; AO No. 2005-124(S-1A), § 1, 4-18-06)

Cross references: Appointment of boards and commissions, Ch. 4.05; zoning board of examiners and appeals, § 4.40.130.

Section 4. Anchorage Municipal Code subsection 21.10.028 is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

21.10.028 URBAN DESIGN COMMISSION.

There shall be an urban design commission, which shall have the following powers and duties:

*** *** ***

L. Hear and decide applications for variances from the provisions of subsections 21.09.070M and 21.09.080, and chapter 21.47 in accordance with Sections 21.15.010 and 21.47.110.

M [L]. Exercise such other powers, and perform such other duties, as are provided by law.

(CAC 2.64.520--2.64.540; AO No. 81-180; AO No. 82-167; AO No. 84-30; AO No. 85-160, 1-8-86)

Cross references: Appointments of boards and commissions, Ch. 4.05; urban design commission, § 4.40.125.

Section 5. Anchorage Municipal Code subsection 21.15.012 Table A. is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

21.15.012 PROCEDURE FOR OBTAINING ADMINISTRATIVE VARIANCE FOR MINOR DIMENSIONAL ERRORS.

*** *** ***

| Zoning District | Front Yard | Secondary Front Yard | Side Yard | Rear Yard | Lot Area | Lot Width | Lot Coverage | Front Yard Fence Height |
|-----------------|------------|----------------------|-----------|-----------|----------|-----------|--------------|-------------------------|
| *** | *** | *** | *** | *** | *** | *** | *** | *** |
| <u>gR-1</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gR-2</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gR-2A</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gR-3</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gR-4</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gR-5</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-1</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-2</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-3</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| <u>gC-4</u> | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |

| | | | | | | | | |
|--------|----|----|----|----|----|----|----|---|
| gC-5 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| gC-6 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| gC-7 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| gC-8 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| gC-9 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| gC-10 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| gl-1 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| gl-2 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| GRST-1 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| GRST-2 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| GA | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| GOS | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| GIP | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| GCR-1 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| GCR-2 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| GCR-3 | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| GDR | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| GRR | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |
| GW | 1% | 1% | 1% | 1% | 1% | 1% | 1% | 0 |

*** *** ***

Section 6. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2008.

Chair of the Assembly

ATTEST:

Municipal Clerk

STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

4111 AVIATION AVENUE
P.O. BOX 196900
ANCHORAGE, ALASKA 99519-6900
(907) 269-0520 (FAX 269-0521)
(TTY 269-0473)

January 6th, 2009

RE: MOA Zoning Review

Mr. Jerry Weaver, Platting Officer
Municipality of Anchorage
P.O. Box 196650
Anchorage, Alaska 99519-6650

RECEIVED

JAN 06 2009

Municipality of Anchorage
Zoning Division

Dear Mr. Weaver:

The Alaska Department of Transportation and Public Facilities, ADOT&PF, has reviewed the following zoning applications and has no comment:

2009-012; Ordinance Amending Title 21
2009-014; S.E. Grainger Development Group Re-Zoning Application
2009-016; Goldenview Reservoir Conditional Use Application
2009-017; Southcentral Foundation Re-Zoning Application

Sincerely,


Mark Parmelee
Area Planner

/aj



**Municipality of Anchorage
Development Services Department
Building Safety Division**



MEMORANDUM

RECEIVED

DATE: December 30, 2008
TO: Jerry Weaver, Jr., Platting Officer, CPD
FROM: Daniel Roth, Program Manager, On-Site Water and Wastewater Program
SUBJECT: Comments on Cases due January 5, 2009

DEC 30 2008

Municipality of Anchorage
Building Safety Division

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

2009 - 012 An ordinance amending Title 21 Code Sections

No objection

2009 - 013 Rezoning to I-3 Rural Industrial District

No objection

2009 - 014 Rezoning to B-3SL General Business District with special limitations

No objection

2009 - 016 Zoning conditional use for a water reservoir

No objection

2009 - 017 General land use planning issue a hospital

No objection

2009 - 018 Site plan review for an office/retail complex

No objection



FLOOD HAZARD REVIEW SHEET

Date: 12/30/08

Case: 2009-012

Flood Hazard Zone: NA

Map Number: NA

RECEIVED

DEC 31 2008

Municipality of Anchorage
Zoning Division

☐ Portions of this lot are located in the floodplain as determined by the Federal Emergency Management Agency.

☐ Flood Hazard requests that the following be added as a condition of approval:

"Portions of this subdivision are situated within the flood hazard district as it exists on the date hereof. The boundaries of the flood hazard district may be altered from time to time in accordance with the provisions of Section 21.60.020 (Anchorage Municipal Code). All construction activities and any land use within the flood hazard district shall conform to the requirements of Chapter 21.60 (Anchorage Municipal Code)."

☐ A Flood Hazard permit is required for any construction in the floodplain.

☐ Other:

☒ I have no comments on this case.

Reviewer: Jeffrey Urbanus, CFM



MUNICIPALITY OF ANCHORAGE

Development Services Department

Right of Way Division

Phone: (907) 343-8240 Fax: (907) 343-8250



DATE: December 31, 2008
TO: Planning Department, Zoning and Platting Division
THRU: Jack L. Frost, Jr., Right of Way Supervisor
FROM: Lynn McGee, Senior Plan Reviewer
SUBJ: Comments on Planning and Zoning Commission case(s) for February 2, 2009.

RECEIVED

JAN 02 2009

Municipality of Anchorage
Zoning Division

Right of Way Division has reviewed the following case(s) due January 5, 2009.

09-012 Ordinance Amendment

(Title 21 for Girdwood Land Use Regulations)

Right of Way Division has no comments at this time.

Review time 15 minutes.

**09-013 Section 19, T16N R1E, Parcels 1-8, grids
(Rezoning Request, T & R-7 to I-3)**

There are several existing roads and possibly utilities across these parcels accessing parcels beyond the subject lands. Documentation and platting action needs to be accomplished to ensure the existing accesses are protected with access agreements, access easements or rights of way dedication(s).

Review time 15 minutes.

**09-014 Beacon Park, Block 1, Lots 1, 2, 3, 37, 38, 39, & 40, grid 2832
(Rezoning Request, R-5 to B-3SL)**

Resolve road improvements with the PME, Traffic, Fire, and Planning Departments. Adjust the design to accommodate the Huffman Road improvement project.

The proposed building cannot be sited at the location depicted because it will be straddling the water and sewer mains in the existing 20' wide Utility Easement on the north-south common lot line.

Resolve drainage design issues as there is no existing storm drainage system proximate to the building site. Redesign the site or resolve with AWWU relocation of the mains.

The Zoning Map Amendment discussion does not address the mapped stream on the north parcel boundaries. Also no stream setback is shown on the drawings.

Review time 30 minutes.

**09-016 Goldenview Gate Tracts, Tract 3, grid 3338
(Conditional Use, Water Reservoir)**

Right of Way Division has no comments at this time.

Review time 15 minutes.



MUNICIPALITY OF ANCHORAGE
Traffic Department



RECEIVED

MEMORANDUM

DEC 24 2008

Municipality of Anchorage
Zoning Division

DATE: December 23, 2009
TO: Jerry T. Weaver, Platting Supervisor, Planning Department
FROM: Mada Angell, Assistant Traffic Engineer
SUBJECT: Traffic Engineering and Transportation Planning Comments for
February 2, 2009 Planning and Zoning Commission

09-012 Ordinance amending Title 21

Traffic Engineering and Transportation Planning have no comment.

**09-013 Portions of Sec. 19, Elena area; Rezone from R-7 to I-3; Grids
50113 & 50114**

Traffic Engineering and Transportation Planning have no comment.

09-014 Beacon Park; Rezone from R-5 to B3-SL; Grid 2832

Traffic Engineering and Transportation Planning have no comment.

**90-016 Golden view Gate Tracts, Tract 3; Conditional Use to permit a
water reservoir; Grid 51208**

- Access road to reservoir to be constructed to a standard approved by PM&E.

90-017 Tudor Center; Rezone from I-1 to RO-SL; Grid 1736

Traffic Engineering and Transportation Planning have no comment.

Fire Plan Review Comments:

RECEIVED

DEC 31 2008

Municipality of Anchorage
Zoning Division

| | | |
|----------|------------------------------------|--------------|
| S11597-2 | East Addition | No Objection |
| S11719-1 | Charles Smith Sub. #2 | No Objection |
| 2009-012 | Ordinance amending title 21 | No Comment |
| 2009-013 | Rezone to I-3, eklutna power plant | No Objection |
| 2009-014 | Beacon Park | No Objection |
| 2009-016 | Goldenview Reservoir | No Objection |
| 2009-017 | Tudor Center SCF, Health Care Fac. | Comment |

What is the height of the proposed building? Per IFC D104.1 buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.

| | | |
|----------|------------------------------------|--------------|
| 2009-018 | Alaska Village | No Objection |
| S11680-2 | Creekview Estates | No Objection |
| S11717-1 | Anchorage Townsite | No Objection |
| S11718-1 | Bella Vista sub. Add. #2 | No Comment |
| 2009-015 | East Northern Lights Sound Barrier | No Objection |
| 2009-023 | PAC | No Comment |
| 2009-020 | Arctic Valley ski club | No Objection |
| 2009-021 | Haxby Sub | No Objection |
| 2009-022 | Dimond Industrial | No Objection |



Municipality of Anchorage
Project Management & Engineering Department



Comments to Miscellaneous Planning and Zoning Applications

JAN 05 2009

Municipality of Anchorage
Zoning Division

DATE: January 5, 2008

TO: Jerry Weaver, Platting Officer

FROM: Sharen Walsh, P.E. – Private Development - Plan Review Engineer

SUBJECT: Comments for Planning & Zoning Commission Public Hearing date:
February 2, 2008

Case 2009-012, An ordinance amending Title 21 code sections

Project Management and Engineering has no objection to the proposed ordinance.

Case No. 2009-013 – Rezoning to I-3 Rural industrial district

Project Management and Engineering has no objection to the proposed rezoning; however, the following issues are noted:

Reference Page 7: "Prior to the operations phase MEA proposes to upgrade the main entrance road." According to the record of survey submitted with the application, the property is accessed via Eklutna Lake Road and Gabes Road, with Gabes Road currently located within an access easement. These existing roads are very flat and do not have well-established drainage. As part of the follow-on platting activity for this case, the petitioner will need to clarify whether or not the access is intended to be public or private, how much of the entrance road they intend to upgrade, and who will be maintaining the access road once it is upgraded. Depending on the resolution of these issues the petitioner may be required to enter into a subdivision agreement for the upgrading.

Page 25, second paragraph, says that the site is located west of Anchorage. The site is actually to the northeast of the Anchorage bowl.

Content ID: 007532

Type: Ordinance - AO

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.09.030F.5, ADMINISTRATIVE AND REVIEW PROCEDURES, 21.10, BOARDS AND COMMISSIONS; ADMINISTRATIVE OFFICERS, AND

Title: SUBSECTION 21.15.012 B, PROCEDURE FOR OBTAINING ADMINISTRATIVE VARIANCE FOR MINOR DIMENSIONAL ERRORS, TO INCLUDE VARIANCE AUTHORITY FOR CHAPTER 21.09 GIRDWOOD LAND USE REGULATIONS.

Author: weaverjt

Initiating Dept: Planning

Description: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.09.030F.5, ADMINISTRATIVE AND REVIEW PROCEDURES TO INCLUDE VARIANCE AUTHORITY FOR CHAPTER 21.09 GIRDWOOD LAND USE REGULATIONS.

Date Prepared: 3/16/09 5:16 PM

Director Name: Tom Nelson

Assembly Meeting Date: 4/14/09

Public Hearing Date: 4/28/09

| <u>Workflow Name</u> | <u>Action Date</u> | <u>Action</u> | <u>User</u> | <u>Security Group</u> | <u>Content ID</u> |
|--------------------------|---------------------|---------------|------------------|-----------------------|-------------------|
| Clerk_Admin_SubWorkflow | 4/3/09 11:53 AM | Exit | Michael Abbott | Public | 007532 |
| MuniMgrCoord_SubWorkflow | 4/3/09 11:53 AM | Approve | Michael Abbott | Public | 007532 |
| MuniManager_SubWorkflow | 4/3/09 11:53 AM | Approve | Michael Abbott | Public | 007532 |
| Legal_SubWorkflow | 3/30/09 6:39 PM | Approve | Rhonda Westover | Public | 007532 |
| Finance_SubWorkflow | 3/27/09 10:02 AM | Approve | Sharon Weddleton | Public | 007532 |
| OMB_SubWorkflow | 3/27/09 9:16 AM | Approve | Wanda Phillips | Public | 007532 |
| ECD_SubWorkflow | 3/17/09 9:25 AM | Approve | Tawny Klebesadel | Public | 007532 |
| Planning_SubWorkflow | 3/17/09 9:03 AM | Approve | Tom Nelson | Public | 007532 |
| AllOrdinanceWorkflow | 3/16/09 5:23 PM | Checkin | Jerry Weaver Jr. | Public | 007532 |