

Submitted by: VICE CHAIR OSSIANDER, on
behalf of the Title 21 Committee
Prepared by: Planning Department
For reading: April 21, 2009

CLERK'S OFFICE
APPROVED *as amended*
ANCHORAGE, ALASKA
Date: 7-7-09 AO NO. 2009-56

1 AN ORDINANCE TO PROVISIONALLY ADOPT NEW SECTIONS 21.07.010,
2 GENERAL PROVISIONS; 21.07.020, NATURAL RESOURCE PROTECTION;
3 21.07.030, PRIVATE OPEN SPACE; 21.07.040, DRAINAGE, STORM WATER
4 TREATMENT, EROSION CONTROL, AND PROHIBITED DISCHARGES;
5 21.07.050, UTILITY DISTRIBUTION FACILITIES; AND 21.07.140,
6 OPERATIONAL STANDARDS, AMENDING ANCHORAGE MUNICIPAL
7 CODE TITLE 21 SUBJECT TO CONCURRENT FINAL PASSAGE AND
8 APPROVAL OF ALL PROVISIONALLY ADOPTED CHAPTERS OF TITLE 21.
9

10
11 WHEREAS, AR 2007-83 addresses the status of Title 21 chapters as provisionally
12 adopted by the Assembly; and
13

14 WHEREAS, provisional adoption is progressing as set out in AO 2006-172, as modified
15 by AO 2007-82; and
16

17 WHEREAS, Title 21, sections 21.07.010, *General Provisions*; 21.07.020, *Natural*
18 *Resource Protection*; 21.07.030, *Private Open Space*; 21.07.040, *Drainage, Storm Water*
19 *Treatment, Erosion Control, And Prohibited Discharges*; 21.07.050, *Utility Distribution*
20 *Facilities*; and 21.07.140, *Operational Standards*, reviewed by the Title 21 Committee,
21 are attached for further action by the Assembly; now, therefore,
22

23 **THE ANCHORAGE ASSEMBLY ORDAINS:**
24

25 **Section 1.** Anchorage Municipal Code (AMC) sections 21.07.010, *General*
26 *Provisions*; 21.07.020, *Natural Resource Protection*; 21.07.030, *Private Open Space*;
27 21.07.040, *Drainage, Storm Water Treatment, Erosion Control, And Prohibited*
28 *Discharges*; 21.07.050, *Utility Distribution Facilities*; and 21.07.140, *Operational*
29 *Standards*, are hereby provisionally adopted, as set forth in the attachment, and as
30 amended by action of the Assembly in this ordinance, following review and
31 recommendations from the Planning and Zoning Commission, and subject to revision as
32 the Assembly deems appropriate during concurrent final passage and approval of all
33 provisionally adopted chapters of Title 21.
34

35 **Section 2.** In keeping with the purposes and intent set forth in AR 2007-83 and AO
36 2006-172 (as modified by AO 2007-82), sections 21.07.010, *General Provisions*;
37 21.07.020, *Natural Resource Protection*; 21.07.030, *Private Open Space*; 21.07.040,
38 *Drainage, Storm Water Treatment, Erosion Control, And Prohibited Discharges*;


21.07.050, *Utility Distribution Facilities*; and 21.07.140, *Operational Standards*, as hereby provisionally adopted, shall not be deemed law of the Municipality nor applied to land use matters until concurrent final passage and approval of all provisionally adopted Title 21 chapters. Repeal of existing municipal code necessary to effectuate such final passage and approval shall be implemented as described by ordinance.

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

PASSED AND APPROVED by the Anchorage Assembly this 7th day of July, 2009.


Chair

ATTEST:


Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2009-56

Title: AN ORDINANCE TO PROVISIONALLY ADOPT NEW SECTIONS 21.07.010, GENERAL PROVISIONS; 21.07.020, NATURAL RESOURCE PROTECTION; 21.07.030, PRIVATE OPEN SPACE; 21.07.040, DRAINAGE, STORM WATER TREATMENT, EROSION CONTROL, AND PROHIBITED DISCHARGES; 21.07.050, UTILITY DISTRIBUTION FACILITIES; AND 21.07.140, OPERATIONAL STANDARDS, AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 SUBJECT TO CONCURRENT FINAL PASSAGE AND APPROVAL OF ALL PROVISIONALLY ADOPTED CHAPTERS OF TITLE 21.

Sponsor: ACTING MAYOR
Preparing Agency: Planning Department
Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)				
	FY09	FY10	FY11	FY12	FY13	
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:

New requirements for private open space for some institutional buildings may slightly increase the cost of new municipal buildings, but any increased costs are likely to be more than offset by proposed decreases in the parking requirements. See Economic Impact Analysis for details.

PRIVATE SECTOR ECONOMIC EFFECTS:

New requirements for private open space for many commercial uses, and slightly increased requirements for private open space for multifamily residential development may slightly increase the cost of the applicable development, but any increased costs are likely to be more than offset by proposed decreases in the parking requirements. See Economic Impact Analysis for details.

Decreased stream setback width in the R-10 district increases the developable area for land in that district. Increased stream setback width in all other zoning districts increases the land to be left undisturbed for undeveloped lots abutting streams.

Prepared by: Erika McConnell

Telephone: 343-7917



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 241-2009

Meeting Date: April 21, 2009

1 **From: ACTING MAYOR**

2
3 **Subject: AN ORDINANCE TO PROVISIONALLY ADOPT NEW SECTIONS**
4 **21.07.010, GENERAL PROVISIONS; 21.07.020, NATURAL**
5 **RESOURCE PROTECTION; 21.07.030, PRIVATE OPEN SPACE;**
6 **21.07.040, DRAINAGE, STORM WATER TREATMENT, EROSION**
7 **CONTROL, AND PROHIBITED DISCHARGES; 21.07.050, UTILITY**
8 **DISTRIBUTION FACILITIES; AND 21.07.140, OPERATIONAL**
9 **STANDARDS, AMENDING ANCHORAGE MUNICIPAL CODE**
10 **TITLE 21 SUBJECT TO CONCURRENT FINAL PASSAGE AND**
11 **APPROVAL OF ALL PROVISIONALLY ADOPTED CHAPTERS OF**
12 **TITLE 21.**
13
14

15 In furtherance of the review and public hearing process for the ongoing re-write of
16 Anchorage Municipal Code Title 21, this ordinance covers six sections of Chapter 21.07,
17 *Development and Design Standards*. These sections address stream, wetland, and water
18 body setbacks; steep slope development; open space; drainage and storm water treatment;
19 utility distribution facilities; and operational standards.
20

21 The public hearing draft of this chapter (Attachment 1) was released for public review on
22 September 19, 2007.
23

24 The Planning and Zoning Commission held public hearings on this chapter (along with
25 chapters 3 and 14) in November 2007. The Commission's recommended amendments to
26 these sections of Chapter 21.07 are Attachment 2.
27

28 The Assembly Title 21 Committee reviewed the Planning and Zoning Commission's
29 recommendations and developed Committee recommendations, which are included as
30 Attachment 3.
31

32 Public hearing before the Assembly will provide the opportunity for additional public
33 comment.
34

35 Adoption of this ordinance will add another chapter to the nine that have been
36 provisionally adopted by the Assembly to date. All chapters provisionally adopted by the
37 Assembly remain provisional until concurrent final passage and approval of all such

provisionally adopted chapters of Title 21, when the on-going re-write of Title 21 is complete.

THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE TO PROVISIONALLY ADOPT NEW SECTIONS 21.07.010, GENERAL PROVISIONS; 21.07.020, NATURAL RESOURCE PROTECTION; 21.07.030, PRIVATE OPEN SPACE; 21.07.040, DRAINAGE, STORM WATER TREATMENT, EROSION CONTROL, AND PROHIBITED DISCHARGES; 21.07.050, UTILITY DISTRIBUTION FACILITIES; AND 21.07.140, OPERATIONAL STANDARDS, AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 SUBJECT TO CONCURRENT FINAL PASSAGE AND APPROVAL OF ALL PROVISIONALLY ADOPTED CHAPTERS OF TITLE 21, AS AMENDED BY THE ASSEMBLY TITLE 21 COMMITTEE AND SHOWN IN ATTACHMENT 3.

Prepared by: Erika McConnell, Planning Department
Approved 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: Michael K. Abbott, Municipal Manager
Respectfully submitted: Matt Claman, Acting Mayor

- Attachments:
1. Chapter 21.07, *Development and Design Standards*, Sections 21.07.010, 21.07.020, 21.07.030, 21.07.040, 21.07.050, and 21.07.140 (Public Hearing Draft dated September 17, 2007)
 2. Planning and Zoning Commission Recommended Amendments (dated November 10, 2008)
 3. Assembly Title 21 Committee Recommended Amendments (dated March 26, 2009)
 4. Planning and Zoning Commission Minutes of August 18, 2008
 5. Planning and Zoning Commission Minutes of October 13, 2008
 6. Planning and Zoning Commission Minutes of November 3, 2008
 7. Planning and Zoning Commission Minutes of November 10, 2008
 8. Agency and Public Comments Received (includes comments on Chapter 21.03, other sections of Chapter 21.07, and Chapter 21.14)