

EXHIBIT B

Table of Contents

Exhibit B: Amendment to Title 21 presents the public hearing draft code amendment language for the *new Small Area Implementation Plans* ordinance. (Exhibit A: Under a separate cover, provides the project introduction, its public process, and background materials for the proposed ordinance.) The new Small Area Implementation Plans section of code appears first. The code changes in other sections associated with this new section follow and are arranged in order of the code sections affected:

Amendments by Zoning Code Section	Page
21.03.115 (New) Small Area Implementation Plans	1-12
21.02.020 Table of Decision and Review Authority	13-16
—Table 21.02-1. Summary of Major Title 21 Decision-Making and Review Responsibilities	
21.02.030 Planning and Zoning Commission	17
21.02.040 Urban Design Commission	18
21.03.020 Common Procedures	19-20
21.03.020 Common Procedures	21
—Table 21.03—1. Summary of Notice Requirements	
21.03.050 Appeals	22

How to Read this Document

This document is formatted to ease readability by showing the amended code language on the right-hand (numbered) pages with explanatory annotation on left-hand facing pages. The annotation explains or illustrates how to interpret or apply the draft amendment language. Sometimes the annotation describes the issue being addressed or the intent of the proposed code change.

The explanatory annotation (left-hand page) is in *Comic Sans Serif* font. Code language (right-hand page) is in *Arial* font and has line numbering in its left margin.

- Proposed language to code Section 21.03.115 appears as normal text (the entire section is new).
- Proposed new code language to other code sections is underlined.
- Existing code language that is proposed to be deleted in other code sections is in [ALL-CAPITALIZED TEXT IN BRACKETS].
- Text without underlines or highlights in sections other than new 21.03.115 is current code language not being changed.
- Small Area Implementation Plan(s) is abbreviated to SAIP(s)

Section 21.03.115A.: Small Area Implementation Plan - Purpose

Section 21.03.115 is a proposed new element of Chapter 21.03. The Purpose statement outlines the intent and reach of this new master planning feature. Master planning as a regulatory and planning tool is not new to the Municipality or Title 21. Current master planning code sections are Institutional Master Planning (21.03.110), which is applicable municipal-wide, or Area Master Planning (21.09.030E.), and Development Master Planning (21.09.030F.). The latter two sections are specialized for and confined to Girdwood.

This Purpose section describes the rationale for using Small Area Implementation Plans (SAIPs). Small area planning was originally introduced in the *East Anchorage District Plan* as a new tool to guide changes and growth in strategic areas that maximize efficient land use and/or to meet Comprehensive Plan land use goals. The *Anchorage 2040 Land Use Plan (2040 Plan)* expanded the importance of SAIPs and identified this tool as an essential strategy to meet land use objectives in strategic areas of the Bowl. Like Institutional Master Plans, SAIPs offer a planning process for predictable development by delineating land uses, site and design details, and by serving as a one-stop review of certain Title 21 entitlements. SAIPs can serve to guide private or public investment and new infrastructure. SAIPs offer land use and site design flexibility for landowners seeking to develop complex sites. SAIPs can propose alternative standards that meet or exceed approval procedures of Title 21. When SAIPs include private landowners, they serve as a *de facto* partnership between the Municipality, residents, businesses, contractors, and include a public process. SAIPs are implementation tools for, but not amendments to, the Comprehensive Plan. SAIPs may lead to rezoning actions. The Purpose section includes bullets that summarize overall objectives of these plans.

21.03.115: Small Area Implementation Plans.

A. *Purpose.* Small area implementation plans facilitate the planned development of large tracts of land under unified ownership or control, or with a coordinated group of owners. These plans cover discrete geographic areas, and provide certainty to landowners, the municipality, and the general public by stating a clear vision for public investment and the character, layout, and design of the development of the area. Small area implementation plans allow flexibility, and in some cases increased intensity of development, beyond that allowed by other chapters of this Title, when the proposed development is well-designed, provides public benefits for residents, employees and or users of the development, and integrated into the surrounding neighborhood. This flexibility is meant to allow plans to adapt to market conditions and other issues that arise during the planning and development of the project. Administration and management of small area implementation plans should also be flexible and might use terms and conditions set forth in joint development agreements. Overall, a small area implementation plan is intended to promote:

1. High quality design that is integrated into the urban fabric, which also complements the area's character;
2. Development that is pedestrian-oriented, with a connection to transit and multimodal transportation alternatives;
3. Building bulk, height, and orientation that ensures sunlight access;
4. A safe and vibrant public realm, with buildings and uses oriented to support public spaces;
5. Affordable housing, energy efficient development, and efficient use of land; and
6. A flexible and adaptable process that leads to a lasting public-private partnership for the benefit of all parties and the public.

ANNOTATION FOR PAGE 2

Section 21.03.115B.: Small Area Implementation Plan - Applicability

This section establishes under what circumstances a SAIP may be submitted. It is primarily for single or multiple parcels totaling 5 acres or more. Any lot down to one acre located in an adopted Reinvestment Focus Area (*a new ordinance to add RFA provisions to Title 21 is under development, as called for in the 2040 LUP*), or in certain called-out designations on the 2040 LUP, is also acceptable. Sites with less than 5 acres are likely harder to justify the planning costs and may be more appropriate to be developed under the standard Title 21 regulations. SAIPs may be undertaken in the Anchorage Bowl but not in Chugiak-Eagle River or Turnagain Arm communities. Master planning activities in Girdwood are already covered by Chapter 21.09. It is intended to consider the use of SAIPs in the future for Chugiak-Eagle River at a future date.

21.03.115: Small Area Implementation Plans.

B. *Applicability.* A small area implementation plan may be submitted and approved, in accordance with the procedures of this section, for:

1. A single parcel not less than five (5) acres in size;
2. A collection of parcels under common ownership that total not less than five (5) acres in size;
3. A collection of parcels with several owners that total not less than five (5) contiguous acres in size; or
4. Any single parcel or collection of parcels less than five (5) acres but greater than one (1) acre in size within an adopted reinvestment focus area or located in an area designated in the Anchorage 2040 Land Use Plan as neighborhood center, commercial corridor, main street corridor, or residential mixed-use development.

For the purposes of this section B, the term contiguous acres means an area of lots and/or tracts whose boundaries are abutting or are separated only by a street, other right-of-way, park land, or water feature. The planning boundaries for a small area implementation plan shall include all parcels owned by or under control of those entities desiring the small area implementation plan process and establishing site-specific design and development standards.

Small area implementation plans shall not apply to developments by large institutions, such as hospitals, universities, or major transportation facilities.

Small area implementation plans described in this section are available for use in the Anchorage Bowl but not applicable in Chugiak-Eagle River, Turnagain Arm or Girdwood communities.

ANNOTATION FOR PAGE 3

Section 21.03.115C. Submittal Requirements

Section C. presents a list of 13 items required for a new SAIP submittal to the Planning Department. These items will serve to determine completeness of a submitted SAIP application. The submittal requirements include enough detail to allow staff and the Director to make a finding that a proposed SAIP is consistent with the Comprehensive Plan and meets the intent of the SAIP guidelines. These items may become the basis for a SAIP application form.

Submittal requirements include narrative and illustrative graphic components, which resemble elements many users are familiar with in a detailed site plan proposal, for instance. Two important caveats in the submittal requirements section provide flexibility with the new regulation: (1) the Director may waive requirements deemed not relevant to the project or its planning area, and (2) the Urban Design Commission, the Planning and Zoning Commission, or the Director can require the submission of additional materials as necessary to inform the final Department and Commission recommendations and approvals. Some key submittal requirements that are necessary to judge the SAIP's consistency with Title 21 and the Comprehensive Plan include:

- C. 2. A map that delineates the proposed SAIP boundary, along with a letter of landowner(s) authorization of participating landowners, the boundary' legal description, a narrative boundary rationale, and a summary description of existing uses.
- C. 3. A traffic summary with sufficient detail of existing and anticipated traffic conditions to determine the impacts of the proposed development(s) on the transportation system and to guide roadway improvements within the plan area. This is not necessarily intended to be the level of a formal Traffic Impacts Analysis.
- C. 5. A detailed, conceptual site plan that includes existing and proposed streets, trails, building locations with land uses, parking and open space areas, and other amenities along with numbers and types of residential units and total floor area of all uses.
- C. 7. Renderings of all proposed buildings.
- C. 8. A narrative describing how the SAIP elements conform to the Comprehensive Plan and applicable elements.
- C. 9. An implementation and project phasing schedule.
- C. 10. Deviations to certain sections or standards of the code as directed in Section E.
- C.11. A rezone application, if applicable, or proposed new zoning changes.

ANNOTATION FOR PAGE 3

21.03.115: *Small Area Implementation Plans.*

*** *** ***

C. *Submittal Requirements.* Submittal requirements are listed below and shall be in narrative and illustrative form. It is understood that changes can occur to these original submittal details during the planning and review approval process. The director may waive submittal requirements not relevant to the proposed development or planning area. The urban design commission, the planning and zoning commission when applicable, and/or the director may require the submission of other information as necessary for the informed exercise of judgment under the criteria for the review of the plan, as set out in subsection F. below.

1. A detailed description of the overall proposed development envisioned within the plan area boundary;
2. A map delineating the plan boundary, along with a letter of landowner(s) authorization of participating landowners, a legal description, and acreage of the proposed petition area, a rationale/explanation of boundary delineation, and a description of the existing uses found in the area surrounding the petition area;
3. A traffic summary with sufficient detail of existing and anticipated traffic conditions to determine the impacts of the proposed development(s) on the transportation system and to guide roadway improvements within the plan area;
4. A summary of existing conditions in site plan or graphic format, including land use, existing development and buildings in the area, roads, utilities, storm drains, trails, and a general description of existing vegetation, topography, water features, and site drainage;
5. A conceptual site plan showing existing and, proposed new streets with cross-sections, trails, building locations and uses, parking lots, open space, and any other proposed development. The site plan shall include the total number and type of dwelling units, and the total floor area of all uses;
6. A conceptual landscape plan, including vegetation retention areas;
7. Renderings for all proposed buildings with recognition that these might change thru the plan review and approval process;
8. A detailed discussion of conformance with the comprehensive plan and relevant elements;
9. An implementation schedule, including a phasing plan, if proposed, which includes the probable sequence for proposed developments, estimated milestone dates, and interim uses of property awaiting development;
10. Site-specific design standards and/or deviations from certain standards of Title 21, as directed in section E. below;
11. Rezone application or proposed future zoning changes, if needed;

ANNOTATION FOR PAGE 4

Section 21.03.115C. Submittal Requirements (continued)

- C. 12. Additional information for a site that would normally require administrative site plan review, major site plan review, or conditional use review. Site and project specific design standards, and proposed variances per Section 21.03.240. (See Section 21.03.115E.)
- C. 13. A description of how the SAIP proposals relate and transition to adjacent properties and the neighborhood.

DRAFT

CODE LANGUAGE to be added is presented below.

21.03.115: *Small Area Implementation Plans.*

12. Any additional applicable information for a proposed use that would normally require an administrative site plan review, major site plan review, or conditional use approval; and
13. A description of how the small area implementation plan proposals relate and transition to adjacent properties and the neighborhood.

DRAFT

ANNOTATION FOR PAGE 5

Section 21.03.115D. Procedures for Small Area Implementation Plan Approval

Section D. mirrors other Code processes that regulate and direct master planning or related entitlement actions. It lays out a systematic review and approval process. These procedures facilitate and guide a new SAIP from: initiation; concept meeting; the department's review; to review and action by resolution from the Urban Design or Planning and Zoning Commission, which are designated as the approving bodies. (See Sections D.8., 9., 10.) The SAIP initiation phase includes a concept meeting that serves to introduce details of a proposed new SAIP with the Planning Department, followed by a pre-application conference with municipal and other affected staff, and a community meeting.

In some cases, a proposed SAIP may include an associated zoning map amendment. When a rezoning proposal is submitted concurrently with a new SAIP, it must still meet the rezoning approval criteria of 21.03.160E. and go forward as a separate Assembly-approval process. In these situations, the Planning and Zoning Commission, instead of the Urban Design Commission, acts as the decision-making body for the zoning map amendment request and the SAIP. These could be processed concurrently. In cases where a SAIP includes deviations from certain code sections (see Section E.), the Planning and Zoning Commission would also be the SAIP approval body.

Note that the SAIP review process also serves as the approval venue for any associated review and approvals required in code for administrative site plans, major site plans, or conditional uses. The SAIP process also provides the regulatory structure that serves as an alternative approval, "one-stop" process for these actions. There are exceptions to this procedure highlighted later in the SAIP ordinance. (See section 21.03.115G.)

21.03.115: Small Area Implementation Plans.

D. Procedures for Small Area Implementation Plan Approval.

1. *Initiation.* A single or joint application, if for several landowners, for approval of a small area implementation plan shall be initiated by the owner(s) or developer(s) of the subject property or area, or by the municipality.
2. *Concept Meeting.* A concept meeting with the director is required before initiating a small area implementation plan application. This meeting serves as a conceptual project overview for applicants and staff to discuss and document the scope of the project.
3. *Pre-Application Conference.* Before filing an application, an applicant shall request a pre-application conference with the director, in accordance with subsection 21.03.020B.
4. *Community Meeting.* A community meeting is required, in accordance with subsection 21.03.020C.
5. *Application Submittal.* Applications for approval of a small area implementation plan shall be submitted to the director and shall contain all information and supporting materials specified in subsection C. above.
6. *Departmental Review.* The director shall review the proposed small area implementation plan in light of the approval criteria of subsection F. below and shall distribute the application to other reviewers as necessary. Based on the results of the reviews, the director shall provide a report and recommendation for changes or additions to the urban design commission, or if applicable, the planning and zoning commission.
7. *Public Notice.* Notice shall be provided in accordance with section 21.03.020H.
8. *Review and Action by Urban Design Commission.* Except as provided in D.9. and D.10 below, the urban design commission shall hold a public hearing on the proposed small area implementation plan and, at the close of the hearing, taking into account the recommendations of the director and any public comment, and based on the approval criteria of subsection F. below, shall, within 90 days, approve the small area implementation plan as submitted, approve the plan subject to conditions or modifications, remand the plan to the applicant for modifications, or deny the plan.
9. *Concurrent Zoning Changes Allowed.* Requests for small area implementation plan approval may be considered concurrently with a zoning map amendment. Concurrent zoning map amendments shall meet all approval criteria of subsection 21.03.160E. When a small area implementation plan is being considered concurrently with a zoning map amendment, the planning and zoning commission shall act as the decision-making body for both requests, including to carry out the review and action described in D.8. above. The planning and zoning commission shall consider the small area implementation plan and the zoning map amendment request separately and shall act separately on both items.
10. *Deviations from Certain Standards of Title 21.* For small area implementation plan applications that incorporate deviations from certain uses of Title 21 as outlined in E.3. below, the planning and zoning commission shall act as the decision-making body.

ANNOTATION FOR PAGE 6

Section 21.03.115E. *Deviations from Certain Standards of Title 21.*

Like the Institutional Master Planning section in 21.03.110, the SAIP process provides the framework for projects to propose and establish alternative site-specific dimensional, design, and development standards for the planning area that deviate from certain sections of the code. This section specifies five such deviations, which can be proposed in a SAIP. Much of the flexibility and time-savings (and potential cost-savings) attributed to this SAIP ordinance is found in this section. The intent and practice of this section is to use the SAIP process to identify and craft alternative standards to accommodate a project's needs and to meet the intent of the Code and Comprehensive Plan consistency. Standards eligible for customizing or variances from Title 21 are listed in section 21.03.240. In addition, this section enables deviations or alternatives with certain standards delineated in the Design Criteria Manual with concurrence of the fire marshal, the municipal engineer, and/or the traffic engineer.

Other notable code deviations herein include the provision for consideration of certain B-1A district non-residential uses in otherwise residential areas of a SAIP, which is a strategy from the 2040 LUP. These commercial uses have a stated size/area limitation. The ordinance here provides certain conditions that must be met should a SAIP propose B-1A commercial uses in an otherwise residential area.

All these potential alternative project compliance features allow deviation from existing code standards only if they meet stated conditions and provisos in the SAIP ordinance and the Comprehensive Plan.

21.03.115: Small Area Implementation Plans.

E. *Deviations from Certain Standards of Title 21.* A small area implementation plan may establish alternative site-specific dimensional, design, uses and intensities, and development standards that modify or deviate from Title 21 standards that would otherwise apply. The small area implementation plan shall list the specific departures from standards of Title 21 and/or the Design Criteria Manual. Where different standards are approved in the small area implementation plan, those standards shall be applied instead of corresponding standards in Title 21. Deviations from Title 21 standards eligible for consideration in small area implementation plans include:

1. Those standards listed in 21.03.240B.
2. With the approval of the director, variances to certain standards in the Design Criteria Manual may also be issued with the concurrence of the fire marshal, the municipal engineer, and/or the municipal traffic engineer.
3. Certain small-scale commercial and community uses allowed in the B-1A district may be allowed even if not permitted in the underlying zoning district, provided the use is found to be generally compatible with the intent of the underlying district, subject to the terms and conditions of the approved small area implementation plan, and the following:
 - a. The proposed commercial and community uses will be primarily for the service and convenience of residents and employees in and adjacent to the small area implementation plan;
 - b. The allowed location(s) are delimited and the area surrounding the proposed location of the commercial use is deficient in commercial opportunities; and
 - c. The proposed commercial and community uses are consistent with the B-1A district-specific standards in 21.04, use regulations in 21.05, and the B-1A district dimensional standards in 21.06, except as specifically approved otherwise as part of the small area implementation plan. The net acreage of the proposed B-1A uses under this subsection shall not exceed double of that allowed in the B-1A district.
 - d. The proposed commercial and community uses are compatible with uses allowed by the underlying zoning surrounding the small area implementation plan, in terms of their scale, site design, hours of operation, traffic and parking generation, lighting, noise, and other external impacts.

ANNOTATION FOR PAGE 7

Section 21.03.115E. *Deviations from Certain Standards of Title 21. (continued)*

Included in Section E. is the capability to request deviations from lot dimension standards and revised or customized development intensities or DUA numbers, with the intent of maximizing flexibility in the SAIP process. This is deemed necessary to incentivize and promote redevelopment activities, especially on challenged lots or areas of the Bowl.

Where a proposed SAIP identifies code deviations or alternative site-specific standards or variances, these are required to be listed in the submittal requirements section (#s 10 and 12). The SAIP approval procedures thus serve as the decision-making process for alternative standards and associated variances or code deviations and replaces the usual methods identified for such in Title 21.

This does not supersede AMCR 21.90 Multiple Dwelling Unit Residential Development on a Single Lot or Tract, commonly known as the Private Streets code. Optional private streets are provided including the Woonerf shared-use street in AMCR 21.90. These optional private street standards are a viable option for reducing private street widths resulting in reduced costs to new SAIP developments.

21.03.115: Small Area Implementation Plans.

E. *Deviations from Certain Standards of Title 21.*

*** *** ***

4. Proposals for residential lots that do not meet the minimum lot area, lot depth, or setback standards may be requested in residential areas, subject to the small area implementation plan review and consistent with the lot standards in this Title.
5. Development intensities and number of dwelling units, open space location, and required parking sites may be amassed across zoning lines or transferred to strategic sections of the plan area if this action contributes to the efficient use of the site and still meets the intent of the underlying district and development standards of this Title, subject to the small area implementation plan review.

ANNOTATION FOR PAGE 8

Section 21.03.115F. Approval Criteria

Like many entitlement procedures in the Land Use Code, this section of the SAIP ordinance presents a mix of six detailed and more generalized approval criteria standards. Each proposed SAIP will be judged against these criteria, which serve as guidelines for staff findings and detailed recommendations to inform the SAIP approval process. Each SAIP must substantially meet these criteria. When a proposed SAIP is not consistent with these conditions, the process will include attempts and recommendations by staff and the applicants to rectify shortcomings or inconsistencies. There may be some level of flexibility in this negotiation process.

21.03.115: Small Area Implementation Plans.

F. *Approval Criteria.* A small area implementation plan shall be approved if all the following criteria have been substantially met:

1. The small area implementation plan and any associated site-specific design standards proposed conform to the applicable elements of the comprehensive plan, including the no-net loss of residential capacity, and the purpose of this title;
2. The small area implementation plan conforms to the intent of the underlying zoning district, is compatible with surrounding zoning and development, and protects areas designated for specific uses on the zoning map from incompatible land uses or development intensities;
3. The streets, roads, trails, transit, and other transportation elements are in conformance with applicable transportation plans and policies;
4. The development provides community benefits within the plan boundary and immediate area in terms of design, community facilities, open space, other community amenities, and residential units, if applicable to the area;
5. The development minimizes any potential adverse impacts to surrounding residential areas to the maximum extent feasible; and
6. Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property at the proposed level of development, while maintaining sufficient levels of service to existing and anticipated development in the surrounding areas; or an infrastructure deficiency plan with upgrade recommendations, is submitted.

ANNOTATION FOR PAGE 9

Section 21.03.115G.1. and 2. Compliance with Small Area Implementation Plans

Sections G.1. and G.2. outline how an adopted SAIP is actually implemented. Included are essential standards or conditions for SAIP project permitting and development actions subsequent to approval. All projects of an approved SAIP are subject to the details, standards, and provisions stated herein.

As with other master planning sections in Title 21, this section clarifies that an approved SAIP does not automatically grant development rights—relevant permits and related certification of project consistency with the approved SAIP are always required prior to construction.

This section explains that the SAIP process serves as the approval venue for land use activities that would otherwise trigger an administrative or major site plan review or conditional use review, or subsequent reviews in these entitlements that are exempted. The ordinance includes a provision in G.2. whereby certain Title 21 use categories, if proposed in a SAIP, are not exempted from a conditional use approval. Uses on this list are typically considered sensitive in nature and, as such, it is deemed necessary to require an independent public review via a separate conditional use review process. This allows an extra level of review and comment from the public and adjacent neighborhoods.

21.03.115: Small Area Implementation Plans.

G. *Compliance with Small Area Implementation Plans.* No development rights are granted by the approval of a small area implementation plan. Accordingly, all projects developed under an approved small area implementation plan are subject to the provisions below.

1. Projects developed under an approved small area implementation plan are exempt from the administrative site plan review, major site plan review, and conditional use review processes required in Tables 21.05-1 and 21.11-2, except as provided in subsections 2. and 3. as follows.

2. The provision in G.1. shall not apply to the following use categories and types when conditional use approval is required in the applicable Title 21 tables of allowed uses:

- a. Manufactured home communities;
- b. Correctional community residential center;
- c. Habilitative care facilities;
- d. Transitional living facility;
- e. Social service facilities;
- f. Zoo;
- g. Homeless and transient center;
- h. Correctional institution;
- i. Transportation facilities;
- j. Utility facilities;
- k. Telecommunications facilities;
- l. Large domestic animal facility;
- m. Civic/convention center;
- n. Amusement establishment;
- o. Entertainment facility, major;
- p. Golf course;
- q. Motorized sports facility;
- r. Shooting range, outdoor,
- s. Fueling station;
- t. Vehicle service and repair;
- u. Camper park;
- v. Recreational and vacation camp;
- w. Heavy equipment sales and rental;
- x. Manufacturing, heavy;
- y. Natural resource extraction;
- z. Warehousing and storage (excepting self-storage); and
- aa. Waste and salvage.

ANNOTATION FOR PAGE 10

Section 21.03.115G.3. and G.4.: Compliance with Small Area Implementation Plans (continued)

Sections G.3. through G. 4. continue the list of compliance details, specifically for individual project and new development consistency finding in an approved SAIP. As part of a building or land use permit review for projects in an approved SAIP, the Director determines within 30 days if the proposal is consistent with terms and conditions of the approved SAIP. If an application is deemed inconsistent, the Director's finding shall provide the reasons why and recommend actions needed to achieve consistency. This is a negotiation process that provides for some flexibility to fine tune a plan's details in cases where projects evolve thru the process.

This section also includes a provision where under certain conditions, projects with minor inconsistencies with an approved SAIP could still obtain a Director's finding of consistency. These include a Director's determination that the minor inconsistency does not lead to a significant or cumulative change to the SAIP, which ties to the minor modifications standard in 21.03.120B., and that section's approval criteria in 21.03.120D. In addition, a minor inconsistency finding from the Director must determine that an inconsistent action does not impact adjacent properties and does not result in changes to a list of specific items in the approved SAIP. These flexibility provisions are included to allow for small adjustments to certain aspects of a project that are minor or that otherwise could cause delays and be costly if additional reviews were required.

21.03.115: Small Area Implementation Plans.

G. Compliance with Small Area Implementation Plans.

*** *** ***

3. Before a building or land use permit is issued for any project within an area covered by an approved small area implementation plan, the director shall certify that the proposed project is consistent with the approved small area implementation plan. The applicant shall submit a request for certification or consistency on a form provided by the department. A certification of consistency, finding of inconsistency, or finding of consistency subject to conditions shall be issued no more than 30 days of receipt of a consistency certification application.

If the director finds that a project is not consistent with the approved small area implementation plan, the director shall provide detailed reasons for the finding and recommend actions to achieve consistency.

4. If the project is found to be inconsistent with the approved small area implementation plan, the department may issue a certification of consistency, to include minor modifications if the project is substantially similar to the original design and project intent, if the director finds the proposed project has minimal impact according to the following criteria:

a. The project inconsistency does not result in cumulative changes to the small area implementation plan that exceed or depart from the minor modification standards in 21.03.120B., and the project inconsistency meets the minor modification approval criteria in 21.03.120D.; or

b. The project inconsistency substantially meets the approval criteria in section F.1. and F.2. and does not impact adjacent properties and does not result in changes to any of the following:

- i. Amount of landscaping, types of landscaping, required parking, exterior lighting, or open space;
- ii. Quality of pedestrian facilities (e.g., amount, type);
- iii. Proportion of residential to non-residential uses;
- iv. Proportion of uses in mixed-use buildings;
- v. Residential or large establishment design standards;
- vi. Transportation facilities that are proposed to deviate from existing municipal standards; or
- vii. Utilities.

ANNOTATION FOR PAGE 11

Section 21.03.115G.5. through 6.: Compliance with Small Area Implementation Plans - Zoning Board of Examiners and Appeals and Annual Report

This section designates the Zoning Board of Examiners and Appeals as the body that will handle appeals of the Director's consistency findings for SAIP development projects.

Section G is further implemented with a requirement for submission of an annual report of development activities within the small area implementation plan to ensure progress and overall compliance. Reporting, which could be an affidavit attesting to development consistency with terms and conditions of the SAIP, shall not be required after all proposed development is completed.

The annual report should be submitted by the original SAIP applicant, or a designee should the SAIP include more than one landowner or representative.

1 **21.03.115: *Small Area Implementation Plans.***

2
3 G. *Compliance with Small Area Implementation Plans.*

4
5 5. The director's decision may be appealed to the zoning board of
6 examiners and appeals.

7 6. The owner, or a designee if more than one landowner, shall submit
8 to the department an annual report of development within the small
9 area implementation plan to ensure progress and overall
10 compliance. Reporting shall not be required after all proposed
11 development in the small area implementation plan has been
12 completed.

ANNOTATION FOR PAGE 12

Section 21.03.115H. and I. Compliance with Small Area Implementation Plans - Modification and Termination

Section 21.03.115H., Modification

This section provides a review and approval procedure for circumstances where a SAIP needs amending. This process authorizes the Director to determine whether a SAIP modification is significant enough to warrant a completely new SAIP. This section is based on the assumption that potential SAIP changes are either simple and minor in nature or more complicated and significant. Any minor modifications are to be handled through a public hearing before the Urban Design Commission. All SAIP modifications shall be reported to the Urban Design Commission by Planning Department staff.

Section 21.03.115I., Termination

Section I. lays out circumstances and parameters for the expiration or termination of a SAIP. These conditions are based on time --more than seven years without progress on the Plan's implementation -- or in response to a written termination request from the SAIP landowners/sponsors.

1 **21.03.115: *Small Area Implementation Plans.***
2

3 H. *Modification of Approved Small Area Implementation Plans.* The director
4 shall determine whether a proposed modification to an approved small
5 area implementation plan may be approved with a public hearing or is
6 significant enough to require a new small area implementation plan. Any
7 modifications recommended by the director shall be transmitted to the
8 urban design commission, or if applicable, the planning and zoning
9 commission.

10
11 I. *Termination of Small Area Implementation Plan.* A small area
12 implementation plan approval shall expire if:
13

- 14 1. Implementation of the small area implementation plan schedule is delayed
15 for more than seven years without a request for a modification as outlined
16 in section 21.03.115H.; or
- 17 2. All property owner(s) or developer(s) of the subject property or area provide
18 written notice to the director of the extinguishment of the small area
19 implementation plan. The director shall notify urban design commission, or
20 if applicable, the planning and zoning commission.
21

ANNOTATION FOR PAGE 13

Section 2. Anchorage Municipal Code chapter 21.02—Table 21.02-1: Summary of decision-making and review responsibilities.

Section 2. of the ordinance includes an amendment to Chapter 21.02, Table 21.02-1, by adding SAIPs to the major Title 21 assigned decision-making and review responsibilities.

The responsibilities assigned are in conjunction with the new duties described in new 21.03.115D.8., 9., and 10. for the Urban Design Commission and the Planning and Zoning Commission. The review-and-decision process lies with the Urban Design Commission. However, if the SAIP includes a concurrent land use plan map change/rezoning or deviations from certain code sections, the review decision rests with the Planning and Zoning Commission. All rezoning actions that run with a SAIP approval must be consistent with or include a concurrent amendment to the 2040 Anchorage Land Use Plan Map. In cases where SAIP approval rests with the Planning and Zoning Commission, the rezoning element receives a recommendation by that commission for final action before the Assembly.

A new superscript note (^{#15}) is also added to the Planning and Zoning Commission annotation to clarify the terms of their decision-making role. The new superscript note is described on the annotations for page 14.

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

21.02.020: Table of Decision and Review Authority

*** *** ***

Table 21.02-1: Summary of decision-making and review responsibilities.

TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES								
<p><i>NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.</i></p> <p>A = APPEAL = Authority to Hear and Decide Appeals D = DECISION = Responsible for Review and Final Decision H = HEARING = Public Hearing Required R = REVIEW = Responsible for Review and/or Recommendation Only</p>								
	Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
*** *** ***								
Conditional Uses	21.03.080		D-H				A	R
Flood Hazard Permits	21.03.090					A		D
Land Use Permits	21.03.100				A ³	A ³		D
Marijuana—Special Land Use Permit and associated variances	21.03.105	D-H						R
Master Plan, Institutional	21.03.110 A.	D-H	R-H					R
*** *** ***								
Site Plan Review, Major	21.03.180D.		D-H ⁷	D-H ⁷			A	R
Street Review	21.03.190B.		R ⁸ /D	R ⁸ /D				R
<u>Small Area Implementation Plans</u>	<u>21.03.115</u>		<u>D-H¹⁵</u>	<u>D-H</u>				<u>R</u>
*** *** ***								

ANNOTATION FOR PAGE 14

Section 2. Anchorage Municipal Code chapter 21.02—Table 21.02-1: Summary of decision-making and review responsibilities.

Section 2. further amends Table 21.02-1 from Chapter 21.02, by adding reference to two new superscript notes (#s 16 & 17), to distinguish both the Planning and Zoning Commission and Urban Design Commission decision-making authority specifically for variances from provisions of 21.05.040K. and 21.07.020C. The superscript notes are described in the annotations for page 14.

DRAFT

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

21.02.020: Table of Decision and Review Authority

*** *** ***

Table 21.02-1: Summary of decision-making and review responsibilities.

TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES								
<p><i>NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.</i></p> <p>A = APPEAL = Authority to Hear and Decide Appeals D = DECISION = Responsible for Review and Final Decision H = HEARING = Public Hearing Required R = REVIEW = Responsible for Review and/or Recommendation Only</p>								
Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS	
*** *** ***								
Variances from the provisions of 21.05.040K., <i>Telecommunication Facilities</i> ; 21.06, <i>Dimensional Standards and Measurements</i> (except subsection 21.06.030D.9., <i>Airport Height Regulations</i>); 21.07.050, <i>Utility Distribution Facilities</i> ; 21.09.060, <i>Dimensional Standards</i> ; 21.09.070J., <i>Utilities and Utility Equipment Standards</i> ; 21.10.060, <i>Dimensional Standards</i> ; 21.12, <i>Nonconformities</i> .	21.03. 240	D-H ^{15,16}	D-H ¹⁷		D-H		R	
Variances from the provisions of 21.07.020C., <i>Steep Slope Development</i> ; 21.07.060, <i>Transportation and Connectivity</i> ; 21.08, <i>Subdivision Standards</i> ; 21.09.070C., <i>Hazard Areas</i> ; 21.09.070F., <i>Transportation and Connectivity</i> ; 21.09.070G.1., <i>Street and Trail Lighting Standards</i> ; 21.09.070H., <i>Pedestrian Circulation</i> ; 21.10.070B., <i>Transportation and Connectivity</i> ; 21.10.080, <i>Subdivision Standards</i> .	21.03.240	D-H ^{13,16}	D-H ^{13,17}	D-H		A	R	
*** *** ***								

ANNOTATION FOR PAGE 15

Section 2. Anchorage Municipal Code chapter 21.02—Table 21.02-1: Summary of decision-making and review responsibilities.

Section 2. also adds a new superscript note (#16) to the Planning and Zoning Commission S decision-making responsibility to variances, in chapter 21.02, Table 21.02-1. The superscript notes are described in the annotations for page 14.

DRAFT

21.02.020: Table of Decision and Review Authority

*** *** ***

Table 21.02-1: Summary of decision-making and review responsibilities.

TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES								
<p>NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.</p> <p>A = APPEAL = Authority to Hear and Decide Appeals D = DECISION = Responsible for Review and Final Decision H = HEARING = Public Hearing Required R = REVIEW = Responsible for Review and/or Recommendation Only</p>								
Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS	
*** *** ***								
<p>Variances from</p> <p>the district-specific standards of 21.04, <i>Zoning Districts</i>; 21.09.040, <i>Zoning Districts</i>; 21.10.040, <i>Zoning Districts</i>.</p> <p>the use-specific standards of 21.05, <i>Use Regulations</i> (except subsection 21.05.040K., <i>Telecommunication Facilities</i>, and section 21.05.055 <i>Marijuana Establishments</i>); 21.09.050, <i>Use Regulations</i>; 21.10.050, <i>Use Regulations</i>.</p> <p>21.07, <i>Development and Design Standards</i> (except 21.07.020C., <i>Steep Slope Development</i>, 21.07.050, <i>Utility Distribution Facilities</i>, and 21.07.060, <i>Transportation and Connectivity</i>);</p> <p>Those subsections of section 21.09.070, <i>Site Development and Design Standards</i>, not reserved to the platting authority or the zoning board of examiners and appeals; 21.09.080, <i>Building Design Standards</i>;</p> <p>21.10.070, <i>Development and Design Standards</i> (except 21.10.070B., <i>Transportation and Connectivity</i>);</p> <p>21.11, <i>Signs</i></p>	21.03.240	D-H ¹⁶	D-H			A	R	
*** *** ***								

ANNOTATION FOR PAGE 16

Section 2. Anchorage Municipal Code chapter 21.02—Table 21.02-1: Summary of decision-making and review responsibilities.

Section 2. further amends Table 21.02-1 in chapter 21.02 with the inclusion of three new superscript notes (#'s 15, 16, 17). These notes clarify and distinguish decision-making authorities for SAIPs and SAIP-related variance procedures by the Planning and Zoning Commission and the Urban Design Commission.

DRAFT

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

21.02.020: Table of Decision and Review Authority

*** *** ***

Table 21.02-1: Summary of decision-making and review responsibilities.

TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES

NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.

**A = APPEAL = Authority to Hear and Decide Appeals
D = DECISION = Responsible for Review and Final Decision
H = HEARING = Public Hearing Required
R = REVIEW = Responsible for Review and/or Recommendation Only**

Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
---------	-------	-----	-----	----	------	-----	----

*** *** ***

NOTES:

¹ See section 21.03.040, *Alcohol-Special Land Use Permit*, to determine whether the Assembly or the director is the decision-making body.

² Only substantive comprehensive plan amendments require a public hearing. See section 21.03.070, *Comprehensive Plan Amendments*.

³ The appeal body for subsection 21.03.100E., *Improvements Associated with Land Use Permits*, is the platting board. Appeals related to provisions in title 23 are made to the building board of examiners and appeals.

⁴ An applicant may request application of the minor modification process only once during the review process.

⁵ See section 21.03.120C.5. for appropriate appeal body.

⁶ Site selection for municipal facilities is approved by the assembly. See section 21.03.140.

⁷ See section 21.03.180D. for the division of major site plan review decision-making authority.

⁸ See section 21.03.190, *Street and Trail Review*.

⁹ The planning and zoning commission may act as the platting authority for conditional uses that create a subdivision. The planning and zoning commission or the urban design commission may act as the platting authority for major site plan reviews that create a subdivision.

¹⁰ The planning and zoning commission or the urban design commission (whichever is the decision-making authority—see section 21.03.180) shall act as the platting authority for a commercial tract whose site plan includes a large retail establishment. The platting board shall be the platting authority for all other commercial tracts.

¹¹ Code amendments relating to chapter 21.08, *Subdivision Standards*, require a hearing by the platting board. All code amendments require a hearing by the planning and zoning commission.

¹² See section 21.03.230, *Vacation of Public and Private Interest in Lands*.

¹³ When the planning and zoning commission or the urban design commission acts as the platting authority, they shall have variance authority over these sections as well.

¹⁴ The planning and zoning commission shall have variance authority over the building tower dimension regulations in 21.11.060C. for all B-2A development sites and for B-2B and B-2C development sites larger than 26,000 square feet.

¹⁵ The planning and zoning commission is the decision-making authority for a small area implementation plan that is being considered concurrently with a zoning map amendment and/or when B-1A use types not permitted by the underlying zoning are included per 21.03.115.

¹⁶ The planning and zoning commission shall have variance authority over these sections when such variances are requested as part of a small area implementation plan that is being considered concurrently with a zoning map amendment per 21.03.115.

¹⁷ The urban design shall have variance authority over these sections when such variances are requested as part of a small area implementation plan per 21.03.115.

KEY TO ABBREVIATIONS:

ASBLY = Anchorage Assembly
PZC = Planning and Zoning Commission
PB = Platting Board

ZBEA = Zoning Board of Examiners and Appeals
BOA = Board of Adjustment
UDC = Urban Design Commission
MS = Municipal Staff

21.02.030B. Planning and Zoning Commission

This section formally adds decision-making authority to the Planning and Zoning Commission in 21.02.030B. for SAIPs when a zoning map amendment/rezoning and/or code deviations are included for consideration with the plan. Reference new section 21.03.115D. of this ordinance for approval procedures. Note - any rezoning action submitted as part of a SAIP, or subsequent to an approved SAIP, always requires final approval by the Assembly.

DRAFT

21.02.030 Planning and Zoning Commission

*** **

B. *Decision-Making Authority.* The planning and zoning commission has decision-making authority over the following:

1. Conditional uses (21.03.080);
2. Preliminary plats, when a conditional use creates a subdivision or requires the vacation of a dedicated public area, and the commission directs in the conditional use approval that it shall act as the platting authority (21.03.080F.);
3. Public facility site selections, except for municipal facilities (21.03.140);
4. Appeals from the director's decision regarding consistency with an institutional master plan (21.03.110F.);
5. Major site plan reviews for non-residential development with a gross floor area of 100,000 square feet or more, and for residential development of 140 units or more (21.03.180D.);
6. Preliminary plats, when a major site plan under the authority of the planning and zoning commission 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.);
7. Draft design study report for new construction and reconstruction of streets of collector class or greater in the Official Streets and Highways Plan (21.03.190); [AND]
8. Commercial tract plats, where the site plan includes a large commercial establishment under the authority of the planning and zoning commission (21.03.200E.);
9. Variance from bulk and lot coverage regulations in section 21.11.060C., Building Tower Dimensions, for all B-2A development sites, and for B-2B and B-2C development sites larger than 26,000 square feet; and
10. Small area implementation plans, when a zoning map amendment is being considered concurrently per 21.03.115 and/or when B-1A use types not permitted by underlying zoning are included in the proposed small area implementation plan.

*** **

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2020-38, 4-28-20)

ANNOTATION FOR PAGE 18

21.02.040 Urban Design Commission

This section of the ordinance formally adds new decision-making authority to the Urban Design Commission for SAIPs in 21.02.040A. Reference section 21.03.115D. of this new ordinance for review and approval procedures.

DRAFT

21.02.040 Urban Design Commission

- A. *Decision-Making Authority*. The urban design commission has decision making authority over the following:

*** *** ***

6. Variances from:

- a. The district-specific standards of chapter 21.04, *Zoning Districts* section 21.09.040, *Zoning Districts*, and section 21.10.040, *Zoning Districts*;
- b. The use-specific standards of chapter 21.05, *Use Regulations* (except subsection 21.05.040K., *Telecommunication Facilities*, and section 21.05.055, *Marijuana Establishments*), section 21.09.050, *Use Regulations*, and section 21.10.050, *Use Regulations*;
- c. Chapter 21.07, Development and Design standards (except subsections 21.07.020B., *Watercourse, Water Body, and Wetland Protection*, 21.07.020C., *Steep Slope Development*, 21.07.050., *Utility Distribution Facilities*, and 21.07.060, *Transportation and Connectivity*);
- d. Those provisions of section 21.09.070, *Site Development or Design Standards*, for which variance authority is not given to the platting authority or the zoning board of examiners and appeals;
- e. Section 21.09.080, *Building Design Standards*;
- f. Section 21.10.070, *Development and Design Standards* (except subsection 21.10.070B., *Transportation and Connectivity*);
- g. Section 21.11.070, Development and Design Standards; and
- h. Chapter 21.11, *Signs*

7. Appeals of the director's decision regarding subsection 21.12.060B. *Bringing Characters into Compliance* (21.03.050); and

8. Small area implementation plans (21.03.115).

*** *** ***

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-36, § 2, 5-14-15; AO No. 2017-55, § 3, 4-11-17; AO No. 2018-67(S-1), § 2, 10-9-18; AO 2020-35, 4-14-20; AO 2020-38, 4-28-20)

21.03.020B.2.a. Common procedures – Preapplication Conference

This item adds a new requirement for SAIPs to include a pre-application conference in the common procedures of section 21.03.020. As with other entitlement actions that require pre-app meetings, each new SAIP will benefit from this early-stage coordination.

DRAFT

21.03.020 Common Procedures

A. *Applicability*. The common procedures of this section 21.03.020 shall apply to all applications for development activity under this title unless otherwise stated.

B. *Pre-application conferences*.

1. Purpose. The pre-application conference is an informal discussion to familiarize the applicant and the municipal staff with the applicable provisions of this title that are required to permit the proposed development.

2. Applicability

a. Required for new applications. A pre-application conference is required prior to submittal of the following types of applications:

- i. Rezoning (Map Amendments) (section 21.03.160);
- ii. Subdivisions, except for most Abbreviated Plats (section 21.03.200);
- iii. Conditional Uses (section 21.03.080);
- iv. Institutional Master Plans (section 21.03.110);
- v. Major Site Plan Review (section 21.03.180D.);
- vi. Public Facility Site Selection (section 21.03.140);
- vii. Girdwood Area Master Plans and Development Master Plans (sections 21.09.030E. and F.); [AND]
- viii. Abbreviated plats (section 21.03.200) or administrative site plan reviews (subsection 21.03.180C.) which include Class A or B wetlands within or adjacent to the application area;[.]
- ix. Abbreviated plats for unit lot subdivision (21.08.070E.); and [.]
- x. Small area implementation plans (21.03.115).

No application for these types of approvals shall be accepted until after the pre-application conference is completed and the applicant receives written notification of the conclusions.

*** *** ***

ANNOTATION FOR PAGE 20

21.03.020C. Common procedures – Community meetings

This section amends item C. Community meetings of the Common Procedures portion of 21.03.020, by requiring proposed SAIP sponsors/applicants to hold a community meeting in the planning process. This action step in the SAIP process enhances the public's understanding of a proposed SAIP.

DRAFT

21.03.020 Common Procedures

C. Community Meetings.

1. Purpose. The community meeting is an informal opportunity for the developer to inform the surrounding area residents and property owners of the details of a proposed development and application, how the developer intends to meet the standards contained in this title, and to receive public comment and encourage dialogue at an early time in the review process.
2. Applicability.
 - a. *Types of applications.* The applicant shall hold a community meeting for any of the following types of applications.
 - i. Rezonings (zoning map amendments);
 - ii. Subdivisions, except for abbreviated plats;
 - iii. Conditional uses;
 - iv. Marijuana—special land use permit;
 - v. Institutional master plans;
 - vi. Major site plan review; [AND]
 - vii. Public facility site selection; and
 - viii. Small area implementation plans.

*** **

ANNOTATION FOR PAGE 21

21.03.020H. Common procedures – Notice

Table 21.03-1: Summary of Notice Requirements

This section amends Table 21.03-1 of the common procedures section 21.03.020 by adding SAIPs to the summary list of public notice requirements.

DRAFT

21.03.020 Common Procedures

*** *** ***

H. *Notice.*

1. *Content of notices.* Public notice required under this chapter shall, unless otherwise specified in this title:

*** *** ***

2. *Summary of notice requirements.* The following table 21.03-1 summarizes the notice requirements of the procedures set forth in this chapter. Unless otherwise specified in this title, procedures not listed in this table have no public notice requirements.

Table 21.03-1: Summary of Notice Requirements

*** *** ***

TABLE 21.03-1: SUMMARY OF NOTICE REQUIREMENTS					
Type of Application or Procedure	Section	Written (Mailed)	Notice Required		Community Council
			Published	Posted	
Alcohol—Special Land Use Permit	21.03.040	✓	✓	✓	✓
Appeals to Board of Adjustment	21.03.050A.	✓	✓	-	-
Appeals to ZBEA	21.03.050B.	✓	✓	-	✓
Comprehensive Plan Amendments, Substantive	21.03.070C.	-	✓	-	✓
Conditional Uses	21.03.080	✓	✓	✓	✓
Marijuana - Special Land Use Permit	21.03.105	✓	✓	✓	✓
Marijuana – Modification of a Special Land Use Permit Requiring Public Hearing	21.03.105C.	✓	✓	✓	✓
Marijuana - Variances	21.03.105C.	✓	✓	✓	✓
Master Plan, Area	21.09.030E.	✓	✓	✓	✓
Master Plan, Development	21.09.030F.	✓	✓	✓	✓
Master Plan, Institutional	21.03.110	✓	✓	✓	✓
Neighborhood or District Plans	21.03.130	-	✓	-	✓
Nonconforming Uses of Land or Structures, Replication of	21.12.030C.	✓	✓	✓	✓
Nonconforming Structures, Replication of	21.12.040D.	✓	✓	✓	✓
Public Facility Site Selection	21.03.140	✓	✓	✓	✓
Rezoning (Zoning Map Amendments)	21.03.160	✓	✓	✓	✓
Site Plan Review, Administrative	21.03.180C.	✓ ¹	✓	✓ ¹	✓
Site Plan Review, Major	21.03.180C.	✓	✓	✓	✓
<u>Small Area Implementation Plans</u>	<u>21.03.115</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>

*** *** ***

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-131, § 1, 1-12-15; AO No. 2015-142(S-1), § 1(Exh. A), 6-21-16; AO No. 2016-3(S), § 3, 2-23-16; AO No. 2017-75, § 1, 5-9-17; AO No. 2017-175(S), § 1, 2-13-18; AO No. 2019-67, § 1, 6-18-19)

ANNOTATION FOR PAGE 22

21.03.050A.1. - Appeals to board of adjustment.

This section amends 21.03.050.A.1., Appeals, to add SAIPs to the items to be appealed through the Zoning Board of Examiners and Appeals.

DRAFT

1 **21.03.050 - Appeals.**
2

3 A. *Appeals to board of adjustment.*
4

5 1. *Jurisdiction of board.* The board of adjustment shall decide
6 appeals:
7

8 a. From decisions regarding the approval or denial of a
9 preliminary plat (subsection 21.03.200C.);
10

11 b. From decisions regarding the approval or denial of a
12 variance from the all of the provisions of this title with the
13 exception of subsection 21.05.040K., telecommunication
14 facilities; Chapter 21.06, Dimensional Standards and
15 Measurements; and Section 21.07.050, Utility Distribution
16 Facilities;
17

18 c. From decisions regarding the approval or denial of
19 vacations of public and private interest in land where the
20 platting board is the platting authority (Section 21.03.230);
21

22 d. From decisions regarding the approval or denial of a
23 development master plan (subsection 21.09.030F.);
24

25 e. From decisions regarding the approval or denial of
26 applications for conditional uses (Section 21.03.080);
27

28 f. From decisions regarding the approval or denial of
29 applications for major site plan reviews (subsection
30 21.03.180C.);
31

32 g. From decisions regarding the approval or denial of a draft
33 street review design study report (subsection
34 21.03.190B.4.);
35

36 h. From decisions regarding the approval or denial of a small
37 area implementation plan (subsection 21.03.115).
38

39 *** **
40
41

DRAFT



Planning Department
Long-Range Planning Division
PO Box 196650
Anchorage, Alaska 99519-6650

www.muni.org/Planning/2040Actions.aspx