

Submitted by: Chair of the Assembly at  
the Request of the Mayor

Prepared by: Planning Department

For reading:

**ANCHORAGE, ALASKA**  
**AO No. 2021-\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 21 BY ADDING A NEW SECTION 21.03.115, SMALL AREA IMPLEMENTATION PLANS, TO PROVIDE FLEXIBILITY AND PREDICTABILITY TO PLANNED DEVELOPMENTS, AND AMENDING SECTIONS 21.02.030, 21.02.040, 21.03.020, 21.03.050, AND TABLES 21.02-1 AND 21.03-1, AND ANCHORAGE MUNICIPAL CODE OF REGULATIONS SECTION 21.20.007, ACCORDINGLY.**

(Planning and Zoning Commission Case No. 2021-0039)

**WHEREAS**, Small Area Implementation Plans (SAIP) are intended to provide regulatory and design flexibility for larger sites that have the opportunity for compact redevelopment; and

**WHEREAS**, small area planning was introduced and identified as a strategic planning tool in the *East Anchorage District Plan* and the *Anchorage 2040 Land Use Plan* as redevelopment action to achieve the goals of the Comprehensive Plan; and

**WHEREAS**, it was determined that a new master planning tool was needed to address smaller, area specific development projects that were environmentally constrained, had insufficient infrastructure, or necessitated assistance to address development constraints for redevelopment; and

**WHEREAS**, this ordinance details new master planning procedures in a new small area implementation plans subsection of the common procedures chapter of Title 21; now, therefore,

**THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** Anchorage Municipal Code title 21 is hereby amended by adding a new section 21.03.115 – Small Area Implementation Plans:

**21.03.115 Small Area Implementation Plans.**

- A. *Purpose.* Small area implementation plans can facilitate the planned development of 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 property owners, the municipality, and the general public by stating a clear vision for public investment and the long-term character, layout, and design of the development of the area. Small area implementation plans allow flexibility, and in some cases may increase the 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.

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 (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.

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 its 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, if proposed, as directed in section E. below;
11. Rezone application or proposed future zoning changes, if needed;
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 surrounding neighborhood.

D. *Procedures for Small Area Implementation Plan Approval.*

1. *Initiation.* A single or joint application, if for several property owners, 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.

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.

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 or located 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.

- 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.

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 21.11.050-4 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.

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., 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. Exterior signage;
- vii. Transportation facilities that are proposed to deviate from existing municipal standards; or
- viii. Utilities.

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

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

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

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

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

**Section 2.** Anchorage Municipal Code chapter 21.02 – Table 21.02-1: Summary of major Title 21 decision-making and review responsibilities, is hereby amended to read as follows:

**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
Alcohol—Special Land Use Permit	21.03.040	D-H/A1						R/D1
Certificates of Zoning Compliance	21.03.060					A		D
Comprehensive Plan Amendments	21.03.070 C.	D-H2	R-H2					R
Conditional Uses	21.03.080		D-H				A	R
Flood Hazard Permits	21.03.090					A		D
Land Use Permits	21.03.100				A3	A3		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
Minor Modifications	21.03.120		D4	D4		A5	A5	D4
Neighborhood or District Plans	21.03.130	D-H	R-H					R
Public Facility Site Selection	21.03.140	D-H/A-H6	R-H/D-H6					R
Rezoning (Map Amendments)	21.03.160	D-H	R-H					R
Sign Permits	21.03. 170					A		D
Site Plan Review, Administrative	21.03. 180C.			A				D
Site Plan Review, Major	21.03. 180D.		D-H7	D-H7			A	R
Street Review	21.03. 190B.		R8/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>
Trail Review	21.03.190 C.			R/D				R
Preliminary Plat	21.03. 200C.5.		D-H9	D-H9	D-H9		A	R
Abbreviated Plat	21.03. 200D.				A-H			D
Commercial Tract Plat	21.03.200 E.		D-H10	D-H10	D-H10			R

**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**

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	Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
Title 21, Text Amendments	21.03. 210	D-H	R-H		R-H11			R
Vacation of Public and Private Interest in Land	21.03.230				D or A12		A12	R or D12
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> ; 21.11.060, <i>Dimensional Standards for Sites and Buildings</i> ; 21.12, <i>Nonconformities</i> .	21.03. 240		D-15, <u>16</u>	D-H17		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-H13, <u>16</u>	D-H13, <u>17</u>	D-H		A	R

**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
Variances from  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> .  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> ; 21.11.050, <i>Use Regulations</i> .  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> );  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> ;  21.10.070, <i>Development and Design Standards</i> (except 21.10.070B., <i>Transportation and Connectivity</i> );  21.11.070, <i>Development and Design Standards</i>  21.11, <i>Signs</i>	21.03.240		D-H16	D-H			A	R
Administrative Variances	21.03.240 J.					A		D
Verification of Nonconforming Status	21.03.250					A		D

**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
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**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

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2015-36, 5-14-15; AO 2016-3(S), 2-23-16; AO 2018-67(S-1), 10-9-2018; AO 2020-38, 4-28-20)

**Section 3.** Anchorage Municipal Code section 21.02.030 – Planning and Zoning Commission, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

### 21.02.030 Planning and Zoning Commission

\*\*\*      \*\*\*      \*\*\*

- 1           B.     *Decision-Making Authority.* The planning and zoning commission  
2           has decision-making authority over the following:  
3  
4           1.     Conditional uses (21.03.080);  
5  
6           2.     Preliminary plats, when a conditional use creates a  
7           subdivision or requires the vacation of a dedicated public  
8           area, and the commission directs in the conditional use  
9           approval that it shall act as the platting authority  
10           (21.03.080F.);  
11  
12           3.     Public facility site selections, except for municipal facilities  
13           (21.03.140);  
14  
15           4.     Appeals from the director's decision regarding consistency  
16           with an institutional master plan (21.03.110F.);  
17  
18           5.     Major site plan reviews for non-residential development with a  
19           gross floor area of 100,000 square feet or more, and for  
20           residential development of 140 units or more (21.03.180D.);  
21  
22           6.     Preliminary plats, when a major site plan under the authority  
23           of the planning and zoning commission creates a subdivision  
24           or requires the vacation of a dedicated public area, and the  
25           commission directs in the major site plan approval that it shall  
26           act as the platting authority (21.03.180F.);  
27  
28           7.     Draft design study report for new construction and  
29           reconstruction of streets of collector class or greater in the  
30           Official Streets and Highways Plan (21.03.190);  
31  
32           8.     Commercial tract plats, where the site plan includes a large  
33           commercial establishment under the authority of the planning  
34           and zoning commission (21.03.200E.);  
35  
36           9.     Variance from bulk and lot coverage regulations in section  
37           21.11.060C., Building Tower Dimensions, for all B-2A  
38           development sites, and for B-2B and B-2C development sites  
39           larger than 26,000 square feet; and  
40  
41           10.    Small area implementation plans when a zoning map  
42           amendment is submitted concurrently and/or when B-1A use  
43           types not permitted by underlying zoning are included in the  
44           proposed small area implementation plan.  
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46           \*\*\*       \*\*\*       \*\*\*

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

**Section 4.** Anchorage Municipal Code section 21.02.040 – Urban Design Commission, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.02.040 Urban Design Commission**

- A. *Decision-Making Authority.* The urban design commission has decision making authority over the following:
1. Appeals of administrative site plan reviews (21.03.180C.);
  2. Major site plan reviews for non-residential development with a gross floor area of less than 100,000 square feet, and for residential development of fewer than 140 units (21.03.180D.);
  3. Preliminary plats, where a major site plan review under authority of the urban design 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.);
  4. Plans in hand design drawings review for new construction and reconstruction of streets of collector classification or greater on the *Official Streets and Highways Plan* (21.03.190);
  5. Commercial tract plats, where the site plan includes a large commercial establishment under the authority of the urban design commission (21.03.200E.);
  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)

**Section 5.** Anchorage Municipal Code section 21.03.020 – Common procedures, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

#### **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.

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## C. Community Meetings.

1  
2 1. Purpose. The community meeting is an informal opportunity  
3 for the developer to inform the surrounding area residents and  
4 property owners of the details of a proposed development and  
5 application, how the developer intends to meet the standards  
6 contained in this title, and to receive public comment and  
7 encourage dialogue at an early time in the review process.

8  
9 2. Applicability.

10  
11 a. *Types of applications.* The applicant shall hold a  
12 community meeting for any of the following types of  
13 applications.

- 14  
15 i. Rezoning (zoning map amendments);  
16 ii. Subdivisions, except for abbreviated plats;  
17 iii. Conditional uses;  
18 iv. Marijuana—special land use permit;  
19 v. Institutional master plans;  
20 vi. Major site plan review; [AND]  
21 vii. Public facility site selection; and  
22 viii. Small area implementation plans.

23  
24 \*\*\* \*\*\* \*\*\*  
25 H. *Notice.*

26  
27 1. *Content of notices.* Public notice required under this chapter  
28 shall, unless otherwise specified in this title:

29  
30 \*\*\* \*\*\* \*\*\*

31  
32 2. *Summary of notice requirements.* The following table 21.03-1  
33 summarizes the notice requirements of the procedures set forth  
34 in this chapter. Unless otherwise specified in this title,  
35 procedures not listed in this table have no public notice  
36 requirements.  
37

<b>TABLE 21.03-1: SUMMARY OF NOTICE REQUIREMENTS</b>					
<b>Type of Application or Procedure</b>	<b>Section</b>	<b>Written (Mailed)</b>	<b>Notice Required</b>		<b>Community Council</b>
			<b>Published</b>	<b>Posted</b>	
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>
Street Name Alterations	21.03.185	✓	✓	-	-
Street and Trail Review	21.03.190	-	✓	-	✓
Subdivisions (with existing physical access)	21.03.200	✓	✓	✓	✓
Subdivisions (without existing physical access)	21.03.200	✓	✓	-	✓
Abbreviated Plats	21.03.200D.	-	✓	-	✓
Modification or Removal of Plat Notes	21.03.200G.	✓	✓	✓	✓
Title 21, Text Amendments	21.03.210	-	✓	-	✓
Vacation of Public and Private Interest in Land	21.03.230	✓	✓	✓	✓
Variances	21.03.240	✓	✓	✓	✓
Administrative Variances	21.03.240J.	✓	✓	✓	✓
1 Written (mailed) notice and posted notice shall be provided only when the “administrative site plan review with notice” process is specifically required by this title.					

(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)

**Section 6.** Anchorage Municipal Code section 21 03.050—Appeals, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out);

**21.03.050 - Appeals.**

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

1. *Jurisdiction of board.* The board of adjustment shall decide appeals:
  - a. From decisions regarding the approval or denial of a preliminary plat (subsection 21.03.200C.);
  - b. From decisions regarding the approval or denial of a variance from the all of the provisions of this title with the exception of subsection 21.05.040K., telecommunication facilities; Chapter 21.06, Dimensional Standards and Measurements; and Section 21.07.050, Utility Distribution Facilities;
  - c. From decisions regarding the approval or denial of vacations of public and private interest in land where the platting board is the platting authority (Section 21.03.230);
  - d. From decisions regarding the approval or denial of a development master plan (subsection 21.09.030F.);
  - e. From decisions regarding the approval or denial of applications for conditional uses (Section 21.03.080);
  - f. From decisions regarding the approval or denial of applications for major site plan reviews (subsection 21.03.180C.);
  - g. From decisions regarding the approval or denial of a draft street review design study report (subsection 21.03.190B.4.);

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

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(GAAB 21.05.090; AO No. 77-407; AR No. 78-12; AR No. 79-55; AO No. 82-49; AR No. 83-96; AR No. 83-289(S); AR No. 86-63; AR No. 86-263; AR No. 87-315; AO No. 87-154(S); AR No. 90-151; AR No. 93-327(S), § 1, 2-22-94; AO No. 2001-145(S-1), § 23, 12-11-01; AO No. 2003-97, § 3, 9-30-03; AO No. 2003-152S, § 25, 1-1-04; AO No. 2004-1, § 4, 1-1-03; AR No. 2006-137, § 1, 6-6-06; AR No. 2008-134, § 4, 7-29-08; AO No. 2013-100, § 16, 1-1-14; AO No. 2018-100(S), § 15, 1-1-19; AO No. 2019-116(S), § 11, 1-1-20)

**Section 7.** This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Chair of the Assembly

ATTEST:

\_\_\_\_\_  
Municipal Clerk

(Planning and Zoning Commission Case No. 2021-0039)