

ANCHORAGE, ALASKA
AO No. 2021-32, As Amended

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE (AMC) 4.60.030,
2 HISTORIC PRESERVATION COMMISSION, AND CREATING ANCHORAGE
3 MUNICIPAL CODE OF REGULATIONS (AMCR) 4.60, MUNICIPALITY OF
4 ANCHORAGE LOCAL LANDMARK REGISTER, TO ESTABLISH A LOCAL
5 LANDMARK REGISTER, QUALIFICATIONS, NOMINATION AND APPROVAL
6 PROCESS FOR RECOGNIZING THE UNIQUE HISTORIC AND CULTURAL
7 RESOURCES, INCLUDING THE STORIES, EVENTS, OR PEOPLE
8 ASSOCIATED WITH THOSE IMPORTANT RESOURCES, AND CONSISTENT
9 WITH THE DUTIES GIVEN TO THE ANCHORAGE HISTORIC PRESERVATION
10 COMMISSION UPON ITS ESTABLISHMENT IN CODE IN A.O. 2006-175.

11
12 (Planning and Zoning Commission Case No. 2021-0005)

13
14 **WHEREAS, to fulfill its powers and duties as prescribed by several provisions**
15 **of Anchorage Municipal Code subsection 4.60.030E.,** the Anchorage Historic
16 Preservation Commission “shall prepare and submit to the assembly, mayor, and
17 planning and zoning commission for approval by ordinance a procedure for
18 designating, without modifying the underlying zoning classification,” historic and
19 cultural resources for inclusion into an Anchorage-wide Historic Inventory; and

20
21 **WHEREAS,** the recognition of cultural and historic resources gives the public
22 valuable information about the people who came before, their struggles, successes,
23 and way of life; and

24
25 **WHEREAS,** local landmark registers are a foundational element of historic
26 preservation programs throughout the world enabling communities to survey,
27 recognize, and preserve their unique history and culture by inventorying and listing
28 these resources with an adopted local landmark register; and

29
30 **WHEREAS,** the residents of the Municipality of Anchorage have expressed their
31 support for the adoption of a local landmark register during a Municipal-wide historic
32 preservation planning process conducted during 2017-2018; now, therefore,

33
34 **THE ANCHORAGE ASSEMBLY ORDAINS:**

35
36 **Section 1.** Anchorage Municipal Code section 4.60.030 is hereby amended to
37 read as follows (*the remainder of the section is not affected and therefore not set*
38 *out*):

39
40 **4.60.030 Historic Preservation Commission**

41 *** **

42

1 **E. *Powers and duties of commission.*** The commission shall:

2
3 *** *** ***
4 2. Prepare and maintain a comprehensive inventory of historic
5 and cultural resources. The local Historic Inventory shall be
6 compatible with Alaska Heritage Resources Survey categories.
7 [AND SHALL BE SUBMITTED ANNUALLY]. A digital file shall
8 be submitted annually to the State of Alaska Office of History
9 and Archeology.

10
11 3. Prepare and submit to the assembly, mayor, and planning and
12 zoning commission for approval by ordinance, a procedure for
13 designating, without changing or modifying the underlying
14 zoning classification:

15 a. Resources on the Historic Inventory with “HI”; and

16
17 b. Properties listed in the Alaska Landmark Register, the
18 National Register of Historic Places and/or the
19 Municipality of Anchorage Local Landmark Register
20 [LOCAL, STATE AND FEDERAL HISTORIC
21 REGISTRIES] with “HR”.

22
23 *** *** ***
24 5. Review applications for designation of [HISTORIC
25 PROPERTIES,] Historic and Cultural Resources [OR
26 HISTORIC DISTRICTS], including nominations to the Alaska
27 Landmark Register [STATE] and National Register[S] of
28 Historic Places, and under applicable federal and state laws,
29 nominate such [PROPERTIES,] resources to the Municipality
30 of Anchorage Local Landmark Register [OR DISTRICTS FOR
31 THE LOCAL HISTORIC REGISTER].

32
33 a. [INITIALLY]I[t]he commission may[SHALL] nominate
34 municipal properties including those listed on the Alaska
35 Landmark Register [STATE] and National Register[S] of
36 Historic Places for the Anchorage L[l]ocal Landmark
37 [HISTORIC] Register.

38
39 6. Under the Alaska Historic Preservation Act and the National
40 Historic Preservation Act of 1966, 54 USC 300101 [16 USC
41 470] et seq.:

42
43 *** *** ***
44 b. Serve as the local historical district commission for the
45 municipality under AS 29.55 and AS 45.98, and maintain
46 the Municipality of Anchorage Local Landmark Register
47

[LOCAL HISTORIC REGISTER].

*** *** ***

G. Local Landmark Register. There is established a Municipality of Anchorage Local Landmark Register.

1. Purpose.

The purpose of this section is to establish the Municipality of Anchorage Local Landmark Register. Local landmark registers are a foundational element in historic preservation programs throughout the world. The purpose of the Local Landmark Register is to document the buildings, districts, structures, sites, landscapes, travel routes, traditional cultural properties and objects significant to the history and culture of Anchorage, and the communities within.

2. Qualification.

The Local Landmark Register is a voluntary program available to anyone seeking to document and recognize a resource by this nomination process. Resources listed in the Local Landmark Register neither supersede nor limit National Register of Historic Places, or Alaska Landmark Register eligibility and listing. To be qualified for listing on the Local Landmark Register, a resource must be identified as at least 30 years old and must be both "Significant" and retain sufficient "Integrity" to convey the significance, as those terms are defined in Anchorage Municipal Code of Regulations Chapter 4.60.

3. Nomination and Designation Process.

Anyone may file an application to initiate the designation of a resource to the Local Landmark Register, provided they have obtained the owner's permission. The Historic Preservation Officer shall review the application and refer completed applications to the Historic Preservation Commission in accordance with Anchorage Municipal Code of Regulations Chapter 4.60.

H[G]. The sunset provisions in section 4.05.150 shall not apply to this board.

(CAC 2.64.680—2.64.690; AO No. 77-304; AO No. 82-49; AO No. 83-44; AO No. 86-154; AO No. 87-96; AO No. 2004-96, § 1, 6-8-04; AO No. 2006-175, § 1, 1-9-07; AO No. 2011-64(S-1), § 5, 6-28-11; AO No. 2011-81, § 3, 8-30-11; AO No. 2015-97, § 1, 9-15-15)

1 **Section 2.** Anchorage Municipal Code of Regulations is hereby amended by
2 adding a new chapter 4.60–Municipality of Anchorage Local Landmark Register.

3
4 **Regulation 4.60 Municipality of Anchorage Local Landmark Register**

5
6 **4.60.001 Definitions**

7 The following words, terms, and phrases, when used in this
8 chapter and Anchorage Municipal Code section 4.60.030, shall
9 have the meanings ascribed to them in this section, except
10 where the context clearly indicates a different meaning:

11
12 *Building Improvements* shall mean capital events that materially
13 extend the useful life of a building or increase the value of a building,
14 or both.

15
16 *Contributing resource* shall mean any resource that adds to the
17 historic significance of a district or landscape.

18
19 *Director* shall mean the Director of the Planning Department or the
20 Director’s designee.

21
22 *Feature* shall mean any component or element of a landmark which
23 has been designated by the Historic Preservation Commission
24 pursuant to this ordinance and is found to be of importance to the
25 historic, architectural, archaeological, Tribal, scenic, or natural value
26 of the property.

27
28 *Historic Context* shall mean an organizing structure for interpreting
29 history that groups information about historic properties which share a
30 common theme, common geographical location, and common time
31 period. The development of historic contexts is a foundation for
32 decisions about the planning, identification, evaluation, registration,
33 and treatment of historic properties, based upon comparative
34 significance. Examples of historic context may include Indigenous
35 cultures, stories, or place names, Alaska Gold Rush, Alaska Railroad,
36 World War II, Homestead Act, 1964 Earthquake, Urban Renewal, or
37 the Prudhoe Bay Oil Discovery.

38
39 *Historic Preservation Officer* shall mean the Anchorage Historic
40 Preservation Officer or designee.

41
42 *Integrity* shall mean the ability of the landmark resource to convey its
43 significance. Integrity must always be grounded in an understanding
44 of a resource’s physical features and how those features relate to the

1 significance of the resource. The seven aspects of integrity are
2 location, design, setting, materials, workmanship, feeling, and
3 association.

4
5 *Nomination* shall mean a proposal to list a historic or cultural resource
6 for designation as a landmark.

7
8 *Nominator* shall mean any person, group of owners, property owner,
9 Tribal entity, the Historic Preservation Officer, or any member of the
10 Historic Preservation Commission who may nominate a resource for
11 designation.

12
13 *Owner* shall mean a person with a fee simple interest, a substantial
14 beneficial interest of record, or a substantial beneficial interest in a
15 resource. Where the owner is a public agency or government, that
16 agency shall specify the person or person(s) to receive notices
17 hereunder.

18
19 *Person* shall mean any individual, partnership, corporation, group or
20 association.

21
22 *Resource* shall mean any type of landmark proposed for nomination
23 to include a building, district, structure, site, landscape, traditional
24 cultural property, object, or travel route as described in 4.60.002
25 Landmark Types.

26
27 *Significance* shall mean the determination of the essential features
28 that define why a resource is important and must include the period-
29 in-time the resource is significant to. Significance is determined by
30 identifying the links to important events or persons, design or
31 construction features, or other potential information that makes the
32 resource important. "Significant" landmark resources will be found to
33 have a meaningful or notable influence or effect on our history or
34 culture.

35
36 *Substantial Alteration* shall mean to demolish or materially alter the
37 physical characteristics of a resource in an adverse manner.

38
39 **4.60.002 Landmark Types**

40 Landmarks shall be nominated as buildings, districts,
41 structures, sites, landscapes, traditional cultural properties,
42 objects, or travel routes. The nomination of object as a
43 landmark does not constitute a nomination of the site on which
44 the object is located unless the nomination states otherwise.

1 **A. Building**

2 A building is a construction used for human shelter, e.g. to house
3 animals, or for commerce, business, or education. Nominators can
4 nominate a building exterior, interior, or both. Nominators cannot
5 nominate just portions of the exterior. However, non-movable portions
6 of a building interior can be nominated. It must be noted on the
7 nomination form when both the exterior and interior of a building are
8 being nominated for designation to the Local Landmark Register.

9
10 Examples: A house, barn, place of religious assembly, school,
11 theatre, Quonset hut, Wanigan, hall, machine shop, depot, office
12 building, shed.

13
14 **B. District**

15 A significant concentration, linkage, or continuity of sites, buildings,
16 structures, travel routes, or objects united historically or aesthetically
17 by plan or physical development and features related by period, type,
18 or location. Single properties may not be significant by themselves,
19 but still contribute to the whole by providing continuity of historic era,
20 design, appearance, cultural use, or function. A district may include
21 both contributing and non-contributing properties. A district may also
22 comprise individual landmarks separated geographically but linked by
23 history, architecture, and/or culture.

24
25 Examples: A residential neighborhood, business district,
26 archaeological site, a building complex such as a cannery, military
27 base, or college campus.

28
29 **C. Structure**

30 A construction used for purposes other than human shelter.

31
32 Examples: Caches, bridges, dredges, dams, roadways, railroads,
33 locomotives, aircraft, trail remnants or markers, and vessels.

34
35 **D. Site**

36 The location of a significant event, a historic or prehistoric occupation
37 or activity, or building or structure, whether standing, ruined, or
38 vanished, where the location itself possesses historic, cultural, or
39 archaeological value, regardless of the value of any existing structure.
40 The significance of a historic site does not depend upon the survival
41 of original standing structures and may include buried archaeological
42 materials, accurately reconstructed buildings or visible alterations of
43 the land. However, the setting must retain integrity and be mostly free
44 of modern or non-historic elements, which confuse the historical
45 relationship of the site with its period of significance.

46

1 Examples: Habitation sites, funerary sites, village sites, gardens,
2 ruins of historic buildings and structures, and natural features such as
3 rock and land formations having cultural significance.

4
5 **E. Landscape**

6 A geographic area including both historical, cultural, and natural
7 resources associated with a prehistoric or historic event, activity, or
8 person or peoples, or exhibiting other cultural or aesthetic values.

9
10 Examples: Farmlands, ancestrally used coastal areas, creek
11 corridors, recreation areas, plant harvesting areas, parks, industrial
12 and mining areas, etc.

13
14 **F. Traditional Cultural Property**

15 A place associated with cultural practices or beliefs of a living
16 community that are rooted in that community's history and are
17 important in maintaining the cultural identity of the community.
18 Traditional Cultural Properties have one or more of the following
19 attributes: spiritual power, practice, stories, therapeutic quality, and
20 remembrance.

21
22 Examples: Important ancestral fish camps, a location where a
23 community has traditionally carried out economic, artistic, or other
24 cultural practices important to maintaining its historic identity, or an
25 urban neighborhood that is the traditional home of a particular cultural
26 group and reflects its beliefs and practices.

27
28 **G. Object**

29 A material thing of functional, aesthetic, cultural, historical, or scientific
30 value that may be by nature or design, movable yet related to a
31 specific setting or environment.

32
33 Examples: Monuments, sculptures, boundary markers, a portion of a
34 building interior, or fountains.

35
36 **H. Travel Routes**

37 Motorized or non-motorized routes of travel on land or water in urban,
38 suburban, and remote, or rural settings. The landmark may represent
39 a route of which there is no physical evidence remaining.

40
41 Examples: Trails, paths, roads, railway routes, mountain passes, or
42 waterways.

43
44 **4.60.003 Designation Process.**

45
46 **A. Application**

47 Anyone may file an application to initiate the designation of a resource

1 to the Local Landmark Register, with the permission of each owner. A
2 resource will not be considered for nomination without the owner's
3 approval or 51% of owners' approval for resources with multiple
4 owners. An application may be obtained from the planning department
5 in hard copy or accessed online.

6
7 **1. Application Fee.**

8 An application fee based on a sliding scale (Table 4.60.003-1)
9 will be assessed after the nomination has been determined
10 complete. Nominations for municipal resources initiated by the
11 Historic Preservation Commission are exempt from the
12 application fee. The application fee will be used to support the
13 Anchorage Historic Preservation Program including the
14 management of the Local Landmark Register and will be
15 directly deposited to the Historic Preservation Fund 740 (SAP
16 490000). **The Director may reduce or eliminate this fee at**
17 **his or her discretion.**
18
19

TABLE 4.60.003-1

TYPE	RESOURCE	FEE
1	Single Resource	\$50 [100]
2	District Contributing Resource (1-15)	\$75 [150] total
3	District Contributing Resource (16-30)	\$100 [200] total
4	District Contributing Resource (>31)	\$150 [300] total

20
21 **2. Owner Notification and Approval.**
22

- 23 a. Fifty-one percent of a resource's owners must approve
24 the nomination of a Landmark in writing. Owners may
25 indicate their support or lack of support through a letter,
26 a signed petition, through input at a public meeting, or
27 through an email to the Historic Preservation Officer or
28 Historic Preservation Commission.
29
30 b. All owners within a proposed Landmark will be notified
31 of the landmark nomination by the Historic Preservation
32 Officer.
33

34 **B. Completeness Review**
35

- 36 1. The Historic Preservation Officer is the administrative official
37 with jurisdiction to determine the nomination is complete. One
38 hard and electronic copy of the nomination is required to make
39 the determination of completeness. The Historic Preservation
40 Officer may request additional information or work with the
41 applicant to complete an application.

- 1 2. The Historic Preservation Officer will contact the nominator
2 upon determination of completeness to request at least 10
3 copies and one electronic copy of the nomination packet for
4 distribution. (*Additional copies may be required depending on*
5 *the number of community councils to be noticed by the*
6 *nomination.*) The Historic Preservation Officer will disseminate
7 packets to municipal departments and the Historic Preservation
8 Commission.

9
10 **C. Anchorage Historic Preservation Commission Review**

- 11
12 1. The Historic Preservation Officer shall refer a completed
13 application for landmark designation to the Historic
14 Preservation Commission. The Historic Preservation Officer
15 will place the nomination on the Historic Preservation
16 Commission's agenda for discussion and recommendation
17 within 90 days after the Historic Preservation Officer deems the
18 nomination packet complete and the nomination fee is paid.
19 The Historic Preservation Officer will notify owners and/or
20 proponents of the nominated resource of the Historic
21 Preservation Commission meeting by mail at least thirty (30)
22 days prior to the Historic Preservation Commission meeting at
23 which a nomination is set for consideration.
- 24
25 2. The Historic Preservation Officer shall send notices of the
26 Historic Preservation Commission meeting to any affected and
27 adjacent community councils.
- 28
29 3. The Historic Preservation Commission shall make a
30 determination of eligibility based on whether the resource
31 meets all of the following:
- 32
33 a. The resource is identified as one or more of the
34 landmark types as defined in 4.60.002;
- 35
36 b. The resource meets the requirements of 4.60.004; and
- 37
38 c. The resource retains sufficient integrity to convey that
39 significance.

40
41 **D. Findings and Recommendations of Commission**

42
43 The Historic Preservation Commission shall act officially on landmark
44 designation within two regular meetings. The Historic Preservation
45 Commission may approve, reject, or request additional information.
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1. Approve

- a. The Historic Preservation Commission shall compose and approve a resolution that the nominated landmark meets the criteria for designation found in 4.60.004 and should be added to the Local Landmark Register, if recommending approval.
- b. The Historic Preservation Commission will forward its recommendation through the Historic Preservation Officer to the Planning and Zoning Commission for a recommendation of approval by the Planning and Zoning Commission to the Anchorage Assembly.
- c. Upon the passage of an Assembly ordinance designating the landmark, the Municipal Clerk shall send notice of the Assembly action by mail to the owner, or owners, of the designated landmark. The Historic Preservation Commission will also notify the owners of the Assembly approval.

2. Request More Information

- a. The Historic Preservation Commission may request additional information from the nominator, owner(s), or Historic Preservation Officer at or prior to the Historic Preservation Commission meeting to assist them in making a determination. If additional information is requested at the meeting, the nomination will be tabled until the requested information is received.
- b. Once additional information is received, the process established in 4.60.003B. and C. will be followed.

3. Deny

A resource may be found ineligible by the Historic Preservation Commission. The Historic Preservation Commission will state in their findings during the Historic Preservation Commission meeting why they believe the resource is ineligible. The nominator may appeal this finding per 4.60.008.

E. Recordation

1. Municipal Databases.

Within 90 days of designation of a landmark, the Historic Preservation Officer shall record the designation in five municipal department databases: Cityview, the Real Property

1 records database maintained by the Municipal Assessor with
2 "HR" per 4.60.030E.3.b, the permit system maintained by
3 Development Services, the municipal geographic information
4 system database, and the online Local Landmark Register
5 database maintained by the Historic Preservation Officer.
6

- 7 2. Alaska Heritage Resources Survey Database (AHRS).
8 Upon designation of a landmark the Historic Preservation
9 Commission shall submit the Landmark to the AHRS and the
10 Alaska Department of Natural Resources Recorder's Office
11 within 90 days for recordation.
12

13 **4.60.004 Evaluating Historic and Cultural Resources**

14 Qualified landmarks shall be at least 30 years old and must
15 meet at least one criterion in one of the five categories: History,
16 Architecture, Geography, Culture, or be listed on the National
17 Register or Alaska Landmark Register.
18

19 **A. History:** The landmark shall meet at least one of the following criteria:
20

- 21 1. Have direct association with development of the nation, state,
22 Municipality, or communities within; or
23
24 2. Be the location of a significant historical event; or
25
26 3. Have direct or substantial association with an individual or
27 group who influenced society; or
28
29 4. Exemplify the cultural, social, economic, political, aesthetic, or
30 engineering history of the nation, state, Municipality, or
31 communities within; or
32
33 5. Have potential to or has provided important information on the
34 prehistory or history of the nation, state, Municipality, or
35 communities within.
36

37 **B. Architecture:** The landmark shall meet at least one of the following
38 criteria:
39

- 40 1. Embody distinguishing characteristics of an architectural style
41 or type; or
42
43 2. Be a significant example of the work of a recognized architect
44 or master builder; or
45

3. Contain elements of architectural design, engineering, materials, craftsmanship, or artistic merit which represent a significant or influential innovation; or
4. Embodies a style or character that demonstrates the building traditions of a group of people of an area in an era of history or prehistory.

C. Geography: The landmark shall meet at least one of the following criteria:

1. It represents an established and familiar feature of the neighborhood, community, or city, due to its prominent location or physical characteristics; or
2. Has historically promoted understanding and appreciation of the natural and cultural environment by means of its distinctive physical characteristics or rarity; or
3. Represent a resource, whether natural or human-made, which has historically or culturally contributed to the character of areas within the Municipality or communities within.

D. Culture: The landmark shall meet at least one of the following criteria:

1. Embody the customary beliefs, social forms, and material traits of an ethnic, religious, or social group shared by people in a place or time; or
2. Embody an integrated pattern of human knowledge, belief, and behavior that depends upon the capacity for learning and transmitting knowledge to succeeding generations; or
3. Demonstrate an important association with customary practices or beliefs of a living community that are rooted in that community's history and are important in maintaining the continuing cultural identity of the community; or
4. Exemplify social, cultural, ethnic, or historical heritage of the Municipality or communities within.

E. National or Alaska Historic Registers: Any resource listed on the National Register of Historic Places or the Alaska Landmark Register may also be listed on the Local Landmark Register with owner approval.

4.60.005 Use of Property Designated as a Landmark

1 A landmark designation shall not affect the existing legally
2 established use of the property at the time of designation.
3 Anchorage Municipal Code Title 21 shall continue to apply to
4 the designated landmark. Landmark properties that have
5 received a historic preservation incentive or entitlement will not
6 be allowed to opt out of the landmark register.
7

8 Incentives benefiting the landmark property may include but are
9 not limited to: property tax relief, Title 21 deviations, transfer of
10 development rights, gifts, preferential leasing policies, private
11 or public grants-in-aid, beneficial placement of public
12 improvements or amenities, or parking reductions will not be
13 allowed to opt out of the local landmark register.
14

15 The Development Services Department and the Planning
16 Department will notify the Historic Preservation Officer about
17 permits affecting a landmark. The Historic Preservation Officer
18 will apprise the Historic Preservation Commission of any such
19 permitting actions. Demolition, relocation, or substantial
20 alteration may result in removal of the landmark from the Local
21 Landmark Register. The removal of the landmark from the
22 Local Landmark Register may be initiated by the Historic
23 Preservation Commission.
24

25 **4.60.006 Commemoration.**

26 Upon request, the Historic Preservation Commission may
27 provide landmarks with an appropriately designed recognition
28 in commemoration of landmark designation for a fee. This may
29 include a commemorative plaque, interpretive panel, or
30 interpretive signage.
31

32 There may be instances when a landmark will not be publicly
33 commemorated. Commemoration outreach will include
34 government-to-government consultations with Alaska
35 Indigenous groups by the Historic Preservation Commission
36 and Historic Preservation Officer to ensure sensitivity and
37 understanding of a landmark and the extent to which the
38 landmark can be publicly acknowledged.
39

40 **4.60.007 Opt-out Provision**

41 The owner of a resource may request to remove their property
42 from the Local Landmark Register. This request will be made
43 to the Historic Preservation Officer by a signed letter from the
44 "owner of record." The owner will be required to pay associated
45 recordation fees for such removal upon approval.
46

47 A. Exceptions: Two exceptions to this provision occur as

1 follows:
2

- 3 1. A landmark owner has received a historic
4 preservation incentive to improve or maintain
5 their property from the Municipality of Anchorage,
6 or
7
8 2. A landmark owner has a historic preservation
9 conservation easement.

10
11 B. The incentive received on a landmark will guide the
12 timeframe when a landmark may be removed from the
13 Local Landmark Register.
14

15 **4.60.008 Appeals.**

16 The planning director shall administer these regulations. An
17 aggrieved person may appeal a decision of the Historic
18 Preservation Commission regarding the eligibility of a resource
19 for listing in the Anchorage Local Landmark Register. The
20 Historic Preservation Commission's decision may be appealed
21 to the planning and zoning commission.
22

23 **Section 3.** This ordinance shall be effective immediately upon passage and
24 approval by the Assembly.
25

26
27 PASSED AND APPROVED by the Anchorage Assembly this 14th day of April, 2021.
28

29
30 

31
32 _____
33 Chair

34 ATTEST:

35
36 

37 _____
38 Municipal Clerk
39

40
41 Planning and Zoning Commission Case No. 2021-0005)