

1 **CHAPTER 21.02: BOARDS, COMMISSIONS AND MUNICIPAL**  
 2 **ADMINISTRATION**

3 **21.02.010 PURPOSE**

4 This chapter sets out the powers and duties of land use boards and commissions, the role of the  
 5 assembly, and the responsibilities of municipal staff in the administration of this Title.

6 **21.02.020 TABLE OF DECISION AND REVIEW AUTHORITY**

- 7 **A.** Table 21.02-1 summarizes the major review and decision-making responsibilities of the  
 8 assembly, the municipal staff, and the other entities that have roles in the procedures set  
 9 forth in chapter 21.03, *Review and Approval Procedures*. Such other entities are referred  
 10 to as the "land use boards and commissions" and include: the Planning and Zoning  
 11 Commission, the platting board; the zoning board of examiners and appeals; the board of  
 12 adjustment, the Urban Design Commission; and the geotechnical advisory commission.
- 13 **B.** Table 21.02-1 is a summary tool and includes many, but not all, duties of these entities.  
 14 Other duties and responsibilities are set forth in subsequent sections of this chapter and  
 15 this Title and other parts of the municipal code. Some other duties and responsibilities  
 16 not listed in the table may require public hearings.
- 17 **C.** The referenced footnotes in the tables are set forth immediately below the table.
- 18 **D.** Even though not referenced in this chapter, the applicant, boards, commissions, or  
 19 municipal administration may request that other boards, commissions, government  
 20 agencies, and non-governmental agencies review some applications, including, but not  
 21 limited to, rezones, site plans, and subdivisions. Title 21 matters referred to other  
 22 agencies will follow the procedures established in chapter 21.03, *Review and Approval*  
 23 *Procedures*.

**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/A <sup>2</sup>					R/D <sup>2</sup>
Certificates of Zoning Compliance	21.03.060				A		D
Comprehensive Plan Amendments	21.03.070C.	D-H <sup>3</sup>	R-H <sup>3</sup>				R
Conditional Uses	21.03.080		D-H			A	R
Flood Hazard Permits	21.03.090				A		D
Land Use Permits	21.03.100			A <sup>4</sup>	A <sup>4</sup>		D
Master Plan, Institutional	21.03.110A.	D-H	R-H				R

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Sec. 21.02.020 TABLE OF DECISION AND REVIEW AUTHORITY

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	Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
Minor Modifications	21.03.120		D <sup>5</sup>			A <sup>6</sup>	A <sup>6</sup>	D <sup>5</sup>
Neighborhood or District Plans	21.03.130	D-H	R-H					R
Public Facility Site Selection	21.03.140	D-H/A-H <sup>7</sup>	D-H <sup>7</sup>					R
Rezoning (Map Amendments)	21.03.160	D-H	R-H					R
Sign Permits	21.03.170					A		D
Site Plan Review, Administrative	21.03.180B.					A		D
Site Plan Review, Major	21.03.180C.		D-H				A	R
Street Review	21.03.190		R <sup>8</sup> /D					R
Trail Review	21.03.190			R <sup>8</sup> /D				R
Preliminary Plat	21.03.200C.5.		D-H <sup>9</sup>		D-H <sup>9</sup>		A	R
Abbreviated Plat	21.03.200D.				A-H			D
Title 21, Text Amendments	21.03.210	D-H	R-H		R-H <sup>10</sup>			R
Vacation of Public and Private Interest in Land	21.03.230				D or A <sup>11</sup>		A <sup>11</sup>	R or D <sup>11</sup>
Variances from the provisions of chapter 21.06, <i>Dimensional Standards and Measurements</i>	21.03.240					D-H		R
Variances from the provisions of subsections 21.07.020C., <i>Steep Slope Development</i> ; 21.07.060, <i>Transportation, Connectivity, and Pedestrian Facilities</i> ; and chapter 21.08, <i>Subdivision Standards</i>	21.03.240				D-H		A	R
Variances from the district-specific standards of chapter 21.04, <i>Zoning Districts</i> ; the use-specific standards of chapter 21.05, <i>Use Regulations</i> ; and the provisions of chapter 21.07, <i>Development and Design Standards</i> and chapter 21.11, <i>Signs</i> ,	21.03.240					D-H	A	R

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	Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
Variances from the provisions of subsections 21.07.050, <i>Utility Distribution Facilities</i> , and 21.05.040K., <i>Telecommunication Facilities</i>	21.03. 240 D.2.b.					D-H		R
Verification of Nonconforming Status	21.03. 250					A		D

**NOTES:**

<sup>2</sup> See section 21.03.040, *Alcohol-Special Land Use Permit*, to determine whether the Assembly or the director is the decision-making body.

<sup>3</sup> Only substantive comprehensive plan amendments require a public hearing. See section 21.03.070, *Comprehensive Plan Amendments*.

<sup>4</sup> Appeals related to provisions in Title 23 are made to the building board of examiners and appeals.

<sup>5</sup> An applicant may request application of the minor modification process only once during the review process.

<sup>6</sup> See section 21.03.120C.5. for appropriate appeal body.

<sup>7</sup> Site selection for municipal facilities is approved by the assembly. See section 21.03.140.

<sup>8</sup> See section 21.03.190, *Street and Trail Review*.

<sup>9</sup> The Planning and Zoning Commission may act as the platting authority for conditional uses or major site plan that create a subdivision. The Urban Design Commission may act as the platting authority for major site plan reviews that create a subdivision.

<sup>10</sup> 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.

<sup>11</sup> See section 21.03.230, *Vacation of Public and Private Interest in Lands*.

**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

1

2

**21.02.030 PLANNING AND ZONING COMMISSION**

3

**A. Recommendation to the Assembly**

4

The Planning and Zoning Commission shall make a recommendation to the assembly on the following:

5

6

1. Comprehensive plan amendments (21.03.070);

7

2. Master plans (21.03.110);

8

3. Neighborhood or district plans (21.03.130);

9

4. Major site plan reviews (21.03.180C)

10

5. Public facility site selection for municipal facilities (21.03.140);

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Sec. 21.02.030 PLANNING AND ZONING COMMISSION

- 1           6.       Preliminary plats, when a major site plan review creates a subdivision or requires  
2           the vacation of a dedicated public area, and the commission directs in the major  
3           site plan approval that it shall act as the platting authority (21.03.180F);
- 4           7.       Unified development plats, where the site plan includes a large commercial  
5           establishment;
- 6           8.       Commercial tract plats, where the site plan includes a large commercial  
7           establishment (21.03.200E);
- 8           9.       Appeals from administrative site plan reviews;
- 9           10.      Rezones (zoning map amendments), to include overlay districts (21.03.160); and
- 10          11.      Title 21 text amendments (21.03.210).

11   **B.       Decision-Making Authority**

12       The Planning and Zoning Commission has decision-making authority over the following:

- 13          1.       Conditional uses (21.03.080);
- 14          2.       Preliminary plats, when a conditional use creates a subdivision or requires the  
15          vacation of a dedicated public area, and the commission directs in the conditional  
16          use approval that it shall act as the platting authority (21.03.080F.);
- 17          3.       Public facility site selections, except for municipal facilities (21.03.140);
- 18          4.       Appeals from the director's decision regarding consistency with a master plan  
19          (21.03.110F.);
- 20          5.       Variances from the provisions of subsection 21.05.040K., *Telecommunication*  
21          *Facilities*, and section 21.07.050, *Utility Distribution Facilities* (21.03.240);
- 22          6.       Major site plan reviews (21.03.180C.);
- 23          7.       Preliminary plats, when a major site plan review creates a subdivision or requires  
24          the vacation of a dedicated public area, and the commission directs in the major  
25          site plan approval that it shall act as the platting authority (21.03.180F.);
- 26          8.       Commercial tract plats, where the site plan includes a large commercial  
27          establishment (21.03.200E.);
- 28          9.       Draft design study reports, landscaping and streetscape and pedestrian facilities  
29          including new construction and reconstruction of streets and collector class or  
30          greater in the *Official Streets and Highways Plan*;

31   **C.       Other Powers and Duties**

32       The Planning and Zoning Commission shall:

- 33          1.       Develop, review, and make recommendations to the assembly regarding policies,  
34          plans, and ordinances to implement the municipal function of planning for the  
35          economic, social, and land use needs of the community.
- 36          2.       Review and make recommendations to the assembly and school board regarding  
37          the annual capital improvement program of the municipality and school district.

- 1           3.       Review and make recommendations to the mayor regarding the annual work  
2                    program of the department.
- 3           4.       Promulgate regulations to implement or make specific the provisions of this Title,  
4                    except provisions of Chapter 21.08, *Subdivision Standards*, which are reserved  
5                    to the Platting Board.
- 6           5.       Exercise such other powers, and perform such other duties, as are provided by  
7                    law.

8   **21.02.040        URBAN DESIGN COMMISSION**

9   **A.       Decision-Making Authority**

10           The Urban Design Commission has decision-making authority over the following:

- 11           1.       Review of trails, as specified in 21.03.190

12   **B.       Other Powers and Duties**

13           The Urban Design Commission shall:

- 14           1.       Perform those duties stated in Title 7, relating to the art funding requirements for  
15                    public buildings and facilities.
- 16           2.       Designate historic signs pursuant to subsection 21.12.070F.
- 17           3.       Exercise such other powers, and perform such other duties, as are provided by  
18                    law.

19   **21.02.050        PLATTING BOARD**

20   **A.       Decision-Making Authority**

21           The platting board has decision-making authority over the following:

- 22           1.       Preliminary plats (except in those situations where a different board or  
23                    commission acts as the platting authority—see subsections 21.03.080F., *Platting*  
24                    *for Conditional Uses*, and 21.03.180F., *Platting for Site Plans*);
- 25           2.       Public hearing and review of preliminary plats
- 26           3.       Commercial tract plats, when not included in a large commercial establishment  
27                    site plan review (21.03.200E.);
- 28           4.       Vacations of public and private interest in lands, where the platting board is the  
29                    platting authority (21.03.230C.);
- 30           5.       Variances from the provisions of chapter 21.08, *Subdivision Standards*  
31                    (21.03.240);
- 32           6.       Variances from the following provisions of chapter 21.07: subsection  
33                    21.07.020C., *Steep Slope Development*, and section 21.07.060, *Transportation,*  
34                    *Connectivity, and Pedestrian Facilities*;
- 35           7.       Modification or removal of plat note(s) (21.03.200G.);
- 36           8.       Appeals of the following decisions:

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CHAPTER 21.02: BOARDS, COMMISSIONS AND MUNICIPAL ADMINISTRATION  
Sec. 21.02.060 ZONING BOARD OF EXAMINERS AND APPEALS

- 1 a. Land use permits under subsection 21.03.100E, *Improvements*
- 2 *Associated with Land Use Permits*;
- 3 b. Record of survey maps (21.03.150);
- 4 c. Abbreviated plats (21.03.200D.);
- 5 d. Right-of-way acquisition plats (21.03.200F.); and
- 6 e. Vacations of public and private interest in lands, where the platting officer
- 7 is the platting authority (21.03.230).

8 **B. Other Powers and Duties**

9 The platting board shall:

- 10 1. Interpret or make specific the provisions of chapter 21.08, *Subdivision Standards*.
- 11 2. Review and make recommendations to the Planning and Zoning Commission
- 12 regarding all proposed amendments to chapter 21.08, *Subdivision Standards*.
- 13 3. Authorize extensions of subdivision agreements as provided in section
- 14 21.08.060C, *Time Limit for Completion of Improvements*.
- 15 4. Exercise such other powers, and perform such other duties, as are provided by
- 16 law.

17 **21.02.060 ZONING BOARD OF EXAMINERS AND APPEALS**

18 **A. Decision-Making Authority**

19 The zoning board of examiners and appeals has decision-making authority over the

20 following:

- 21 1. Appeals pursuant to subsection 21.03.050B.;
- 22 2. Variances from the provisions of chapter 21.06, *Dimensional Standards and*
- 23 *Measurements*;
- 24 3. Overcoming presumption of abandonment pursuant to subsection 21.12.030E.;
- 25 4. Time extensions for amortized signs, pursuant to subsection 21.12.070G.
- 26 5. Variances from the district-specific standards of chapter 21.04, *Zoning Districts*;
- 27 the use-specific standards of chapter 21.05, *Use Regulations*; and the provisions
- 28 of chapter 21.07, *Development and Design Standards* and chapter 21.11, *Signs*;
- 29 6. Appeals of administrative site plan reviews (21.03.180B.); and
- 30 7. Appeals of the director's decision regarding subsection 21.12.060B., *Bringing*
- 31 *Characteristics Into Compliance*.

32 **B. Other Powers and Duties**

33 The zoning board of examiners and appeals shall:

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CHAPTER 21.02: BOARDS, COMMISSIONS AND MUNICIPAL ADMINISTRATION  
Sec. 21.02.070 BOARD OF ADJUSTMENT

- 1           1.     Adopt general rules or make findings in specific cases regarding proposed  
2           changes of nonconforming uses, pursuant to section 21.12.030B., *Change of*  
3           *Use*.
- 4           2.     Interpret or make specific the provisions of this Title, except provisions of chapter  
5           21.08, *Subdivision Standards*.
- 6           3.     Exercise such other powers, and perform such other duties, as are provided by  
7           law.

8   **C.     Subpoenas**

9           The zoning board of examiners and appeals has the right to subpoena witnesses and  
10          documents using a form provided by the municipal clerk and submitted to the clerk for  
11          issuance at least five working days before the date of the hearing.

12 **21.02.070     BOARD OF ADJUSTMENT**

13 **A.     Powers and Duties**

14          The board of adjustment has the responsibilities set forth in subsection 21.03.050A.1.

15 **B.     Subpoenas**

16          The board of adjustment has the right to subpoena witnesses and documents using a  
17          form provided by the municipal clerk and submitted to the clerk for issuance at least five  
18          working days before the date of the hearing.

19 **21.02.080     GEOTECHNICAL ADVISORY COMMISSION**

20 **A.     Powers and Duties**

- 21          6.     The geotechnical advisory commission shall serve as a technical advisory board  
22          in the municipality.
- 23          7.     The commission shall act in an advisory capacity to the assembly, the mayor,  
24          boards, commissions, and heads of municipal departments and agencies, and  
25          shall have the following responsibilities:
- 26               a.     To make recommendations and give advice on geotechnical engineering  
27               issues and natural hazards risk mitigation.
- 28               b.     To recommend and review special studies relating to geotechnical  
29               engineering and natural hazards risk mitigation issues.
- 30               c.     To act in an advisory capacity regarding proposed development located  
31               in high or moderate snow avalanche hazard zones, in areas designated  
32               with high or very high susceptibility to seismically induced ground failure,  
33               and in areas susceptible to other natural hazards.

34 **21.02.090     ASSEMBLY**

35 **A.     Decision-Making Authority**

36          The assembly has the following decision-making authority under this title:

- 37          1.     Special land use permit for alcohol—for beverage dispensary and package store  
38          liquor licenses (21.03.040);
- 39          2.     Comprehensive plan amendments (21.03.070);

- 1           3.       Institutional master plans (21.03.110);
- 2           4.       Neighborhood or district plans (21.03.130);
- 3           5.       Public facility site selection for municipal facilities (21.03.140);
- 4           6.       Rezoning (zoning map amendments), to include overlay districts (21.03.160);
- 5           7.       Title 21 text amendments (21.03.210);
- 6           8.       Appeals on public facility site selections for non-municipal facilities (21.03.140);
- 7                 and
- 8           9.       Any other action not delegated to the Planning and Zoning Commission, platting
- 9                 board, zoning board of examiners and appeals, board of adjustment, Urban
- 10                Design Commission, or municipal staff, as the assembly may deem desirable
- 11                and necessary to implement the provisions of this title.
- 12        **B.       Land Use Procedure**
- 13           1.       The land use review and approval procedures specified in chapter 21.03, *Review*
- 14                *and Approval Procedures*, supplement the assembly's procedures under title 2.
- 15           2.       Where a board or commission has authority under this title to review and
- 16                comment on a land use matter, the assembly shall not take final action on the
- 17                matter until it has received and taken notice of the review comments and
- 18                recommendations of the board or commission.

19        **21.02.100       MUNICIPAL STAFF**

20        Municipal departments shall have the review and decision-making responsibilities set forth in this

21        chapter and other sections of this title, to be carried out in accordance with the terms of this title.

22        The departments also shall have such additional powers and duties as may be set forth in other

23        ordinances, rules, and operating procedures of the municipality.