



**Municipality of Anchorage**  
Planning Department  
Long-Range Planning Division  
**Memorandum**



**Date:** February 22, 2021  
**To:** Review Agencies  
**Subject:** PZC Case No. 2021-0039, An Amendment to Title 21, Adding Small Area Implementation Plans as a New Element of Chapter 3, Review and Approval Procedures

The Planning Department is seeking comments on the Public Hearing Draft of Planning and Zoning Commission Case No. 2021-0039, which incorporates Small Area Implementation Plans (SAIPs) as a new item in the Master Planning section of Title 21, Chapter 21.03: Review and Approval Procedures.

Small Area Implementation Plans represent an essential implementation strategy for the *Anchorage 2040 Land Use Plan*. SAIPs were first introduced as a new planning tool in the *East Anchorage District Plan*. These plans address master planning for smaller scale projects, especially for redevelopment activities in strategic areas challenged by development constraints that may also require public assistance. This ordinance only applies to the Anchorage Bowl.

This project helps carry out implementation Action 2-11 of the *Anchorage 2040 Land Use Plan's Goal 2: Infill and redevelopment meets the housing and employment needs of residents and businesses in Anchorage*. It is related to other ongoing and planned code amendment projects and actions that seek to achieve the goals of the *Anchorage 2040 Land Use Plan*.

For more information, visit the project website at: <http://www.muni.org/Planning/2040actions.aspx>

Your comments and recommendations on the Public Hearing Draft will be submitted to the Planning and Zoning Commission. The Planning and Zoning Commission Public Hearing is scheduled for **Monday, May 3, at 6:30 p.m. in the Assembly Chambers of the Z.J. Loussac Library, 3600 Denali Street, Anchorage**. Recommendations and findings from the Planning and Zoning Commission process will be forwarded to the Assembly, which will also hold a public hearing before taking final action.

Written comments provided by Wednesday, April 16, 2021, will be included in the packet that will go to the Commission before the meeting. Submit comments in the following ways:

**by CityView:** <http://munimaps.muni.org/planning/allcomments.cfm>  
(insert case number **2021-0039**)

**by email:** [Anchorage2040@muni.org](mailto:Anchorage2040@muni.org)

**by fax:** (907) 343-7927

**by mail:** Long-Range Planning Division  
MOA Planning Department  
P.O. Box 196650  
Anchorage, AK 99519-6650

If you have questions, please contact Thede Tobish, Senior Planner, in the Long-Range Planning Division at 343-7918.

Attachments: 1. SAIP Background Information  
2. Draft Small Area Implementation Plan Assembly Ordinance  
3. Small Area Implementation Plan Annotated Ordinance

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## SMALL AREA IMPLEMENTATION PLAN ORDINANCE

PZC Case No. 2021-0039

### BACKGROUND INFORMATION

#### WHY IS THE MUNICIPALITY ADOPTING A SMALL AREA IMPLEMENTATION PLAN (SAIP)?

First introduced in the 2014 *East Anchorage District Plan*, small area plans were recommended as a new planning tool to help facilitate redevelopment projects on large parcels fronting Muldoon Road. In the absence of such a tool, redevelopment of these larger parcels can be haphazard, complicated, costly, and may not achieve the vision and desires of the community. Also, small area plans may help to ensure that redevelopment and revitalization efforts meet forecasted growth needs and achieve planned residential units on our remaining buildable lands.

The 2017 *Anchorage 2040 Land Use Plan* (2040 LUP) also recognized the significance of redevelopment incentive and assistance actions to spur the type of growth needed by the community. The 2040 LUP described the difficulties and constraints associated with funding, construction, infrastructure, entitlement processing, and land costs of redevelopment projects.

Redevelopment projects are replacing greenfield projects as vacant buildable land is used up in the Anchorage Bowl. The 2040 LUP promoted Small Area Implementation Plans (SAIP) as an essential planning strategy to achieve that plan's goals, especially in strategic priority growth areas of the Anchorage Bowl. The Plan's Implementation Action 2-11 calls for amending Title 21 to create a SAIP process and standards. SAIPs are meant to address and resolve development issues and growth conflicts while focusing and maximizing private and public investments.

This new ordinance amends the Chapter Three, Master Planning section of Title 21. It provides direction for master planning at a smaller and more detailed scale than the larger Institutional Master Planning element in Chapter Three. Other Title 21 master planning functions, specifically Area Master Plans and Development Master Plans, can be found in Chapter Nine and are restricted to use in Girdwood only.

This project helps carry out implementation Action 2-11 of the *Anchorage 2040 Land Use Plan's Goal 2: Infill and Redevelopment*. It also relates to other Implementation Actions and ongoing code amendment projects and actions that seek to achieve the goals of the *Anchorage 2040 Land Use Plan*.

## **WHAT ARE THE ADVANTAGES AND BENEFITS OF A SAIP?**

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The SAIP ordinance has been written to streamline master planning procedures and the associated development activities on large parcels or groups of parcels to achieve the goals of the Comprehensive Plan. Built into the SAIP ordinance are several master planning incentives that benefit landowners and the public. SAIPS can:

- Serve as a one-stop entitlement process. (If applicable, an adopted SAIP may pre-approve Conditional Use Approval, Administrative or Major Site-Plan reviews that may have typically been required.)
- Allow for potential waivers of SAIP and other land use entitlement fees (e.g., rezonings).
- Allow deviations from certain Title 21 standards, including:
  - Those variances listed in 21.03.240B.
  - Expands the list of allowed uses by including certain commercial uses from B-1A Zoning District.
  - Flexibility in minimum lot size and/or setback standards.
  - Allows juxtaposing development intensities and/or number of dwelling units across parcel and zoning lines or transferred of density/units to other parcels within the SAIP area.
- Allow deviations from certain standards in the municipal Design Criteria Manual.
- Allow the Planning Director to approve minor deviations from a SAIP's approved final development plans before construction.
- Allow Director to approve minor modifications to an approved SAIP.
- Allow the development to avail tax incentives and other public-offered development assistance tools.
- Establish an agreed upon development path forward between development and changing administrations.
- Allow for public input and public understanding of growth activities in SAIP areas.

## **SAIP ORDINANCE OUTLINE AND SOME HIGHLIGHTS**

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As formatted in this draft, the SAIP ordinance:

- Sets a minimum parcel size of five acres, but under some circumstances may apply to sites as small as one acre.
- Includes 13 submittal requirements.
- Follows an approval process similar to other entitlements in Title 21, Chapter 3, e.g., rezonings.
- Final approval authority is primarily the Urban Design Commission; however, under certain circumstances, the approval is by the Planning and Zoning Commission.
- Provisions allow for flexibility with land uses and site design.
- Presents six approval criteria, which must be substantially met by a SAIP proposal.
- Project consistency review process by the Planning Director, which includes six compliance standards for Plan implementation and requires an annual progress report.
- Details a modification and termination process.

## **SOME GUIDELINES FOR REVIEWING THIS ORDINANCE**

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While reviewing this draft ordinance, the following could be used to guide and organize comments and to offer considerations that focus the ordinance's intent and features.

1. Is the intent and layout of the ordinance clear?
2. From the perspective of a designer/builder/developer—Are the submittal criteria appropriate, too much, or inadequate?
3. From the perspective of a neighbor/community council—Are the submittal criteria appropriate, too much, or inadequate?
4. Are the items in the deviation from code section (E) clear and appropriate? Are these deviations enough to encourage the use of or support for the SAIP?
5. Are the incentives of interest to a landowner? Are there incentives that are not listed that we should consider? Where have these been used effectively?
6. Will using the SAIP save processing time and money vs using the current code otherwise?
7. Is the approval process clear and appropriate? Is the appeal process clear?
8. What are the shortcomings or barriers to using this new planning process?
9. Does the community see any benefits from this ordinance?

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

Prepared by: Planning Department

For reading:

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

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

7  
8 (Planning and Zoning Commission Case No. 2021-0039)  
9

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

13  
14 **WHEREAS**, small area planning was introduced and identified as a strategic  
15 planning tool in the *East Anchorage District Plan* and the *Anchorage 2040 Land Use*  
16 *Plan* as redevelopment action to achieve the goals of the Comprehensive Plan; and

17  
18 **WHEREAS**, it was determined that a new master planning tool was needed to  
19 address smaller, area specific development projects that were environmentally  
20 constrained, had insufficient infrastructure, or necessitated assistance to address  
21 development constraints for redevelopment; and

22  
23 **WHEREAS**, this ordinance details new master planning procedures in a new small  
24 area implementation plans subsection of the common procedures chapter of Title  
25 21; now, therefore,

26  
27 **THE ANCHORAGE ASSEMBLY ORDAINS:**

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

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32 **21.03.115 Small Area Implementation Plans.**

- 33  
34 A. *Purpose.* Small area implementation plans can facilitate the planned  
35 development of tracts of land under unified ownership or control, or  
36 with a coordinated group of owners. These plans cover discrete  
37 geographic areas, and provide certainty to property owners, the  
38 municipality, and the general public by stating a clear vision for public  
39 investment and the long-term character, layout, and design of the  
40 development of the area. Small area implementation plans allow  
41 flexibility, and in some cases may increase the intensity of

1 development, beyond that allowed by other chapters of this Title, when  
2 the proposed development is well-designed, provides public benefits  
3 for residents, employees and or users of the development, and  
4 integrated into the surrounding neighborhood. This flexibility is meant  
5 to allow plans to adapt to market conditions and other issues that arise  
6 during the planning and development of the project. Administration  
7 and management of small area implementation plans should also be  
8 flexible and might use terms and conditions set forth in joint  
9 development agreements. Overall, a small area implementation plan  
10 is intended to promote:

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

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

- 32 1. A single parcel not less than five (5) acres in size;
- 33 2. A collection of parcels under common ownership that total not  
34 less than five (5) acres in size;
- 35 3. A collection of parcels with several owners that total not less  
36 than (5) contiguous acres in size; or
- 37 4. Any single parcel or collection of parcels less than five (5) acres  
38 but greater than one (1) acre in size within an adopted  
39 reinvestment focus area or located in an area designated in the  
40 Anchorage 2040 Land Use Plan as neighborhood center,  
41 commercial corridor, main street corridor, or residential mixed-  
42 use development.  
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1 For the purposes of this section B., the term contiguous acres means  
2 an area of lots and/or tracts whose boundaries are abutting or are  
3 separated only by a street, other right-of-way, park land, or water  
4 feature. The planning boundaries for a small area implementation plan  
5 shall include all parcels owned by or under control of those entities  
6 desiring the small area implementation plan process and establishing  
7 site-specific design and development standards.

8  
9 Small area implementation plans shall not apply to developments by  
10 large institutions, such as hospitals, universities, or major  
11 transportation facilities.

12  
13 Small area implementation plans described in this section are  
14 available for use in the Anchorage Bowl but not applicable in Chugiak-  
15 Eagle River, Turnagain Arm or Girdwood communities.

16  
17 C. *Submittal Requirements.* Submittal requirements are listed below and  
18 shall be in narrative and illustrative form. It is understood that changes  
19 can occur to these original submittal details during the planning and  
20 review approval process. The director may waive submittal  
21 requirements not relevant to the proposed development or planning  
22 area. The urban design commission, the planning and zoning  
23 commission when applicable, and/or the director may require the  
24 submission of other information as necessary for the informed  
25 exercise of judgment under the criteria for the review of the plan, as  
26 set out in subsection F. below.

- 27  
28 1. A detailed description of the overall proposed development  
29 envisioned within the plan area boundary;
- 30  
31 2. A map delineating the plan boundary, along with a letter of  
32 landowner(s) authorization of participating landowners, a legal  
33 description, and acreage of the proposed petition area, a  
34 rationale/explanation of boundary delineation, and a  
35 description of the existing uses found in the area surrounding  
36 the petition area;
- 37  
38 3. A traffic summary with sufficient detail of existing and  
39 anticipated traffic conditions to determine the impacts of the  
40 proposed development(s) on the transportation system and to  
41 guide roadway improvements within the plan area;
- 42  
43 4. A summary of existing conditions in site plan or graphic format,  
44 including land use, existing development and buildings in the  
45 area, roads, utilities, storm drains, trails, and a general  
46 description of existing vegetation, topography, water features,  
47 and site drainage;

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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

1 scope of the project.

- 2
- 3 3. *Pre-Application Conference.* Before filing an application, an
- 4 applicant shall request a pre-application conference with the
- 5 director, in accordance with subsection 21.03.020B.
- 6
- 7 4. *Community Meeting.* A community meeting is required, in
- 8 accordance with subsection 21.03.020C.
- 9
- 10 5. *Application Submittal.* Applications for approval of a small area
- 11 implementation plan shall be submitted to the director and shall
- 12 contain all information and supporting materials specified in
- 13 subsection C. above.
- 14
- 15 6. *Departmental Review.* The director shall review the proposed
- 16 small area implementation plan in light of the approval criteria
- 17 of subsection F. below and shall distribute the application to
- 18 other reviewers as necessary. Based on the results of the
- 19 reviews, the director shall provide a report and
- 20 recommendation for changes or additions to the urban design
- 21 commission, or if applicable, the planning and zoning
- 22 commission.
- 23
- 24 7. *Public Notice.* Notice shall be provided in accordance with
- 25 section 21.03.020H.
- 26
- 27 8. *Review and Action by Urban Design Commission.* Except as
- 28 provided in D.9. and D.10. below, the urban design commission
- 29 shall hold a public hearing on the proposed small area
- 30 implementation plan and, at the close of the hearing, taking into
- 31 account the recommendations of the director and any public
- 32 comment, and based on the approval criteria of subsection F.
- 33 below, shall, within 90 days, approve the small area
- 34 implementation plan as submitted, approve the plan subject to
- 35 conditions or modifications, remand the plan to the applicant for
- 36 modifications, or deny the plan.
- 37
- 38 9. *Concurrent Zoning Changes Allowed.* Requests for small area
- 39 implementation plan approval may be considered concurrently
- 40 with a zoning map amendment. Concurrent zoning map
- 41 amendments shall meet all approval criteria of subsection
- 42 21.03.160E. When a small area implementation plan is being
- 43 considered concurrently with a zoning map amendment, the
- 44 planning and zoning commission shall act as the
- 45 decision-making body for both requests, including to carry out
- 46 the review and action described in D.8. above. The planning
- 47 and zoning commission shall consider the small area

1 implementation plan and the zoning map amendment request  
2 separately and shall act separately on both items.  
3

- 4 10. *Deviations from Certain Standards of Title 21.* For small area  
5 implementation plan applications that incorporate deviations  
6 from certain uses of Title 21 as outlined in E.3. below, the  
7 planning and zoning commission shall act as the decision-  
8 making body.  
9

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

- 22 1. Those standards listed in 21.03.240B.  
23  
24 2. With the approval of the director, variances to certain standards  
25 in the Design Criteria Manual may also be issued with the  
26 concurrence of the fire marshal, the municipal engineer, and/or  
27 the municipal traffic engineer.  
28  
29 3. Certain small-scale commercial and community uses allowed  
30 in the B-1A district may be allowed even if not permitted in the  
31 underlying zoning district, provided the use is found to be  
32 generally compatible with the intent of the underlying district,  
33 subject to the terms and conditions of the approved small area  
34 implementation plan, and the following:  
35  
36 a. The proposed commercial and community uses will be  
37 primarily for the service and convenience of residents  
38 and employees in and adjacent to the small area  
39 implementation plan;  
40  
41 b. The allowed location(s) are delimited and the area  
42 surrounding the proposed location of the commercial  
43 use is deficient in commercial opportunities; and  
44  
45 c. The proposed commercial and community uses are  
46 consistent with the B-1A district-specific standards in  
47 21.04, use regulations in 21.05, and the B-1A district

1 dimensional standards in 21.06, except as specifically  
2 approved otherwise as part of the small area  
3 implementation plan. The net acreage of the proposed  
4 B-1A uses under this subsection shall not exceed double  
5 of that allowed in the B-1A district.  
6

7 d. The proposed commercial and community uses are  
8 compatible with uses allowed by the underlying zoning  
9 surrounding the small area implementation plan, in  
10 terms of their scale, site design, hours of operation,  
11 traffic and parking generation, lighting, noise, and other  
12 external impacts.  
13

14 4. Proposals for residential lots that do not meet the minimum lot  
15 area, lot depth, or setback standards may be requested in  
16 residential areas, subject to the small area implementation plan  
17 review and consistent with the lot standards in this Title.  
18

19 5. Development intensities and number of dwelling units, open  
20 space location, and required parking sites may be amassed or  
21 located across zoning lines or transferred to strategic sections  
22 of the plan area if this action contributes to the efficient use of  
23 the site and still meets the intent of the underlying district and  
24 development standards of this Title, subject to the small area  
25 implementation plan review.  
26

27 F. *Approval Criteria.* A small area implementation plan shall be approved  
28 if all the following criteria have been substantially met:  
29

30 1. The small area implementation plan and any associated site-  
31 specific design standards proposed conform to the applicable  
32 elements of the comprehensive plan, including the no-net loss  
33 of residential capacity, and the purpose of this title;  
34

35 2. The small area implementation plan conforms to the intent of  
36 the underlying zoning district, is compatible with surrounding  
37 zoning and development, and protects areas designated for  
38 specific uses on the zoning map from incompatible land uses  
39 or development intensities;  
40

41 3. The streets, roads, trails, transit, and other transportation  
42 elements are in conformance with applicable transportation  
43 plans and policies;  
44

45 4. The development provides community benefits within the plan  
46 boundary and immediate area in terms of design, community  
47 facilities, open space, other community amenities, and

1 residential units, if applicable to the area;  
2

3 5. The development minimizes any potential adverse impacts to  
4 surrounding residential areas to the maximum extent feasible;  
5 and

6  
7 6. Sufficient public safety, transportation, and utility facilities and  
8 services are available to serve the subject property at the  
9 proposed level of development, while maintaining sufficient  
10 levels of service to existing and anticipated development in the  
11 surrounding areas; or an infrastructure deficiency plan with  
12 upgrade recommendations, is submitted.

13  
14 G. *Compliance with Small Area Implementation Plans.* No development  
15 rights are granted by the approval of a small area implementation plan.  
16 Accordingly, all projects developed under an approved small area  
17 implementation plan are subject to the provisions below.

18  
19 1. Projects developed under an approved small area  
20 implementation plan are exempt from the administrative site  
21 plan review, major site plan review, and conditional use review  
22 processes required in Tables 21.05-1 and 21.11.050-4 except  
23 as provided in subsections 2 and 3 as follows.

24  
25 2. The provision in G.1. shall not apply to the following use  
26 categories and types when conditional use approval is required  
27 in the applicable Title 21 tables of allowed uses:

- 28  
29 a. Manufactured home communities;  
30 b. Correctional community residential center;  
31 c. Habilitative care facilities;  
32 d. Transitional living facility;  
33 e. Social service facilities;  
34 f. Zoo;  
35 g. Homeless and transient center;  
36 h. Correctional institution;  
37 i. Transportation facilities;  
38 j. Utility facilities;  
39 k. Telecommunications facilities;  
40 l. Large domestic animal facility;  
41 m. Civic/convention center;  
42 n. Amusement establishment;  
43 o. Entertainment facility, major;  
44 p. Golf course;  
45 q. Motorized sports facility;  
46 r. Shooting range, outdoor;  
47 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;

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- 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.



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**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:

<b>TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES</b>								
<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><b>A = APPEAL = Authority to Hear and Decide Appeals</b>  <b>D = DECISION = Responsible for Review and Final Decision</b>  <b>H = HEARING = Public Hearing Required</b>  <b>R = REVIEW = Responsible for Review and/or Recommendation Only</b></p>								
	<b>Section</b>	<b>ASBLY</b>	<b>PZC</b>	<b>UDC</b>	<b>PB</b>	<b>ZBEA</b>	<b>BOA</b>	<b>MS</b>
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**  
**H = HEARING = Public Hearing Required**  
**R = REVIEW = Responsible for Review and/or Recommendation Only**

	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 D1 2
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

<p><b>TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES</b></p> <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><b>A = APPEAL = Authority to Hear and Decide Appeals</b>  <b>D = DECISION = Responsible for Review and Final Decision</b>  <b>H = HEARING = Public Hearing Required</b>  <b>R = REVIEW = Responsible for Review and/or Recommendation Only</b></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, and section 21.05.055 Marijuana Establishments</i>);                      21.09.050, <i>Use Regulations</i>;                      21.10.050, <i>Use Regulations</i>;                      21.11.050, <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>21.11.070, <i>Development and Design Standards</i></p> <p>21.11, <i>Signs</i></p>	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							
<p><b>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.</b></p> <p><b>A = APPEAL = Authority to Hear and Decide Appeals</b>  <b>D = DECISION = Responsible for Review and Final Decision</b>  <b>H = HEARING = Public Hearing Required</b>  <b>R = REVIEW = Responsible for Review and/or Recommendation Only</b></p>							
Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
<p><b>NOTES:</b></p> <p>1 See section 21.03.040, <i>Alcohol-Special Land Use Permit</i>, to determine whether the Assembly or the director is the decision-making body.</p> <p>2 Only substantive comprehensive plan amendments require a public hearing. See section 21.03.070, <i>Comprehensive Plan Amendments</i>.</p> <p>3 The appeal body for subsection 21.03.100E., <i>Improvements Associated with Land Use Permits</i>, is the platting board. Appeals related to provisions in title 23 are made to the building board of examiners and appeals.</p> <p>4 An applicant may request application of the minor modification process only once during the review process.</p> <p>5 See section 21.03.120C.5. for appropriate appeal body.</p> <p>6 Site selection for municipal facilities is approved by the assembly. See section 21.03.140.</p> <p>7 See section 21.03.180D. for the division of major site plan review decision-making authority.</p> <p>8 See section 21.03.190, <i>Street and Trail Review</i>.</p> <p>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.</p> <p>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.</p> <p>11 Code amendments relating to chapter 21.08, <i>Subdivision Standards</i>, require a hearing by the platting board. All code amendments require a hearing by the planning and zoning commission.</p> <p>12 See section 21.03.230, <i>Vacation of Public and Private Interest in Lands</i>.</p> <p>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.</p> <p>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.</p> <p>15 <u>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.</u></p> <p>16 <u>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.</u></p> <p>17 <u>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.</u></p>							
<p><b>KEY TO ABBREVIATIONS:</b>                  ASBLY = Anchorage Assembly                  PZC = Planning and Zoning Commission                  PB = Platting Board</p>				<p>ZBEA = Zoning Board of Examiners and Appeals                  BOA = Board of Adjustment                  UDC = Urban Design Commission                  MS = Municipal Staff</p>			

(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**

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

1  
2 **Section 4.** Anchorage Municipal Code section 21.02.040 – Urban Design  
3 Commission, is hereby amended to read as follows (*the remainder of the section is*  
4 *not affected and therefore not set out*):

5  
6 **21.02.040 Urban Design Commission**

- 7  
8 A. *Decision-Making Authority.* The urban design commission has  
9 decision making authority over the following:
- 10 1. Appeals of administrative site plan reviews (21.03.180C.);
  - 11 2. Major site plan reviews for non-residential development with a  
12 gross floor area of less than 100,000 square feet, and for  
13 residential development of fewer than 140 units  
14 (21.03.180D.);
  - 15 3. Preliminary plats, where a major site plan review under  
16 authority of the urban design commission creates a  
17 subdivision or requires the vacation of a dedicated public  
18 area, and the commission directs in the major site plan  
19 approval that it shall act as the platting authority  
20 (21.03.180F.);
  - 21 4. Plans in hand design drawings review for new construction  
22 and reconstruction of streets of collector classification or  
23 greater on the *Official Streets and Highways Plan* (21.03.190);
  - 24 5. Commercial tract plats, where the site plan includes a large  
25 commercial establishment under the authority of the urban  
26 design commission (21.03.200E.);
  - 27 6. Variances from:
    - 28 a. The district-specific standards of chapter 21.04, *Zoning*  
29 *Districts* section 21.09.040, *Zoning Districts*, and  
30 section 21.10.040, *Zoning Districts*;
    - 31 b. The use-specific standards of chapter 21.05, *Use*  
32 *Regulations* (except subsection 21.05.040K.,  
33 *Telecommunication Facilities*, and section 21.05.055,  
34 *Marijuana Establishments*), section 21.09.050, *Use*  
35 *Regulations*, and section 21.10.050, *Use Regulations*;
    - 36 c. Chapter 21.07, Development and Design standards  
37 (except subsections 21.07.020B., *Watercourse, Water*  
38 *Body, and Wetland Protection*, 21.07.020C., *Steep*  
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*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).

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(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.



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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. Rezoning (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.

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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.

<b>TABLE 21.03-1: SUMMARY OF NOTICE REQUIREMENTS</b>					
<b>Type of Application or Procedure</b>	<b>Section</b>	<b>Notice Required</b>			<b>Community Council</b>
		<b>Written (Mailed)</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.	✓ <sup>1</sup>	✓	✓ <sup>1</sup>	✓
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.	✓	✓	✓	✓

<sup>1</sup> 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.);

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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)

# 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)

## ANNOTATION FOR PAGE 1

### **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.

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

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

- 18 1. High quality design that is integrated into the urban fabric, which also  
19 complements the area's character;
- 20 2. Development that is pedestrian-oriented, with a connection to transit and  
21 multimodal transportation alternatives;
- 22 3. Building bulk, height, and orientation that ensures sunlight access;
- 23 4. A safe and vibrant public realm, with buildings and uses oriented to  
24 support public spaces;
- 25 5. Affordable housing, energy efficient development, and efficient use of  
26 land; and
- 27 6. A flexible and adaptable process that leads to a lasting public-private  
28 partnership for the benefit of all parties and the public.  
29

## 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.

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

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

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

16  
17 For the purposes of this section B, the term contiguous acres means an area of lots and/or  
18 tracts whose boundaries are abutting or are separated only by a street, other right-of-way,  
19 park land, or water feature. The planning boundaries for a small area implementation plan  
20 shall include all parcels owned by or under control of those entities desiring the small area  
21 implementation plan process and establishing site-specific design and development  
22 standards.

23  
24 Small area implementation plans shall not apply to developments by large institutions,  
25 such as hospitals, universities, or major transportation facilities.

26  
27 Small area implementation plans described in this section are available for use in the  
28 Anchorage Bowl but not applicable in Chugiak-Eagle River, Turnagain Arm or Girdwood  
29 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.**

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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.

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CODE LANGUAGE to be added is presented below.

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

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- 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.

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## 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.)

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

2  
3 D. *Procedures for Small Area Implementation Plan Approval.*

- 4 1. *Initiation.* A single or joint application, if for several landowners, for approval of a  
5 small area implementation plan shall be initiated by the owner(s) or developer(s)  
6 of the subject property or area, or by the municipality.
- 7 2. *Concept Meeting.* A concept meeting with the director is required before initiating  
8 a small area implementation plan application. This meeting serves as a conceptual  
9 project overview for applicants and staff to discuss and document the scope of the  
10 project.
- 11 3. *Pre-Application Conference.* Before filing an application, an applicant shall request  
12 a pre-application conference with the director, in accordance with subsection  
13 21.03.020B.
- 14 4. *Community Meeting.* A community meeting is required, in accordance with  
15 subsection 21.03.020C.
- 16 5. *Application Submittal.* Applications for approval of a small area implementation  
17 plan shall be submitted to the director and shall contain all information and  
18 supporting materials specified in subsection C. above.
- 19 6. *Departmental Review.* The director shall review the proposed small area  
20 implementation plan in light of the approval criteria of subsection F. below and shall  
21 distribute the application to other reviewers as necessary. Based on the results of  
22 the reviews, the director shall provide a report and recommendation for changes  
23 or additions to the urban design commission, or if applicable, the planning and  
24 zoning commission.
- 25 7. *Public Notice.* Notice shall be provided in accordance with section 21.03.020H.
- 26 8. *Review and Action by Urban Design Commission.* Except as provided in D.9. and  
27 D.10 below, the urban design commission shall hold a public hearing on the  
28 proposed small area implementation plan and, at the close of the hearing, taking  
29 into account the recommendations of the director and any public comment, and  
30 based on the approval criteria of subsection F. below, shall, within 90 days,  
31 approve the small area implementation plan as submitted, approve the plan  
32 subject to conditions or modifications, remand the plan to the applicant for  
33 modifications, or deny the plan.
- 34 9. *Concurrent Zoning Changes Allowed.* Requests for small area implementation  
35 plan approval may be considered concurrently with a zoning map amendment.  
36 Concurrent zoning map amendments shall meet all approval criteria of subsection  
37 21.03.160E. When a small area implementation plan is being considered  
38 concurrently with a zoning map amendment, the planning and zoning commission  
39 shall act as the decision-making body for both requests, including to carry out the  
40 review and action described in D.8. above. The planning and zoning commission  
41 shall consider the small area implementation plan and the zoning map amendment  
42 request separately and shall act separately on both items.
- 43 10. *Deviations from Certain Standards of Title 21.* For small area implementation plan  
44 applications that incorporate deviations from certain uses of Title 21 as outlined in  
45 E.3. below, the planning and zoning commission shall act as the decision-  
46 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.



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

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

- 12 1. Those standards listed in 21.03.240B.
- 13 2. With the approval of the director, variances to certain standards in  
14 the Design Criteria Manual may also be issued with the concurrence  
15 of the fire marshal, the municipal engineer, and/or the municipal  
16 traffic engineer.
- 17 3. Certain small-scale commercial and community uses allowed in the  
18 B-1A district may be allowed even if not permitted in the underlying  
19 zoning district, provided the use is found to be generally compatible  
20 with the intent of the underlying district, subject to the terms and  
21 conditions of the approved small area implementation plan, and the  
22 following:
  - 23 a. The proposed commercial and community uses will be  
24 primarily for the service and convenience of residents and  
25 employees in and adjacent to the small area implementation  
26 plan;
  - 27 b. The allowed location(s) are delimited and the area  
28 surrounding the proposed location of the commercial use is  
29 deficient in commercial opportunities; and
  - 30 c. The proposed commercial and community uses are  
31 consistent with the B-1A district-specific standards in 21.04,  
32 use regulations in 21.05, and the B-1A district dimensional  
33 standards in 21.06, except as specifically approved otherwise  
34 as part of the small area implementation plan. The net  
35 acreage of the proposed B-1A uses under this subsection  
36 shall not exceed double of that allowed in the B-1A district.
  - 37 d. The proposed commercial and community uses are  
38 compatible with uses allowed by the underlying zoning  
39 surrounding the small area implementation plan, in terms of  
40 their scale, site design, hours of operation, traffic and parking  
41 generation, lighting, noise, and other external impacts.
  - 42
  - 43

## 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.

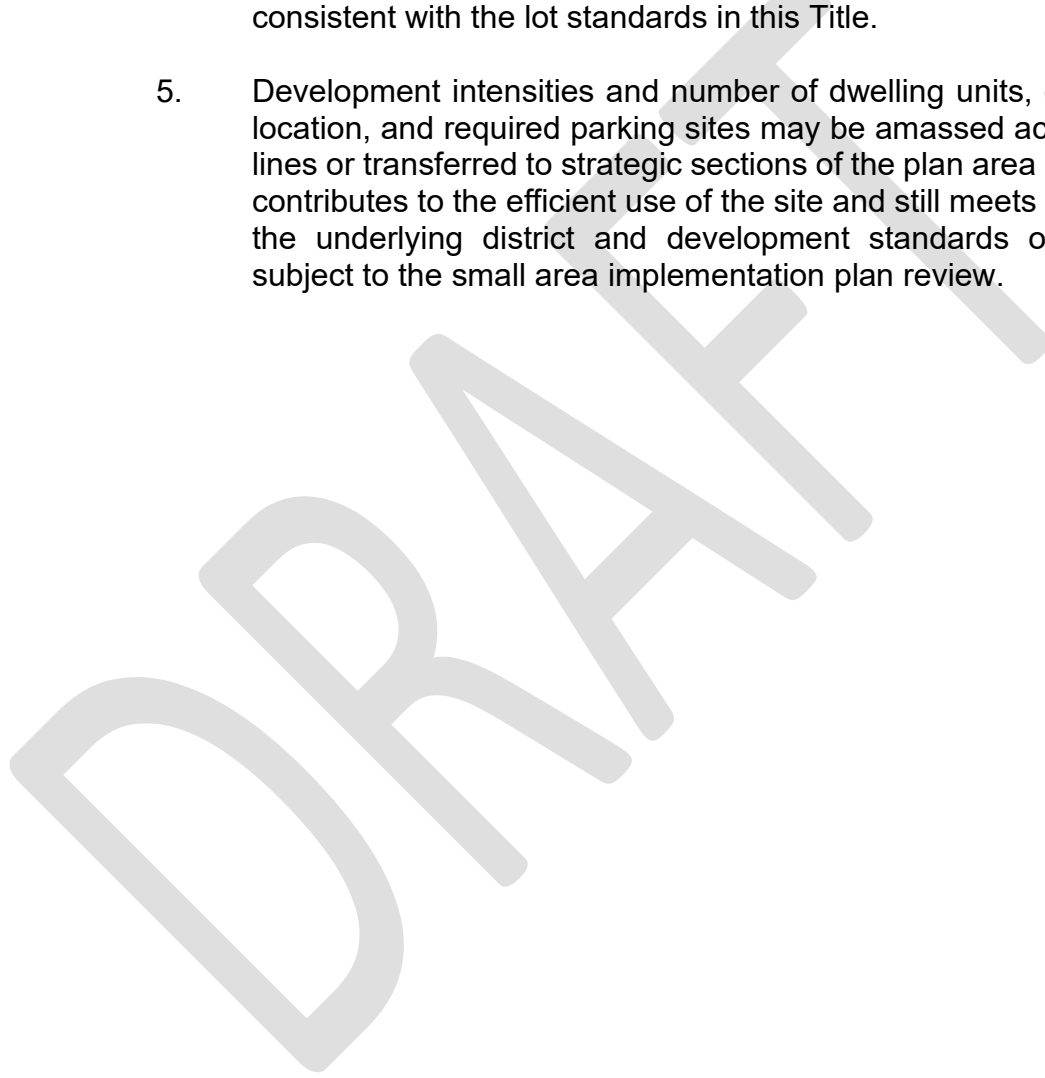
1 **21.03.115: *Small Area Implementation Plans.***

2  
3 E. *Deviations from Certain Standards of Title 21.*

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5  
6  
7 4. Proposals for residential lots that do not meet the minimum lot area,  
8 lot depth, or setback standards may be requested in residential  
9 areas, subject to the small area implementation plan review and  
10 consistent with the lot standards in this Title.

11  
12 5. Development intensities and number of dwelling units, open space  
13 location, and required parking sites may be amassed across zoning  
14 lines or transferred to strategic sections of the plan area if this action  
15 contributes to the efficient use of the site and still meets the intent of  
16 the underlying district and development standards of this Title,  
17 subject to the small area implementation plan review.  
18



## 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.

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CODE LANGUAGE to be added is presented below.

1 **21.03.115: *Small Area Implementation Plans.***  
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3 F. *Approval Criteria.* A small area implementation plan shall be approved if all the  
4 following criteria have been substantially met:

- 5 1. The small area implementation plan and any associated site-specific  
6 design standards proposed conform to the applicable elements of the  
7 comprehensive plan, including the no-net loss of residential capacity, and  
8 the purpose of this title;
- 9 2. The small area implementation plan conforms to the intent of the underlying  
10 zoning district, is compatible with surrounding zoning and development,  
11 and protects areas designated for specific uses on the zoning map from  
12 incompatible land uses or development intensities;
- 13 3. The streets, roads, trails, transit, and other transportation elements are in  
14 conformance with applicable transportation plans and policies;
- 15 4. The development provides community benefits within the plan boundary  
16 and immediate area in terms of design, community facilities, open space,  
17 other community amenities, and residential units, if applicable to the area;
- 18 5. The development minimizes any potential adverse impacts to surrounding  
19 residential areas to the maximum extent feasible; and
- 20 6. Sufficient public safety, transportation, and utility facilities and services are  
21 available to serve the subject property at the proposed level of  
22 development, while maintaining sufficient levels of service to existing and  
23 anticipated development in the surrounding areas; or an infrastructure  
24 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.

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

2  
3 G. *Compliance with Small Area Implementation Plans.* No development rights  
4 are granted by the approval of a small area implementation plan.  
5 Accordingly, all projects developed under an approved small area  
6 implementation plan are subject to the provisions below.

7  
8 1. Projects developed under an approved small area implementation  
9 plan are exempt from the administrative site plan review, major site  
10 plan review, and conditional use review processes required in Tables  
11 21.05-1 and 21.11-2, except as provided in subsections 2. and 3. as  
12 follows.

13  
14 2. The provision in G.1. shall not apply to the following use categories and  
15 types when conditional use approval is required in the applicable Title  
16 21 tables of allowed uses:

- 17  
18 a. Manufactured home communities;  
19 b. Correctional community residential center;  
20 c. Habilitative care facilities;  
21 d. Transitional living facility;  
22 e. Social service facilities;  
23 f. Zoo;  
24 g. Homeless and transient center;  
25 h. Correctional institution;  
26 i. Transportation facilities;  
27 j. Utility facilities;  
28 k. Telecommunications facilities;  
29 l. Large domestic animal facility;  
30 m. Civic/convention center;  
31 n. Amusement establishment;  
32 o. Entertainment facility, major;  
33 p. Golf course;  
34 q. Motorized sports facility;  
35 r. Shooting range, outdoor,  
36 s. Fueling station;  
37 t. Vehicle service and repair;  
38 u. Camper park;  
39 v. Recreational and vacation camp;  
40 w. Heavy equipment sales and rental;  
41 x. Manufacturing, heavy;  
42 y. Natural resource extraction;  
43 z. Warehousing and storage (excepting self-storage); and  
44 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.



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

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

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

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

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

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

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

- 33 i. Amount of landscaping, types of landscaping, required  
34 parking, exterior lighting, or open space;
- 35 ii. Quality of pedestrian facilities (e.g., amount, type);
- 36 iii. Proportion of residential to non-residential uses;
- 37 iv. Proportion of uses in mixed-use buildings;
- 38 v. Residential or large establishment design standards;
- 39 vi. Transportation facilities that are proposed to deviate  
40 from existing municipal standards; or
- 41 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.

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

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G. *Compliance with Small Area Implementation Plans.*

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

6

7

6. The owner, or a 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.

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

- 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  
18 2. All property owner(s) or developer(s) of the subject property or area provide  
19 written notice to the director of the extinguishment of the small area  
20 implementation plan. The director shall notify urban design commission, or  
21 if applicable, the planning and zoning commission.

## 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].

1 **21.02.020: Table of Decision and Review Authority**

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**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
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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>3</sup>	A <sup>3</sup>		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

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Site Plan Review, Major	21.03.180D.		D-H <sup>7</sup>	D-H <sup>7</sup>		A	R
Street Review	21.03.190B.		R <sup>8</sup> /D	R <sup>8</sup> /D			R
<u>Small Area Implementation Plans</u>	<u>21.03.115</u>		<u>D-H<sup>15</sup></u>	<u>D-H</u>			<u>R</u>

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## **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].

1 **21.02.020: Table of Decision and Review Authority**

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**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
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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- <u>H<sup>15,16</sup></u>	D-H <sup>17</sup>		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 <sup>13,16</sup>	D-H <sup>13,17</sup>	D-H	A	R

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## 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

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

1 **21.02.020: Table of Decision and Review Authority**

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**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
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<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, and section 21.05.055 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 <sup>16</sup>	D-H			A	R
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## 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].

1 **21.02.020: Table of Decision and Review Authority**

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**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><b>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.</b></p> <p><b>A = APPEAL = Authority to Hear and Decide Appeals</b>  <b>D = DECISION = Responsible for Review and Final Decision</b>  <b>H = HEARING = Public Hearing Required</b>  <b>R = REVIEW = Responsible for Review and/or Recommendation Only</b></p>							
Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS

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NOTES:	
<p><sup>1</sup> See section 21.03.040, <i>Alcohol-Special Land Use Permit</i>, to determine whether the Assembly or the director is the decision-making body.</p> <p><sup>2</sup> Only substantive comprehensive plan amendments require a public hearing. See section 21.03.070, <i>Comprehensive Plan Amendments</i>.</p> <p><sup>3</sup> The appeal body for subsection 21.03.100E., <i>Improvements Associated with Land Use Permits</i>, is the platting board. Appeals related to provisions in title 23 are made to the building board of examiners and appeals.</p> <p><sup>4</sup> An applicant may request application of the minor modification process only once during the review process.</p> <p><sup>5</sup> See section 21.03.120C.5. for appropriate appeal body.</p> <p><sup>6</sup> Site selection for municipal facilities is approved by the assembly. See section 21.03.140.</p> <p><sup>7</sup> See section 21.03.180D. for the division of major site plan review decision-making authority.</p> <p><sup>8</sup> See section 21.03.190, <i>Street and Trail Review</i>.</p> <p><sup>9</sup> 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.</p> <p><sup>10</sup> 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.</p> <p><sup>11</sup> Code amendments relating to chapter 21.08, <i>Subdivision Standards</i>, require a hearing by the platting board. All code amendments require a hearing by the planning and zoning commission.</p> <p><sup>12</sup> See section 21.03.230, <i>Vacation of Public and Private Interest in Lands</i>.</p> <p><sup>13</sup> 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.</p> <p><sup>14</sup> 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.</p> <p><u><sup>15</sup> 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.</u></p> <p><u><sup>16</sup> 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.</u></p> <p><u><sup>17</sup> 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.</u></p>	
<p><b>KEY TO ABBREVIATIONS:</b>  ASBLY = Anchorage Assembly  PZC = Planning and Zoning Commission  PB = Platting Board</p>	<p>ZBEA = Zoning Board of Examiners and Appeals  BOA = Board of Adjustment  UDC = Urban Design Commission  MS = Municipal Staff</p>

6

## ANNOTATION FOR PAGE 17

### 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

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

1           **21.02.030    Planning and Zoning Commission**

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

- 6                   1.       Conditional uses (21.03.080);
- 7                   2.       Preliminary plats, when a conditional use creates a subdivision or  
8                   requires the vacation of a dedicated public area, and the  
9                   commission directs in the conditional use approval that it shall act  
10                  as the platting authority (21.03.080F.);
- 11                  3.       Public facility site selections, except for municipal facilities  
12                  (21.03.140);
- 13                  4.       Appeals from the director’s decision regarding consistency with an  
14                  institutional master plan (21.03.110F.);
- 15                  5.       Major site plan reviews for non-residential development with a  
16                  gross floor area of 100,000 square feet or more, and for  
17                  residential development of 140 units or more (21.03.180D.);
- 18                  6.       Preliminary plats, when a major site plan under the authority of the  
19                  planning and zoning commission creates a subdivision or requires  
20                  the vacation of a dedicated public area, and the commission  
21                  directs in the major site plan approval that it shall act as the  
22                  platting authority (21.03.180F.);
- 23                  7.       Draft design study report for new construction and reconstruction  
24                  of streets of collector class or greater in the Official Streets and  
25                  Highways Plan (21.03.190); [AND]
- 26                  8.       Commercial tract plats, where the site plan includes a large  
27                  commercial establishment under the authority of the planning and  
28                  zoning commission (21.03.200E.);
- 29                  9.       Variance from bulk and lot coverage regulations in section  
30                  21.11.060C., Building Tower Dimensions, for all B-2A  
31                  development sites, and for B-2B and B-2C development sites  
32                  larger than 26,000 square feet; and
- 33                  10.       Small area implementation plans, when a zoning map amendment  
34                  is being considered concurrently per 21.03.115 and/or when B-1A  
35                  use types not permitted by underlying zoning are included in the  
36                  proposed small area implementation plan.

37           \*\*\*       \*\*\*       \*\*\*

38 (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



1 **21.02.040 Urban Design Commission**  
2

3 A. *Decision-Making Authority.* The urban design commission has decision making  
4 authority over the following:  
5

6 \*\*\* \*\*

7 6. Variances from:  
8

9 a. The district-specific standards of chapter 21.04, *Zoning Districts*  
10 section 21.09.040, *Zoning Districts*, and section 21.10.040, *Zoning*  
11 *Districts*;

12  
13 b. The use-specific standards of chapter 21.05, *Use Regulations*  
14 (except subsection 21.05.040K., *Telecommunication Facilities*,  
15 and section 21.05.055, *Marijuana Establishments*), section  
16 21.09.050, *Use Regulations*, and section 21.10.050, *Use*  
17 *Regulations*;

18  
19 c. Chapter 21.07, Development and Design standards (except  
20 subsections 21.07.020B., *Watercourse, Water Body, and Wetland*  
21 *Protection*, 21.07.020C., *Steep Slope Development*, 21.07.050.,  
22 *Utility Distribution Facilities*, and 21.07.060, *Transportation and*  
23 *Connectivity*);

24  
25 d. Those provisions of section 21.09.070, *Site Development or*  
26 *Design Standards*, for which variance authority is not given to the  
27 platting authority or the zoning board of examiners and appeals;  
28

29 e. Section 21.09.080, *Building Design Standards*;

30  
31 f. Section 21.10.070, *Development and Design Standards* (except  
32 subsection 21.10.070B., *Transportation and Connectivity*);  
33

34 g. Section 21.11.070, Development and Design Standards; and  
35

36 h. Chapter 21.11, *Signs*  
37

38 7. Appeals of the director's decision regarding subsection 21.12.060B.  
39 *Bringing Characters into Compliance* (21.03.050); and  
40

41 8. Small area implementation plans (21.03.115).  
42

43 \*\*\* \*\*

44  
45 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-36, § 2, 5-14-15; AO No. 2017-  
46 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-  
47 20)  
48

## ANNOTATION FOR PAGE 19

### **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

1 **21.03.020 Common Procedures**

2  
3 A. *Applicability.* The common procedures of this section 21.03.020 shall apply  
4 to all applications for development activity under this title unless otherwise  
5 stated.

6  
7 B. *Pre-application conferences.*

8  
9 1. Purpose. The pre-application conference is an informal discussion  
10 to familiarize the applicant and the municipal staff with the  
11 applicable provisions of this title that are required to permit the  
12 proposed development.

13  
14 2. Applicability

15  
16 a. Required for new applications. A pre-application conference  
17 is required prior to submittal of the following types of  
18 applications:

19 i. Rezoning (Map Amendments) (section 21.03.160);

20 ii. Subdivisions, except for most Abbreviated Plats  
21 (section 21.03.200);

22 iii. Conditional Uses (section 21.03.080);

23 iv. Institutional Master Plans (section 21.03.110);

24 v. Major Site Plan Review (section 21.03.180D.);

25 vi. Public Facility Site Selection (section 21.03.140);

26 vii. Girdwood Area Master Plans and Development  
27 Master Plans (sections 21.09.030E. and F.); [AND]

28 viii. Abbreviated plats (section 21.03.200) or  
29 administrative site plan reviews (subsection  
30 21.03.180C.) which include Class A or B wetlands  
31 within or adjacent to the application area;[.]

32 ix. Abbreviated plats for unit lot subdivision  
33 (21.08.070E.); and [.]

34 x. Small area implementation plans (21.03.115).

35  
36 No application for these types of approvals shall be accepted  
37 until after the pre-application conference is completed and the  
38 applicant receives written notification of the conclusions.

39  
40 \*\*\* \*\*

## 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

1 **21.03.020 Common Procedures**

2  
3 C. *Community Meetings.*

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

11  
12 2. Applicability.

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

- 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 \*\*\* \*\*

**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

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

1 **21.03.020 Common Procedures**

2 \*\*\* \*\*

3 H. *Notice.*

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

6 \*\*\* \*\*

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

11 **Table 21.03-1: Summary of Notice Requirements**

12 \*\*\* \*\*

TABLE 21.03-1: SUMMARY OF NOTICE REQUIREMENTS					
Type of Application or Procedure	Section	Notice Required			Community Council
		Written (Mailed)	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.	✓ <sup>1</sup>	✓	✓ <sup>1</sup>	✓
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>

13 \*\*\* \*\*

14  
15 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-131, § 1, 1-12-15; AO  
16 No. 2015-142(S-1), § 1(Exh. A), 6-21-16; AO No. 2016-3(S), § 3, 2-23-16; AO No. 2017-  
17 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).

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39 \*\*\*

DRAFT



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