

**ANCHORAGE, ALASKA**  
**AO No. 2014-\_\_\_\_\_**

**AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21, *LAND USE PLANNING* (NEW CODE – EFFECTIVE JANUARY 1, 2014), TO ELIMINATE THE PROVISIONS REGARDING ARCHITECTURAL FEATURES RELATING TO SIGNS AND INCREASE THE ALLOWED SIGN AREA TO COMPENSATE, AND TO ALLOW AND REGULATE MENU BOARDS AND ORDERING SCREENS.**

**WHEREAS**, the provisions regarding sign architectural features are not clearly defined and have led to inconsistent determinations over time; and

**WHEREAS**, removing the provisions for sign architectural features and increasing the allowed sign area to compensate creates the most predictable way to implement the calculation of sign area; and

**WHEREAS**, there is no provision for menu boards and ordering screens for drive-through restaurants in the current sign regulations.

**THEREFORE THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** Section 21.11.040A.1. is amended as follows:

1. The sign area shall include the face of all the display area(s) of the sign. The sign area shall include the frame and structural support unless such structural support [IS DETERMINED TO BE AN ARCHITECTURAL FEATURE AS DEFINED IN CHAPTER 21.14, OR THE STRUCTURAL SUPPORT] is located below the sign face area and its accompanying frame, does not contain a message, and is clearly distinguishable from the sign face area. [ARCHITECTURAL FEATURES THAT ARE EITHER PART OF THE BUILDING OR PART OF A FREESTANDING STRUCTURE ARE NOT CONSIDERED SIGNS AND ARE THUS EXEMPT FROM THESE REGULATIONS.]

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(AO 2012-124(S), 2-26-13)

**Section 2.** Tables 21.11-1, 21.11-3, and 21.11-6 are amended as shown in Exhibit A.

**Section 3.** Section 21.11.060 shall be amended as follows (*remaining subsections are re-lettered—otherwise the remainder of the section is not affected and therefore not set out*):

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**G. Menu Boards and Ordering Screens [Temporary Signs]**

In addition to other allowed building or freestanding signs, restaurants with accessory drive-through service may have menu boards totaling not more than 50 square feet, where no more than 20 percent of the total area is utilized for business identification, and an ordering screen of not more than nine square feet. Food and beverage kiosks may have building sign menu boards totaling not more than 25 square feet per side of the kiosk.

**H. Temporary Signs**

Temporary signs in the PLI, RO, WS, and PR districts are permitted pursuant to table 21.11-4 as set forth below:

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(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13)

**Section 4.** Section 21.11.070 shall be amended as follows (*remaining subsections are re-lettered—otherwise the remainder of the section is not affected and therefore not set out*):

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**F. Instructional Signs**

Signs that comply with the definition of “instructional sign” shall be permitted as needed provided such signs comply with the following:

1. The signs are not larger than necessary to serve the intended instructional purpose;
2. The number of instructional signs located on the site are the minimum needed to serve the intended instructional purpose;
3. Instructional signs shall not exceed six square feet in area; and
4. The signs may be placed on the base of a permitted freestanding sign without the area of such instructional sign, or the background, being considered as part of or added to the area of the freestanding sign.

**G[F]. Menu Boards and Ordering Screens [Unified Sign Plan]**

In addition to other allowed building or freestanding signs, restaurants with accessory drive-through service may have menu boards totaling not more than 50 square feet, where no more than 20 percent of the total area is utilized for business identification, and an ordering screen of not more than nine square feet. Food and beverage kiosks may have building sign menu boards totaling not more than 25 square feet per side of the kiosk.

**H. Unified Sign Plan**

To recognize and accommodate irregular site shapes (which are typically characterized by narrow lot frontages resulting in some buildings with large setbacks and limited visibility to a public street) multiple contiguous lots and/or tracts may be considered as a single site for the purposes of determining the size, number, and placement of freestanding signs permitted pursuant to this section. Solely for the purposes of this section:

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(AO 2012-124(S), 2-26-13)

**Section 4.** Section 21.14.040 is amended as follows (the remainder of the section is not affected and therefore not set out):

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**Appurtenance**

The visible, functional, or ornamental objects accessory to, and part of, building or structures.

**[ARCHITECTURAL FEATURE (AS USED IN CHAPTER 21.11, SIGNS)]**

ANY CONSTRUCTION ATTENDANT TO, BUT NOT AN INTEGRAL PART OF THE SIGN, WHICH MAY CONSIST OF LANDSCAPE, BUILDING, OR STRUCTURAL FORMS THAT ENHANCE THE SITE IN GENERAL; ALSO, GRAPHIC STRIPES AND OTHER ARCHITECTURAL PAINTING TECHNIQUES APPLIED TO A STRUCTURE THAT SERVES A

FUNCTIONAL PURPOSE, OR WHEN THE STRIPES OR OTHER PAINTING TECHNIQUES ARE APPLIED TO A BUILDING PROVIDED SUCH TREATMENT DOES NOT INCLUDE LETTERING, LOGOS OR PICTURES.]

**Architectural Feature**

A part, portion, or projection that contributes to the aesthetic quality of a building or structure, exclusive of signs, that is not necessary for the structural integrity of the building structure or to make the building or structure habitable.

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**Mechanical Penthouse**

An enclosed structure above the roof of a building used exclusively for the shelter of mechanical equipment or shelter of vertical shaft openings in the roof.

**Menu Board (as used in Chapter 21.11, Signs)**

A freestanding or building sign orientated to the drive-through lane for a restaurant that advertises the menu items available from the drive-through window; or a building sign on a food and beverage kiosk advertising the menu items available.

**Minor Amendment**

An amendment to an approved permit or other form of approval granted under this title that involves a relatively small amount of change from the original approval. Specific rules for granting minor amendments are set forth in chapter 21.03, *Review and Approval Procedures*.

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**Open Space, Common**

Open space for the common use and enjoyment of the owners and occupants of the subdivision, building, planned unit development or condominium. Common means shared by all tenants and is distinguished from space designated for private use.

**Ordering Screen (as used in Chapter 21.11, Signs)**

A freestanding or building sign oriented to the drive-through lane for a restaurant that includes the device for communication between the customer and the restaurant and shows the order placed by a customer.

**Ordinary High Water Mark (OHWM)**

The line on a shore or bank of a body of water established by the normal fluctuations of water and indicated by a relatively abrupt change in observable physical, hydrologic, and biologic characteristics above and below the line. For a stream or lake the OHWM is approximately equivalent to the 'bank.' For a marine shoreline, the OHWM is approximately equivalent to the 'mean high water line.' In all cases, an appropriate mix of indicators used to establish the OHWM at a particular location are selected using means and methods that consider the type of water body and the characteristics of the surrounding area.

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(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13)

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

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

ATTEST:

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

**EXHIBIT A: Tables 21.11-1, 21.11-3, and 21.11-6**

**AO 2014-XX: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21, *LAND USE PLANNING* (NEW CODE – EFFECTIVE JANUARY 1, 2014), TO ELIMINATE THE PROVISIONS REGARDING ARCHITECTURAL FEATURES RELATING TO SIGNS AND INCREASE THE ALLOWED SIGN AREA TO COMPENSATE, AND TO ALLOW AND REGULATE MENU BOARDS AND ORDERING SCREENS.**

TABLE 21.11-1: SIGNS IN THE RESIDENTIAL DISTRICTS AND THE DEVELOPMENT RESERVE DISTRICT (DR)				
Type	Maximum Number Permitted	Maximum Area Per Sign	Standards for Freestanding Signs	
			Maximum Height	Minimum Setback from ROW
Signs for Each Single Family Dwelling, Two-Family Dwelling, or Townhouse				
Permanent Signs				
Building Signplates	1 per dwelling unit	2 sq. ft. <sup>2</sup>	--	--
Freestanding Signs	1 per building	22 sq. ft. <sup>5</sup>	5 ft.	0
Temporary Signs <sup>1</sup>	2 per dwelling unit	6 sq. ft.	5 ft.	0
Signs for Residential Subdivisions	2 per subdivision entrance	33[30] sq. ft.	8 ft.	5 ft.
Multifamily Buildings				
Permanent Signs				
Building Signplates	1 per public entrance to building	2 sq. ft. <sup>2</sup>	--	--
Freestanding Signs	1 per development entrance or per 500 feet of public street frontage, whichever is greater	33[30] sq. ft.	8 ft.	Equal to height of sign
Temporary Signs				
Freestanding Signs <sup>1</sup>		6 sq. ft.		
Permitted Nonresidential Uses				
Permanent Signs				
Building Signplates	1 per address	2 sq. ft. <sup>2</sup>	--	--
Primary Building Signs	Not Applicable	½ sq. ft. of sign for every lineal ft. of primary building frontage	--	--
Freestanding Signs	1 per 500 feet of public street frontage	44[40] sq. ft. <sup>3</sup>	8 ft. <sup>4</sup>	10 ft.
Temporary Signs				
Freestanding Signs <sup>1</sup>	2	6 sq. ft.		
Instructional Signs	Shall be exempt from requirements when in compliance with subsection 21.11.050E.			
<sup>1</sup> Temporary signs are also subject to provisions of subsection 21.11.050F.				
<sup>2</sup> A sign plate is not in violation of these regulations if a larger sign is determined to be necessary to accommodate identification as mandated by the municipality.				
<sup>3</sup> A sign which is located within 40 feet of a property line of a parcel which is either occupied by, or is zoned for, a single-family or two-family dwelling unit shall be limited to a maximum area of 33[30] square feet.				
<sup>4</sup> Sign height is measured from the natural grade at the base of the sign.				
<sup>5</sup> For parcels larger than one acre located within the R-6, R-7, R-8, R-9, R-10, and TA residential zoning districts, one freestanding sign no greater than nine[EIGHT] square feet shall be permitted.				

TABLE 21.11-3: FREESTANDING SIGNS STANDARDS IN THE PLI, RO, WS, AND PR DISTRICTS		
	PLI, WS, and PR	RO
Maximum Height	15 ft.	15 ft.
Maximum Area	<u>132</u> [120] sq. ft.	80 sq. ft.
Number/Frontage	1 per 300 ft. frontage up to a maximum of two	
Minimum Separation	200 ft.	
Minimum Setback from ROW	None on a class II or greater street; otherwise 10 ft.	
Minimum Setback from Side Lot Line <sup>10</sup>	10 ft.	
Entrance and Exit Signs <sup>9</sup>		
Maximum Area	6 sq. ft.	
Maximum Height	5 ft.	
<sup>9</sup> Entrance and exit signs, which are permitted in addition to the above freestanding signs, shall be limited to two for each entrance/exit driveway.		
<sup>10</sup> If the side lot is adjacent to a residential district then the minimum setback from the side lot line is 30 feet.		

TABLE 21.11-6: FREESTANDING SIGN REGULATIONS				
	B-1A, B-1B	TA (nonresidential parcels) and TR	DT-1, DT-2, DT-3	B-3, I-1, I-2, MC, MI, and A
Maximum Height	12 ft.	12 ft.	8 ft.	25 ft.
Maximum Area	<u>88</u> [80] sq. ft.	<u>88</u> [80] sq. ft.	<u>70</u> [64] sq. ft.	<u>0.8</u> [0.7] sq. ft. per 1 lineal foot of frontage <sup>18</sup>
Number/Frontage	See subsection 21.11.070D.			
Separation	150 ft.			
Minimum Setback from R.O.W.	0 ft.	10 ft.	0 ft.	0 ft.
Minimum Setback from side lot line <sup>17</sup>	10 ft.			
Entrance and Exit Signs <sup>16</sup>				
Maximum Area	6 sq. ft.			
Maximum Height	5 ft.			
<sup>16</sup> Entrance and exit signs, which are permitted in addition to the above freestanding signs, shall be limited to two for each entrance/exit driveway.				
<sup>17</sup> If the side lot line is adjacent to a residential district then the minimum setback from the side lot line is 30 feet.				
<sup>18</sup> The maximum allowable area shall not be less than 70 square feet nor greater than <u>220</u> [200] square feet.				