

Municipality of Anchorage

MEMORANDUM

DATE: November 10, 2014

TO: Planning and Zoning Commission

THRU: *fw* Jerry T. Weaver, Jr., Director
Community Development Department

THRU: *gm* Erika McConnell, Manager
Current Planning Section

FROM: *sm* Shawn Odell, Senior Planner
Current Planning Section

SUBJECT: 2014-0160: Amending AMC Title 21 section 21.11.040A.1.; Tables 21.11-1, 21.11-3 and 21.11-6; section 21.11.060; section 21.11.070; and section 21.14.040; 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.

This proposed ordinance amends the new Title 21 to make the following changes:

1. Provide standards for menu boards and ordering screens.
2. Remove the provisions for sign architectural features and increase the allowed sign area.

Discussion

The attached ordinance amends the new Title 21 to make the following changes to the sign regulations as outlined below:

Section 1 removes language from 21.11.040A.1.related to architectural features of signs.

Tables 21.11-1, 21.11-3, and 21.11-6 are amended as shown in Exhibit A. These amendments increase the allowed sign area by 10% to compensate for the removal of the provisions for sign architectural features. The increased area allows for a sign to incorporate architectural features in the design if desired while limiting the overall size of the sign.

Section 3 adds a section to 21.11.060G. allowing and regulating menu boards and ordering screens in the public lands and institutions (PLI), residential office (RO), watershed (WS), and parks and recreation (PR) districts.

Section 4 adds a section to 21.11.070G. allowing and regulating menu boards and ordering screens in the commercial, industrial, Turnagain arm (TA), transition(TR), and airport (A) districts.

Section 4 amends the definitions for menu boards and ordering screens in section 21.14.040 and removes the definition of architectural feature as used in Chapter 21.11, Signs.

Background

The provisions regarding sign architectural features are not clearly defined and have led to inconsistent determinations over time. Currently, there are no provisions for menu boards or ordering screens for drive-through restaurants in the sign regulations. As drive-through restaurants require ordering screens and menu boards for customers, this ordinance will allow and regulate the menu board sizes at restaurants. The provisions of menu board sizes are from the Unified Sign Code.

Recommendation

The Planning Division recommends approval of the draft ordinance with the following changes:

1. Draft ordinance, page 3, lines 13 and 26; replace the phrase “drive-through lane” with: “queuing lane.”

Attachments: Draft Ordinance

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.]

*** **

(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*):

*** **

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:

*** *** ***
(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*):

*** *** ***

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:

*** *** ***

(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):

*** *** ***

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

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

4 **Architectural Feature**

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

8 *** **

9 **Mechanical Penthouse**

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

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

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

16 **Minor Amendment**

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

20 *** **

21 **Open Space, Common**

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

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

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

29 **Ordinary High Water Mark (OHWM)**

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

37 *** **

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

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

40
41 PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 20__.

42
43
44
45 _____
46 Chair of the Assembly

47
48
49 ATTEST:

50
51 _____
52 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. ²	--	--
Freestanding Signs	1 per building	22 sq. ft. ⁵	5 ft.	0
Temporary Signs ¹	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. ²	--	--
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 ¹		6 sq. ft.		
Permitted Nonresidential Uses				
Permanent Signs				
Building Signplates	1 per address	2 sq. ft. ²	--	--
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. ³	8 ft. ⁴	10 ft.
Temporary Signs				
Freestanding Signs ¹	2	6 sq. ft.		
Instructional Signs	Shall be exempt from requirements when in compliance with subsection 21.11.050E.			
¹ Temporary signs are also subject to provisions of subsection 21.11.050F.				
² 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.				
³ 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.				
⁴ Sign height is measured from the natural grade at the base of the sign.				
⁵ 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.				

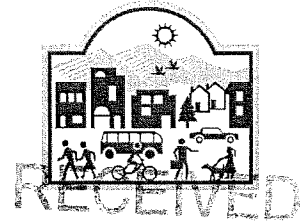
TABLE 21.11-3: FREESTANDING SIGNS STANDARDS IN THE PLI, RO, WS, AND PR DISTRICTS		
	PLI, WS, and PR	RO
Maximum Height	15 ft.	15 ft.
Maximum Area	<u>132</u> [120] sq. ft.	80 sq. ft.
Number/Frontage	1 per 300 ft. frontage up to a maximum of two	
Minimum Separation	200 ft.	
Minimum Setback from ROW	None on a class II or greater street; otherwise 10 ft.	
Minimum Setback from Side Lot Line ¹⁰	10 ft.	
Entrance and Exit Signs ⁹		
Maximum Area	6 sq. ft.	
Maximum Height	5 ft.	
⁹ Entrance and exit signs, which are permitted in addition to the above freestanding signs, shall be limited to two for each entrance/exit driveway.		
¹⁰ 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 ¹⁸
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 ¹⁷	10 ft.			
Entrance and Exit Signs ¹⁶				
Maximum Area	6 sq. ft.			
Maximum Height	5 ft.			
¹⁶ Entrance and exit signs, which are permitted in addition to the above freestanding signs, shall be limited to two for each entrance/exit driveway.				
¹⁷ If the side lot line is adjacent to a residential district then the minimum setback from the side lot line is 30 feet.				
¹⁸ The maximum allowable area shall not be less than 70 square feet nor greater than <u>220</u> [200] square feet.				



Municipality of Anchorage
Community Development Department
Planning Division

MEMORANDUM



OCT 10 2014

Date: October 10, 2014
To: Erika McConnell, Manager, Current Planning Section
From: Tom Davis, Senior Planner, Long-Range Planning Section
Subject: Case 2014-0160, Ordinance Amending Title 21 Sign Provisions Related to Architectural Features and Menu Boards

No objection to the substantive amendments.

A minor technical edit in the proposed definitions is recommended, to retain consistency of terms in the code. The phrase "drive-through lane" should instead read "queuing lane" or "drive-through queuing lane" on page 3 lines 13 and 26 in the draft ordinance.

This edit keeps consistency with the Drive-Through Service accessory use definition in section 21.05.070D.6.a. which establishes that a drive-through facility consists of two parts—the queuing lane and a service station where service occurs. The parking section also uses "queuing lane" in its related provisions in 21.07.090L.3. and L.4.

MUNICIPALITY OF ANCHORAGE



Planning & Development Services Dept.
Development Services Division

Building Safety
RECEIVED

OCT 10 2014

MEMORANDUM

Comments to Miscellaneous Planning and Zoning Applications

DATE: October 10, 2014

TO: Erika McConnell, Manager, Zoning and Platting

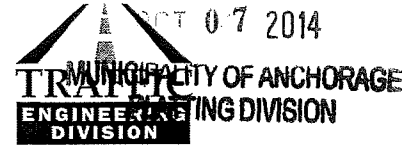
FROM: Ron Wilde, P.E.
Building Safety

SUBJECT: Comments for Case 2014-0160
Signs

No Comment.



MUNICIPALITY OF ANCHORAGE
Traffic Division



MEMORANDUM

DATE: October 6, 2014

TO: Erika B. McConnell, Current Planning Section Supervisor,
Zoning and Platting Division

THRU: Stephanie Mormilo, PE, Municipal Traffic Engineer
Kristen Langley, Associate Traffic Engineer

FROM: Dwayne Ferguson PE, Assistant Traffic Engineer

SUBJECT: Traffic Division comments for the following Planning and Zoning
Commission hearing to be held on Monday, November 10, 2014.

2014-0160 An amendment to Anchorage Municipal Code Title 21, section 21.11.040A.1, Tables 21.11-1, 21.11-3 and 21.11-6, section 21.11.060, section 21.11.070 and section 21.14.040 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.

Traffic Engineering has no comment.

2014-0161 An amendment to Anchorage Municipal Code Title 21 to provide variance authority for various sections of code, to make changes to the variance section for clarity, and to move standards for Planned Unit Developments from Chapter 3 to Chapter 7.

Traffic Engineering has no comment.

MUNICIPALITY OF ANCHORAGE



Eagle River Street Maintenance
Eagle River Town Center, Room 131
12001 Business Blvd., Eagle River 99577

Mayor Dan Sullivan

Phone: 907-343-1510
Fax: 907-694-1540

Oct 1, 2014

Planning Division
Current Planning Section
P.O. Box 196650
Anchorage, AK 99519

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OCT 03 2014

COMMUNITY DEVELOPMENT DEPT

RE: 2014-0160 Amendment to Title 21

The Eagle River Street Maintenance staff has reviewed the request and does not have any objections or comments on the Amendment change.

In the event that the CBERRRSA Board of Supervisors has additional comments they will be forwarded.

Sincerely,

Mark H. Littlefield

Superintendent

Eagle River Street Maintenance
Public Works, Administration, M.O.A.
Office: 343-1512
Email: littlefieldmh@ci.anchorage.ak.us



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Transportation
and Public Facilities

CENTRAL REGION
Planning

4111 Aviation Avenue
Anchorage, Alaska 99502
Main: 907.269.0520
Fax: 907.269.0521

September 30, 2014

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OCT 02 2014

COMMUNITY DEVELOPMENT DEPT

Erika McConnell, Planning Section Manager
MOA, Community Development Department
Planning Division
P.O. Box 196650
Anchorage, Alaska 99519-6650

RE: MOA Zoning Review

Dear Ms. McConnell:

The Alaska Department of Transportation and Public Facilities, ADOT&PF, Central Region Planning office has no comments on the following zoning applications:

- **2014-0160 Amendment to Anchorage Municipal Code Title 21**
- **2014-0161 Amendment to Anchorage Municipal Code Title 21**

Sincerely,

A handwritten signature in black ink, appearing to read "James Boyle".

James Boyle
Anchorage Transportation Planner

/djl



**Municipality of Anchorage
Development Services Department
Building Safety Division**



MEMORANDUM

DATE: September 29, 2014
TO: Erika McConnell, Manager, Current Planning Section
FROM: Deb Wockenfuss, Civil Engineer, On-Site Water and Wastewater Program
SUBJECT: Comments on Cases due October 10, 2014

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

2014-0151 Rezone to PLI for T12N R3W Sec 28 W2W2SW4SW4

No objection

2014-0160 Amendment to Title 21 regarding signs

No objection

2014-0161 Amendment to Title 21 to provide variance authority.

No objection

RECEIVED

SEP 29 2014

**MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION**

Wright, Benjamin R.

From: Wilson, Karleen K.
Sent: Friday, September 26, 2014 2:12 PM
To: Blake, Lori A.; Kimmel, Corliss A.; Whitfield, David R.; Wright, Benjamin R.
Subject: Case No. 2014-0160

No comment

Karleen Wilson

Addressing Official
Municipality of Anchorage
Address Data Management, GIS
907.343.8168 (my desk)
907.343.8222 (option #3)

RECEIVED

SEP 26 2014

**MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION**