

Municipality of Anchorage

C.2

MEMORANDUM

DATE: October 2, 2017

TO: Planning and Zoning Commission

THRU: ~~ANN~~ Hal H. Hart, AICP, Planning Department Director

FROM: *FM* Francis McLaughlin, Current Planning Section

SUBJECT: Case 2017-0121, Technical amendments to AMC 21.07.120A.1., *Large Commercial Establishments – Applicability*, to clarify when large commercial establishment development standards are applicable.

With this memorandum, the Director wishes to notify the Planning and Zoning Commission that the Department will forward technical amendments to Title 21 (New Code) directly to the Assembly as a corrective action, in accordance with AMC 21.03.210B.5.c., which states:

If, during the first five years after January 1, 2014, the director determines that a technical amendment to title 21 is needed to address conflicting provisions, inconsistencies, or unintended consequences associated with the Title 21 Rewrite Project (2002-2012), the director may forward a corrective amendment to the assembly, which may adopt the amendment without planning and zoning commission review; provided, however, that the director shall notify the commission at the time the proposed amendment is submitted to the assembly, so that the commission can forward its opinion on the proposed change to the assembly for consideration. All other amendments shall be processed through the planning and zoning commission for review and recommendation to the assembly.

Enclosed is an ordinance amending AMC 21.07.120A.1. *Large Commercial Establishments – Applicability* to clarify when large commercial establishment development standards are applicable. These amendments address inconsistencies of the final re-write of Title 21 (New Code).

The Department proposes technical amendments to AMC 21.07.120A.1. *Large Commercial Establishments – Applicability*. The amendments reconcile Table 21.05-1: *Tables of Allowed Uses* and the “Applicability” subsection for Large Commercial Establishments. The table identifies which use types are subject to the Large Commercial Establishments section. The problem is that the Large Commercial Establishments section lists some, but not all, of the use types that are subject to these development standards. This can lead to confusion about which part of code is correct, the table or the Large Commercial Establishments “Applicability” section. The proposed amendments would fix this problem by inserting the missing use types into the Large Commercial Establishments applicability subsection, so that both sections

of code are consistent. The ordinance also removes needless words that create confusion. These text amendments make no substantive change to the meaning or the requirements of the Large Commercial Establishments section.

Submitted by: Chair Traini at the Request of the Mayor
Prepared by: Planning Department
For reading:

**ANCHORAGE, ALASKA
AO NO. 2017–**

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 SUBSECTION 21.07.120A.1. TO CLARIFY THE APPLICABILITY OF LARGE COMMERCIAL ESTABLISHMENTS DEVELOPMENT STANDARDS.

(Planning and Zoning Commission Case 2017-0121)

WHEREAS, the applicability subsection of the large commercial establishments section is inconsistent with the Table 21.05-1: Table of Allowed Uses and the standards for large commercial establishments subsection; and

WHEREAS, Anchorage Municipal Code 21.03.210B.5.c. allows the Assembly to address “unintended consequences” of the Title 21 rewrite project through the approval of technical amendments; and

WHEREAS, the Planning Director has notified the Planning and Zoning Commission of the proposed amendment to provide the Commission opportunity to forward its opinion on the amendment to the Assembly for consideration; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code subsection 21.07.120 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

21.07.120 Large Establishments

A. Large Commercial Establishment

Large commercial establishments often have high visibility from major public streets and a great volume of use by many residents and visitors. As a consequence, their design determines much of the character, function, and image of this community and its streetscapes and commercial areas. The purpose of this section is to encourage major commercial developments to contribute to and respect the municipality as a unique place and to physically integrate with the community in a positive and architectural and site design sensitive manner. The standards of this section augment existing basic standards for development found elsewhere in this chapter with more specific interpretations that apply to large commercial establishments. These standards promote: a basic level of architectural variety and interest; a compatible appearance and scale; pedestrian and parking lot access; orientation of buildings and entrances in relation to surrounding streets; provisions for adaptive reuse of prominent vacant buildings; and mitigation of negative impacts of large scale commercial developments.

1. Applicability

The standards of this section 21.07.120 shall apply to any use in the Retail Sales; Animal Sales, Service, and Care; Food and Beverage Services; or Entertainment and Recreation use categories; the Vehicle Parts and Supplies, Vehicle-Large Sales and Rental, Vehicle-small Sales and Rental, Marijuana Retail Sales Establishment use types or any combination thereof occupying more than 20,000 gross square feet of floor area, provided the following limitations:

- a. The standards of this section shall apply only to buildings which are intended [EXCLUSIVELY OR] principally for the uses listed above, such as a general merchandise retail store, grocery store, or multi-tenant retail building.
- b. This section shall not apply to distinct floors and/or sections of buildings designed specifically for residential, office, or other uses not listed in subsection 21.07.120A.1. above.

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

Section 2. This ordinance shall become effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this ____ day of _____, 2017.

Chair

ATTEST:

Municipal Clerk