

Submitted by: CHAIR AT THE REQUEST OF THE MAYOR
Reviewed by: Municipal Clerk
Prepared by: Municipal Clerk and Community
Development Department
For reading:

**ANCHORAGE, ALASKA
AO NO. 2015–**

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21, LAND USE PLANNING (OLD CODE—EXPIRES DECEMBER 31, 2015), SECTION 21.30.130, TO DIRECT ZONING BOARD OF EXAMINERS AND APPEALS (ZBEA) APPEALS TO BE FILED WITH THE PLANNING DIVISION.

(Planning And Zoning Commission Case No. 2014-0215)

WHEREAS, appeals of certain decisions by the planning and zoning commission, the platting board, and the urban design commission are perfected by filing a notice of appeal to the board of adjustment through the municipal clerk; and

WHEREAS, the municipal clerk provides staff support to the board of adjustment and prepares the record on appeal and receives briefs filed by the parties in the appeal; and

WHEREAS, in contrast, the municipal clerk also receives appeals to the zoning board of examiners and appeals (ZBEA), however, the municipal clerk does not provide staff support to this board, the planning division does, and the municipal clerk takes no action except to receive and transfer the appeal; and

WHEREAS, by adoption of this ordinance, ZBEA appeals will be filed with the planning division, rather than the municipal clerk; now therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. AMC 21.30.130 Time limit for filing; notice of appeal; appeal fee, is amended as follows:

- A. An appeal of an administrative official's decision, set out in section 21.30.110, to the zoning board of examiners and appeals must be filed by the applicant, or any person adversely affected who requested written notice of the decision appealed from, no later than 20 days after written notification of the decision.
- B. Notice of appeal must be filed with the [MUNICIPAL CLERK] planning division on a form prescribed by the municipality and must contain detailed and specific allegations of error.
- C. The appellant shall pay an appeal fee as set by the assembly, which shall accompany the filing of the notice of appeal. All fees shall be returned to the appellant if the decision of the administrative official is reversed in whole, and one-half of the fee shall be returned if the decision is reversed in part.

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 _____, 2015.

Chair of the Assembly

ATTEST:

Municipal Clerk