

L Aid-on-the-Table

Submitted by: Assembly Vice Chair Zaletel  
Assembly Member Brawley  
Assembly Member Volland  
Prepared by: Assembly Counsel's Office  
For reading: May 7, 2024

**ANCHORAGE, ALASKA  
AO No. 2024-45(S)**

**AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE, TITLE 21, LAND USE PLANNING, INCLUDING SECTIONS 21.01.050, 21.03.020, 21.03.070, 21.03.160, AND 21.03.210 TO CLARIFY THE ASSEMBLY'S LEGISLATIVE POWERS FOR ESTABLISHING LAND USE PUBLIC POLICY AND THE METHODS BY WHICH IT MAY EFFECTUATE CHANGES TO TITLE 21, AND RELATED MATTERS AND WAIVING PLANNING AND ZONING COMMISSION REVIEW OF THIS ORDINANCE.**

**WHEREAS**, the Anchorage Municipal Charter grants the Assembly the sole authority over the planning for future development and use of land in the Municipality through the adoption of a comprehensive plan and zoning or similar land use control measures; and

**WHEREAS**, inflexible procedural requirements and overly complex and burdensome processes can inhibit effective land use developments and create obstacles to responding to problems in the housing market; and

**WHEREAS**, the process for rezoning land when part of the larger process of amending the comprehensive plan or text of Title 21, can be dramatically streamlined while maintaining a robust public process; and

**WHEREAS**, the Assembly finds it in the public interest to stimulate new development and redevelopments by reducing the regulatory burden on parties seeking to put land to effective use; and

**WHEREAS**, Anchorage Municipal Code section 21.03.070 already contemplates the processing of conforming amendments to the zoning map concurrent to a proposed amendment to the comprehensive plan, subject to the approval criteria of rezoning, but does not explicitly provide a procedure therefor; and

**WHEREAS**, it is inherently the responsibility of the Assembly to identify language in the Municipal Code that defeats or frustrates effective governance or public policy, and propose legislative solutions; and

**WHEREAS**, it is inherently within the Assembly's authority to amend the comprehensive plan, the text of Title 21, and the official zoning map; and

**WHEREAS**, the Assembly finds that amendments proposed herein will promote the public health, safety, and general welfare, are consistent with the comprehensive plan and the stated purposes of Title 21; and necessary and desirable because of changing conditions, new planning concepts, and other social or economic

1 conditions; now, therefore,  
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3 **THE ANCHORAGE ASSEMBLY ORDAINS:**  
4

5 **Section 1.** Anchorage Municipal Code section 21.01.050 is hereby amended to  
6 read as follows (*the remainder of the section is not affected and therefore not set*  
7 *out*):

8 **21.01.050 Official zoning map.**

9 \*\*\* \*\*

10 B. *Changes to official zoning map.* Changes made in zoning district  
11 boundaries or other matters portrayed on the official zoning map shall  
12 be made [ONLY] in accordance with the provisions of Section  
13 21.03.160, Rezoning (Zoning Map Amendments), or **[as necessary**  
14 **conforming amendments]** in accordance with sections 21.03.070  
15 (Comprehensive Plan Amendments) and 21.03.210 (Title 21 – Text  
16 Amendments) **when initiated by member of the administration,**  
17 **member of the assembly, or a decision making body concurrent**  
18 **to an amendment to the comprehensive plan or text of title 21.**  
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20 \*\*\* \*\*

21 (AO 2012-124(S), 2-26-13)  
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23 **Section 2.** Anchorage Municipal Code section 21.03.020 is hereby amended to  
24 read as follows (*the remainder of the section is not affected and therefore not set*  
25 *out*):  
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27 **21.03.020 Common procedures.**

28 \*\*\* \*\*

29 J. *Public Hearing .* For every decision that requires a public hearing  
30 before a decision-making body other than the assembly, the applicant  
31 shall be provided reasonable opportunity to present their case. In  
32 cases of text amendments initiated or proposed by the assembly, the  
33 sponsors of the ordinance shall have the opportunity to present to and  
34 [any] answer questions of the decision-making body.  
35

36 K[J]. Referrals. The applicant, boards, commissions, or the municipal  
37 administration may request that government agencies, non-  
38 governmental agencies, and other boards and commissions besides  
39 the decision-making body review an application, but the final decision-  
40 making authority shall remain with the body identified in this chapter.  
41

42 L[K]. *Concurrent processing.*  
43

44 1. Where possible without creating an undue administrative  
45 burden on the municipality's decision-making bodies and staff,  
46 this title intends to accommodate the simultaneous processing  
47 of applications for different permits and approvals that may be  
48 required for the same development project in order to expedite  
49 the overall review process. Review and decision-making bodies  
50  
51

1 considering multiple amendments or applications related to the  
 2 same matter may elect to take up those items simultaneously  
 3 and/or consolidate them into one matter, however they  
 4 may[SUBMITTED SIMULTANEOUSLY SHALL] render  
 5 separate reports, recommendations, and decisions on each  
 6 amendment or application based on the specific standards  
 7 applicable to each approval as necessary.  
 8

- 9 2. Some forms of approval depend on the applicant having  
 10 previously received another form of approval, or require the  
 11 applicant to take particular action within some time period  
 12 following the approval in order to avoid having the approval  
 13 lapse. Therefore, even though this title intends to  
 14 accommodate simultaneous processing, applicants should  
 15 note that each of the permits and approvals set forth in this title  
 16 has its own timing and review sequence.  
 17  
 18 3. Unless otherwise stated in this title, t[T]he expected time frame  
 19 and approval process for a consolidated application shall follow  
 20 the longest time frame and approval process required from  
 21 among the joined application types.  
 22

23 M[L]. Postponements.  
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- 25 1. If only five or fewer board or commission members are in  
 26 attendance at the hearing, the applicant may request a  
 27 postponement of his or her case, and the fee for the first  
 28 postponement request shall be waived.  
 29  
 30 2. The applicant may request a postponement of his or her case  
 31 for any other reason, which he or she shall state to the decision-  
 32 making body. If the decision-making body grants the  
 33 postponement request, the applicant shall pay the  
 34 postponement fee as required by AMCR 21.20, and a new  
 35 hearing date shall be determined by the department.  
 36  
 37 a. If public notice pursuant to subsection H. above has not  
 38 been given, the director is the decision-making body for  
 39 the purpose of granting a postponement.  
 40  
 41 b. If public notice pursuant to subsection H. above has  
 42 been given, the decision-making body is the board or  
 43 commission identified in this chapter for the entitlement  
 44 requested.  
 45  
 46 3. Re-notice of the new time for hearing before a decision making  
 47 body other than the assembly is only required if the  
 48 postponement is for more than 30 days, or if no date certain is  
 49 set for the hearing at the time of postponement.  
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(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; AO No. 2021-46(S) , § 5, 6-8-21; AO No. 2021-69 , § 1, 8-10-21; AO No. 2021-89(S) , § 21, 2-15-22; AO No. 2022-62(S) , § 4, 10-11-22; AO No. 2023-25(S) , § 2, 3-7-23)

**Section 3.** Anchorage Municipal Code section 21.03.070 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.03.070 Comprehensive plan amendments.**

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*[NOTE: current text of subsection 21.03.070B. was omitted from original AO, is inserted in the (S) version without markup and then amended as indicated]*

B. *Levels of plan review.* The comprehensive plan should be reviewed and reassessed regularly in order to evaluate its effectiveness and adequacy in guiding the growth of the municipality and to determine whether or not the plan continues to meet the long-term planning needs of the municipality. Because this review need not necessarily result in the complete revision of the plan, several levels of review are contemplated in this section.

1. Complete plan revision (20-year intervals). The director shall initiate a full review and complete revision of the comprehensive plan at least once every 20 years, preferably following the decennial census. As part of this review, the director shall provide the planning and zoning commission with an overall assessment of the adequacy and effectiveness of the existing plan, including identification of new issues not adequately addressed, issues which require further study and investigation, and suggested improvements. The planning and zoning commission shall consider the staff assessment and shall recommend amendments or issues that the commission feels should be pursued or investigated. Any amendments shall follow the procedures of subsections C. and D. below.

2. Targeted plan review (ten-year intervals). The director shall initiate a targeted review of the plan at least once every ten years, or in conjunction with an area-wide rezoning, in order to make it consistent with economic and demographic trends, recent and proposed land use decisions, and adopted studies and plans. Any amendments shall follow the procedures of subsections C. and D. below.

3. Other plan amendments. In addition to the regularly scheduled reviews described above, any review or decision-making body, **the director upon request of[OR] the director of any municipal department, a member of the assembly or, if**

1 accompanied by a rezone application, any property owner  
2 may propose a plan amendment at any time. All such proposals  
3 shall be processed in accordance with the procedures in  
4 subsections C. and D. below.  
5

6 C. Procedure for substantive amendments.

7  
8 1. Procedure.

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10 a. Initiation. A petition for amendment to the  
11 comprehensive plan may be initiated by, any review or  
12 decision-making body, the director (either upon their  
13 own initiative or upon request of the director of any  
14 municipal department), member of the assembly, [a  
15 member of such body,] or, if accompanied by a rezone  
16 application, by a property owner.  
17

18 b. Public notice.

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20 i. Notice shall be provided in accordance with  
21 section 21.03.020H.  
22

23 ii. Substantive amendments to be considered by the  
24 planning and zoning commission shall be  
25 available for public review at least 21 days in  
26 advance of the public hearing.  
27

28 c. Departmental review. The department shall review each  
29 proposed substantive amendment in light of the  
30 approval criteria set forth in subsection C.2. below and  
31 distribute the application to other reviewers as deemed  
32 necessary. Based on the results of those reviews, the  
33 department shall provide a report to the planning and  
34 zoning commission. This report shall include a  
35 discussion of all plans and policies that have been  
36 adopted by the municipality and are relevant to the  
37 proposed amendment.  
38

39 d. Planning and zoning commission action. The planning  
40 and zoning commission shall hold a public hearing on  
41 the proposed amendment. Based on testimony  
42 received, the department's report, and the approval  
43 criteria in subsection C.2. below, the commission shall  
44 recommend that the assembly approve, approve with  
45 modifications, or deny the proposed amendment. In  
46 cases of amendments initiated or proposed by a  
47 decision making body or a member of one, the sponsors  
48 of the amending ordinance shall have the opportunity to  
49 present to and answer any questions of the commission.  
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3. *Concurrent zoning changes allowed.*

a. Petitions for amendment to the comprehensive plan initiated by an individual property owner, may be considered concurrently with their request for rezoning (Zoning Map Amendments)[Conforming amendments to the zoning map] [REQUESTS FOR REZONINGS (ZONING MAP AMENDMENTS)] [MAY BE CONSIDERED CONCURRENTLY [WITH A COMPREHENSIVE PLAN MAP AMENDMENT], either as part of the same ordinance or as a separate ordinance proposed concurrently. The [conforming amendments to the ]zoning map amendment[AMENDMENT] shall be to a zone corresponding to the requested comprehensive plan map designation. Concurrent zoning map amendments shall meet all of the approval criteria of subsection 21.03.160E[, but may be otherwise processed subject to the procedural requirements of a comprehensive plan amendment under this section].

b. Proposed amendments to the Comprehensive plan initiated by a review or decision-making body, the director, or member of the assembly may be considered concurrently proposed amendments to the zoning map, either as part of the same ordinance or as a separate ordinance proposed concurrently. The zoning map amendment shall be to a zone corresponding to the proposed comprehensive plan map designation(s). Such c[C]oncurrent zoning map amendments shall meet all of the approval criteria of subsection 21.03.160E, but may be otherwise processed subject to the procedural requirements of a comprehensive plan amendment under this section.

c. The planning and zoning commission shall submit its report and recommendation regarding the comprehensive plan map amendment to the assembly at the same time it submits the report and recommendation on the [conforming] amendments to the zoning map [REZONING CASE]. The assembly and planning and zoning commission may[SHALL] consider and act on the plan amendment proposal and its proposed [conforming] amendments to the zoning map [REZONING REQUEST] concurrently or separately, as either body deems most appropriate[efficient] [AND SHALL ACT SEPARATELY ON THE TWO ITEMS].

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1-9-18; AO No. 2021-89(S) , § 21, 2-15-22; AO No. 2022-38 , § 2, 4-12-22)

**Section 4.** Anchorage Municipal Code section 21.03.160 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.03.160 Rezoning (zoning map amendments).**

A. *Purpose and scope.* The boundaries of any zone district in the municipality may be changed or the zone classification of any parcel of land may be changed pursuant to this section. This section states the procedures and approval criteria necessary to process an amendment to the official zoning map. Zoning is not effective if it is too easily or frequently changed. Zoning is intended to provide a degree of certainty that is important for long-term investment and neighborhood cohesion and stability. The purpose of rezoning is not to relieve particular hardships, nor to confer special privileges or rights on any person, but to make adjustments to the official zoning map that are necessary in light of changed conditions or changes in public policy, or that are necessary to advance the general welfare of the municipality. Rezoning shall not be used as a way to legitimize nonconforming uses or structures, and should not be used when a conditional use, variance, or minor modification could be used to achieve the same result.

B. *Minimum area requirements.* A rezoning shall only be considered for properties totaling 1.75 acres (76,230 square feet) or more (excluding rights-of-way), except for:

1. A rezoning extending the boundaries of an existing zoning district; or
2. A rezoning initiated by the municipal administration to place municipally owned land in a PLI, PR, DR, GIP, GOS, CE-PLI, CE-PR, or CE-DR zoning district.
3. A rezoning into the B-1A or R-3A district.

C. *When a comprehensive plan map amendment is required.* Zoning map amendments may also require an amendment to the comprehensive plan map. Determination of whether the comprehensive plan map must also be amended is based upon whether the proposed zoning map amendment is to a zone consistent with the comprehensive plan map. If an amendment to the comprehensive plan map is required, the zoning map amendment can only be made if the amendment to the comprehensive plan map is approved first. Both amendments may be processed concurrently, as provided in subsection 21.03.070 C.3.

D. ~~**[Conforming amendments to the official zoning map.]**~~

1 Amendments to the comprehensive plan, or to text of title 21 may  
2 also require conforming amendments to the official zoning map.  
3 Both the principal and conforming amendments may be  
4 considered concurrently, as provided in subsection 21.03.020 L,  
5 either within the same ordinance or through separate ordinances  
6 processed concurrently. The conforming amendment(s) shall be  
7 subject the approval criteria of subsection F below, but is  
8 exempted from the other requirements of this section, provided  
9 it is processed concurrently with the principal ordinance  
10 amending the comprehensive plan or the text of title 21 and  
11 subjected to the procedural requirements of section 21.03.070 or  
12 21.03.210, as applicable.  
13

14 E][D]. General procedure.

15  
16 1. *Initiation.*

- 17  
18 a. A rezoning may be initiated by the assembly, the  
19 planning and zoning commission, or by the  
20 administration. Such a rezoning may be proposed  
21 concurrently to a proposed amendment to the  
22 comprehensive plan or the text of title 21, either  
23 through the same ordinance or through separate  
24 ordinances processed concurrently. In such  
25 concurrent cases, the rezoning shall be subject the  
26 approval criteria of subsection F below, but may be  
27 exempted from the other requirements of this  
28 section, provided it is subjected to the procedural  
29 requirements of section 21.03.070 or 21.03.210  
30 concurrent to the proposed amendment to the  
31 comprehensive plan or text of title 21, as applicable.  
32
- 33 b. In addition, any person may initiate a rezoning by  
34 submitting a petition favoring the rezoning signed by the  
35 owners of at least 51 percent of the area within the  
36 property to be rezoned. For the purposes of this  
37 subsection, an owner of property subject to the  
38 Horizontal Property Regimes Act (A.S. 34.07) owns a  
39 percentage of the appurtenant common areas equal to  
40 the percentage for that property stated in the recorded  
41 declaration committing the property to the Horizontal  
42 Property Regimes Act.  
43
- 44 c. A rezoning application shall expire one year after  
45 submittal unless a public hearing on the application has  
46 been held by the assembly on or before that date;  
47 provided, however, that the director may extend the  
48 application for six months if the reason for the delay was  
49 due to circumstances beyond the control of the  
50 applicant.  
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- d. Rezoning shall precede corps of engineers wetland permit applications.
2. *Pre-application conference.* Before filing an application, a private-party applicant shall request a pre-application conference with the director, in accordance with subsection 21.03.020 B.
  3. *Community meeting.* A community meeting is required in accordance with subsection 21.03.020 C.
  4. *Application submittal.* Applications for a rezoning shall be submitted to the director on a form provided by the department and shall contain the information specified on the application form. Additional materials may be required for certain types of rezoning, such as rezoning with special limitations.
  5. *Public notice.* Notice shall be provided in accordance with subsection 21.03.020 H. In addition, the published and written (mailed) notice for the public hearing before the assembly shall list the protest provisions set forth in subsection D.9. below.
  6. *Departmental review.* The department shall review each proposed rezoning in light of the approval criteria in subsection E. below and distribute the application to other reviewers as deemed necessary. Based on the results of those reviews, the department shall provide a report to the planning and zoning commission.
  7. *Planning and zoning commission action.*
    - a. The planning and zoning commission shall hold a public hearing on the proposed rezoning and, at the close of the hearing, taking into account the recommendations of the department and public input, and based upon the approval criteria of subsection E. below, shall recommend approval, approval with special limitations or other modifications (at least as restrictive as submitted in the application), or denial. The commission shall include written findings based on each of the approval criteria. The planning and zoning commission shall supplement any denial recommendation with a summary of critical issues related to the application, based upon public input and the commission's deliberations. This information will be available to assist the assembly if an ordinance is submitted under subsection 7.c. below. In cases of amendments initiated or proposed by the assembly, the sponsors of the ordinance shall have the opportunity to present to and any answer questions of the commission.

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- b. If the commission recommends approval or approval with special limitations or other modifications, within 60 days of the commission's written resolution, the director shall forward the recommendation to the assembly with an ordinance to amend the official zoning map in accordance with the recommendation.
  - c. If the commission recommends denial, the amendment shall be deemed disapproved unless, within 15 days of the commission's written resolution recommending denial, the applicant files a written statement with the municipal clerk requesting that an ordinance amending the zoning map as set out in the application be submitted for action by the assembly. The draft ordinance shall be appended to an Assembly Informational Memorandum (AIM) for consideration by the assembly.
8. *Assembly action.* The assembly shall hold a public hearing on the proposed rezoning and shall, at the close of the hearing, taking into account the recommendations of the department, planning and zoning commission, and public input, and based upon the approval criteria of subsection E. below:
- a. Approve the zoning map amendment as submitted in the application to the planning and zoning commission;
  - b. Approve the zoning map amendment with special limitations (see subsection G.) or other modifications at least as restrictive as those submitted in the application, provided that an ordinance approving an amendment initiated under this section shall become effective only with the written consent of the property owner(s) to the special limitations or other modifications;
  - c. Deny the amendment; or
  - d. Remand the proposed amendment to the planning and zoning commission or to a committee of the assembly for further consideration.
9. *Protests.*
- a. Any owner of property subject to a proposed rezoning may protest the rezoning by filing a written protest with the clerk pursuant to this subsection.
  - b. Any owner of property within 300 feet of the outer boundary of the land to which the amendment applies may protest the rezoning by filing a written protest with the clerk that is signed by the owners of at least one-

1 third of the property, excluding rights-of-way, of:

- 2
- 3 i. The land to which the amendment applies; or
- 4
- 5 ii. The land within 300 feet of the outer boundary of
- 6 the land to which the amendment applies;
- 7 excluding land owned by the municipality, except
- 8 where the municipality joins in the protest.
- 9

10 c. To be valid, the protest shall state the factual and/or

11 legal basis for the protest, contain a legal description of

12 the property on behalf of which the protest is made, be

13 signed by the owner of that property, and be received by

14 the municipal clerk after notice of a public hearing before

15 the assembly on a zoning map amendment and at least

16 three business days before the time set for the assembly

17 public hearing on the amendment.

18

19 d. Assembly approval of a rezoning subject to a valid

20 protest under this subsection shall require an affirmative

21 vote of eight assembly members.

22

23 10. *Waiting period for reconsideration.* Following denial of a

24 rezoning request, no new application for the same or

25 substantially the same rezoning shall be accepted within two

26 years of the date of denial, unless denial is made without

27 prejudice.

28

29 11. *Form of amending ordinance.* An ordinance amending the

30 zoning map shall contain the following:

31

32 a. The names of the current and the requested zoning

33 districts;

34

35 b. The legal description of the subject property;

36

37 c. Any special limitations being applied to the subject

38 property; and

39

40 d. An effective clause.

41

42 E[E]. *Approval criteria.* The planning and zoning commission may

43 recommend approval, and the assembly may approve a rezoning, if

44 the rezoning meets all of the following criteria:

45

46 1. The rezoning shall be in the best interest of the citizens of

47 Anchorage and shall promote the public health, safety, and

48 general welfare;

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50 2. The rezoning complies with and conforms to the

51 comprehensive plan, including the comprehensive plan map(s);

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3. The rezoning is generally consistent with the zoning district purpose in the requested zone, and the purpose of this title;
4. The rezoning is compatible with surrounding zoning and development, and protects areas designated for specific uses on the zoning map from incompatible land uses or development intensities;
5. Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) are capable of supporting the uses allowed by the zone or will be capable by the time development is complete, while maintaining adequate levels of service to existing development;
6. The rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts shall be substantially mitigated;
7. The proposed rezoning is not likely to result in significant adverse impacts upon adjacent land uses, or such impacts shall be mitigated through stipulations;
8. The rezone does not extend or exacerbate a land use pattern that is inconsistent with the comprehensive plan; and
9. The rezoning shall not result in a split-zoned lot.

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(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2017-176 , § 1, 1-9-18; AO No. 2021-89(S) , § 21, 2-15-22; AO No. 2022-38 , § 2, 4-12-22)

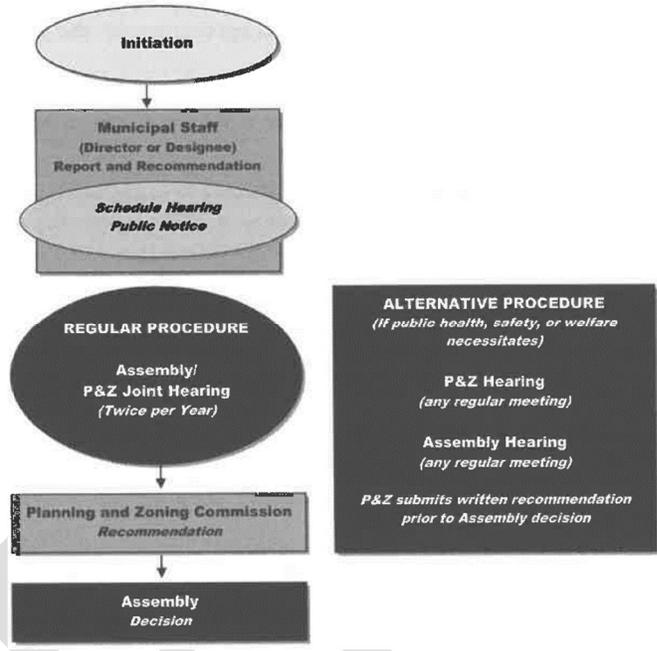
**Section 5.** Anchorage Municipal Code section 21.03.210 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**21.03.210 Title 21—Text amendments.**

- A. *Purpose and scope.* The assembly may amend the text of this title in accordance with the procedures set forth in this section. **Nothing in this section should be construed to require the assembly to adhere to any procedure not required by charter.** The purpose of text amendments is not to relieve particular hardships, nor to confer special privileges or rights on any person, but rather to make adjustments to text that are necessary in light of changed conditions or changes in public policy, or that are necessary to advance the general welfare of the municipality.

B. Procedure.

1. *Initiation.* A proposed [PETITION FOR] amendment to the text of this title may be initiated by a member of the assembly, or any review or decision-making body~~[, or a member of such body]~~.



2. *Proposal [APPLICATION] submittal.* Proposals for text amendments shall be in ordinance form and shall be filed with the director.

3. *Departmental review.* The

Amendments to Text of Title 21

department shall review each proposed text amendment in light of the approval criteria of subsection C. below and distribute the application to other reviewers as deemed necessary. **Within seven days of submission [BASED ON THE RESULTS OF THOSE REVIEWS],** the department shall confer with the proponent of the text amendment and may suggest changes to the proposal. **At any time within fourteen days following [After] this initial review, the sponsor may submit additional information and [any] modifications to the proposal, which the department may re-distribute to reviewers. [and then] The department shall, at this time, forward the proposed amendment and any additional material provided by the sponsor to the planning and zoning commission so that it may schedule a public hearing. No later than 60 days following its initial receipt of the proposed amendment, the department shall provide a report to the planning and zoning commission [ , or may proceed directly to submitting its report and the proposed text amendments, modified or unmodified, to the commission].** A positive recommendation shall be accompanied by a draft ordinance reflecting the recommendation. **A negative recommendation shall be accompanied with draft amendments to the originally submitted ordinance reflecting recommendations of the department. Failure of the department to submit its report within 60 days of initial receipt shall not delay the public hearing or action by the planning and zoning commission.**

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2 4. *Review by other boards or commissions.*  
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4 a. Any text amendments proposed that amend the powers  
5 and duties of any board or commission shall be reviewed  
6 by that board or commission, which shall forward a  
7 recommendation to the assembly.  
8

9 b. In addition, if any text amendments are proposed in  
10 Chapter 21.08, Subdivision Standards, the platting  
11 board shall review such proposed amendments and  
12 forward a recommendation to the planning and zoning  
13 commission and the assembly.  
14

15 5. *Notice of amendments.*  
16

17 a. Notice shall be provided in accordance with subsection  
18 21.03.020H., except when the notice is for a public  
19 hearing before the assembly then it shall be provided at  
20 least 7 days before the scheduled hearing date in  
21 accordance with section 10.01 of the Charter.  
22

23 b. Title 21 text amendments to be considered by the  
24 planning and zoning commission shall be available for  
25 public review at least 21 days in advance of the  
26 commission's public hearing.  
27

28 c. If the director determines that a technical or cosmetic  
29 amendment to title 21 is needed to address conflicting  
30 provisions, inconsistencies, or unintended  
31 consequences associated with the Title 21 Rewrite  
32 Project (2002-2012), the director may forward a  
33 corrective amendment to the assembly, which may  
34 adopt the amendment without planning and zoning  
35 commission review; provided, however, that the director  
36 shall notify the commission at the time the proposed  
37 amendment is submitted to the assembly, so that the  
38 commission can forward its opinion on the proposed  
39 change to the assembly for consideration. All other  
40 amendments shall be processed by [THROUGH] the  
41 planning and zoning commission for review and  
42 recommendation to the assembly.  
43

44 6. *Planning and zoning commission action.*  
45

46 a. As soon as possible after the public hearing, but no later  
47 than 60 days, the planning and zoning commission shall  
48 make a recommendation to the assembly to approve,  
49 [OR] deny, or modify the text amendment based on the  
50 approval criteria of subsection C. below.  
51

1  
2 b. In cases of amendments initiated or proposed by the  
3 assembly, the sponsors of the ordinance shall have the  
4 opportunity to present to and answer questions of the  
5 commission.

6  
7 c. If the commission recommends approval of the  
8 amendment, the director shall submit the draft ordinance  
9 to the assembly.

10  
11 d[c]. If no recommendation is made within 60 days, then the  
12 planning and zoning commission may request an  
13 extension of time from the assembly. If no  
14 recommendation is made and no extension is granted,  
15 then the assembly may act on the proposed amendment  
16 without a recommendation from the planning and zoning  
17 commission.

18  
19 7. *Assembly action.* After a public hearing and reviewing the  
20 reports and recommendations of the director and the planning  
21 and zoning commission, the assembly may [SHALL] vote to  
22 approve, approve with amendments, or deny the proposed  
23 amendment, based on the approval criteria of subsection C.  
24 below. The assembly also may refer the proposed amendment  
25 back to the planning and zoning commission or to a committee  
26 of the assembly for further consideration. Text amendments  
27 shall be approved in the form of ordinances.

28  
29 C. *Approval criteria.* Text amendments may be approved if the assembly  
30 has considered [FINDS THAT] all of the following approval criteria  
31 before taking action to approve[HAVE BEEN MET]:

- 32  
33 1. The proposed amendment will promote the public health,  
34 safety, and general welfare;  
35  
36 2. The proposed amendment is consistent with the  
37 comprehensive plan and the stated purposes of this title ; and  
38  
39 3. The proposed amendment is necessary or desirable because  
40 of changing conditions, new planning concepts, or other social  
41 or economic conditions.

42  
43 D. Concurrent zoning changes allowed.

- 44  
45 1. [Conforming] A[a]mendments to the zoning map may be  
46 considered concurrently with a title 21 text amendment, either  
47 as part of the same ordinance or as a separate ordinance  
48 proposed concurrently. Such [conforming] amendments to the  
49 zoning map shall meet all of the approval criteria of subsection  
50 21.03.160E but shall otherwise conform to the procedural  
51 requirements of title 21 text amendment under this section.

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2. The planning and zoning commission shall submit its report and recommendation regarding the ~~[comprehensive plan map] amendment to the text of title 21~~ to the assembly at the same time it submits the report and recommendation on the ~~[conforming] amendments to the zoning map. The assembly and planning and zoning commission may consider and act on the title 21 text amendment proposal and its proposed [conforming] amendments to the zoning map concurrently or separately, as either body deems most appropriate[efficient].~~

(AO 2012-124(S), 2-26-13; AO N. 2016-136am , § 1, 11-15-16; AO No. 2019-58 , § 1, 5-7-19)

**Section 6[7].** Notwithstanding AMC section 21.03.210, this ordinance shall not require planning and zoning commission review prior to assembly action, and the 21-day published notice requirement of AMC subsection 21.03.020h.4. is waived; this ordinance shall comply with Charter § 10.01(b) notice requirements.

**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 \_\_\_\_\_, 2024.

Chair \_\_\_\_\_

ATTEST:

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