



Municipality of Anchorage

Planning Department


Memorandum





G.1.

Date: May 3, 2021

To: Planning and Zoning Commission

Thru:  Michelle J. McNulty, AICP, Planning Director

Thru:  Carol C. Wong, Long-Range Planning Manager

From:  Thede Tobish, Senior Planner, Long-Range Planning Division

Subject: Case No. 2021-0039, Small Area Implementation Plan Ordinance, AMC 21.03.115

Planning and Zoning Commission Review and Approval

The Planning and Zoning Commission is scheduled to take public comment on May 3, 2021, on the Public Hearing Draft Small Area Implementation Plan (SAIP) ordinance. This ordinance incorporates SAIP as a new item in the Master Planning section of Title 21, Chapter 21.03: Review and Approval Procedures. For review are the Public Hearing Draft ordinance and the staff recommendations and amendments for consideration by the Commission. After the public hearing closes, the Commission will deliberate this case and forward its recommendations to the Assembly for consideration.

Background and SAIP Ordinance Summary

Small Area Plans were first introduced as a planning tool in Anchorage in the 2014 *East Anchorage District Plan*. The project team for that plan identified small area planning as a new tool needed to analyze and model large-scale redevelopment projects at several large parcels developed as mobile home parks along Muldoon Road. During the creation of the *Anchorage 2040 Land Use Plan (2040 LUP)*, Small Area Implementation Plans arose as a new planning tool to address and guide redevelopment and infill activities, which were increasingly becoming more common throughout the Bowl.

The SAIP ordinance serves as a companion land use tool to the existing Institutional Master Plan entitlement in AMC 21.03.110. The SAIP ordinance is modeled on the format of the Institutional Master Plan, as well as Chapter 9's Girdwood Development Master Planning section. The SAIP is intended to apply to redevelopment and infill actions to achieve Comprehensive Plan land use objectives in the Anchorage Bowl. When approved, the SAIP will:

- Offer a coordinated planning process for predictable development by delineating allowed land uses, site and design details, and by serving as a one-stop review and approval of certain Title 21 entitlements;
- Offer development flexibility for landowners seeking to develop complex sites in tough conditions;
- Establish alternative site design standards that meet or exceed Title 21 procedures;
- Establish deviations from certain code sections, under specific conditions; and

- Set approval responsibilities for new SAIPs to be with either the Urban Design Commission or the Planning and Zoning Commission, depending on whether a rezoning is included in the application and/or if specific deviations from the code are proposed.

Ordinance Highlights

As formatted in this draft, the SAIP ordinance (Attachment 1):

- Sets a minimum parcel size of five acres, but under some circumstances may apply to sites as small as one acre.
- Includes 13 submittal requirements.
- Follows an approval process similar to other entitlements in Title 21, Chapter 3, e.g., rezonings.
- Allows final approval authority primarily to the Urban Design Commission; however, under certain circumstances, the approval is by the Planning and Zoning Commission.
- Allows provisions for flexibility with land uses and site design.
- Presents six approval criteria, which must be substantially met by a SAIP proposal.
- Establishes project consistency review process, which includes six compliance standards for plan implementation and requires an annual progress report.
- Details a modification and termination process.

Ordinance Development

Following research of similar ordinances from around the country, the Planning Department introduced the SAIP concept in the early stages of developing the Concept Draft *2040 LUP*. The public responded positively to this concept and staff fine-tuned the SAIP role and process into the Public Hearing Draft.

The SAIP process received considerable public scrutiny through the *2040 LUP* adoption process. The Department convened a SAIP team made up of Planning, Legal, and Office of Economic and Community Development staff. This team further refined the SAIP ordinance and presented the concept and early drafts of the ordinance to the Live, Work, Play subcommittee and at several public workshops, both during and after the *2040 LUP* adoption. Staff also convened and solicited input from an advisor's group of developers and local consultants who would be future users of this planning tool. The ordinance includes their input.

In addition, the ordinance was presented to the Federation of Community Councils, as well as to the Hillside and Turnagain community councils. Staff also produced a public project brochure and provided project materials and updates on a dedicated webpage. An annotated draft ordinance (Attachment 2) is included as well.

Relationship with Municipal Plans

The SAIP ordinance specifically functions as an implementation action directed by and consistent with several elements of the *2040 LUP*. It is intended for use in strategic sections of the Bowl to promote and achieve increased land use intensities and higher residential unit totals as compared to existing development

under current zoning. The Small Area Implementation Plan is essential to fulfill strategy #11 and implements action item # 2-11 in the 2040 LUP. In addition to implementing these elements of the 2040 LUP, SAIPs address the following 2040 policies:

LUP 1.3. Coordinate area-specific plans and updates so that collectively these maintain or improve Anchorage's capacity to accommodate housing and employment needs, and achieve its goals for growth.

LUP 2.2. Remove barriers to desired infill development and incorporate flexibility in development requirements to promote adaptive reuse of older buildings and compact infill/redevelopment, including that which reflects traditional urban neighborhood design contexts.

Public Process Summary

The Public Hearing Draft was released for agency and public review on February 22, 2021, for the May 3, 2021, Planning and Zoning Commission public hearing. The document was posted on the Planning Department website, distributed for review and comment to all the Community Councils in the Bowl, review agencies, and other interested parties. The public hearing schedules were announced on the MOA Public Notices webpages. Comments received to date are included in this packet (Attachment 3).

Comments and Issue-Response

The Department received comments on the Public Hearing Draft document from six municipal agencies, the Rabbit Creek Community Council, and five members of the public. The Department has summarized the comments received and provided a staff response in an Issue-Response Table, included as Attachment 4. Following the public hearing closure, staff will update this table as needed and add comments made at the public hearing.

Department Recommendation

The Department recommends approval of the Public Hearing Draft Small Area Implementation Plan ordinance, AMC 21.03.115, with the following recommendations and amendments, which are also listed in the Issue-Response Table (Attachment 4):

- 1. In response to input from Jon and Marne Isaacs comment that the submittal requirements section list should start with the intended use/purpose of the proposed SAIP, why it is being requested, and how it meets existing plans.**

The Department recommends modifying section C.1. to read:

A detailed description of the purpose and overall proposed development envisioned within the plan area boundary;

2. In response to the comment from Long-Range Planning to amend the Applicability section, amend section B.4. to:

The Department recommends modifying Section B.4. to:

Any single parcel or collection of parcels less than five (5) acres but greater than one (1) acre in size within an adopted reinvestment focus area or located in an area designated in the Anchorage 2040 Land Use Plan as neighborhood center, city center, main street corridor, or residential mixed-use development.

3. In response to comments from the Traffic Engineer, that the information for submittal requirement for item C.3., include more details:

The Department recommends modifying section C.3. to:

A traffic summary with sufficient detail of existing and anticipated traffic conditions to determine the impacts of the proposed development(s) on the transportation system and to guide roadway improvements within the plan area. Types of information to be provided are adjacent road classification and typology, traffic volumes, proposed development trip generation, access requirements and site circulation or additional information as determined by the Traffic Engineer.

- Attachments:
1. Small Area Implementation Plan Ordinance, Public Hearing Draft
 2. Annotated Ordinance
 3. Comments Received
 4. Issue-Response Table for PZC Case No. 2021-0039

Submitted by: Chair of the Assembly at
the Request of the Mayor

Prepared by: Planning Department

For reading:

**ANCHORAGE, ALASKA
AO No. 2021-_____**

1 **AN ORDINANCE AMENDING TITLE 21 BY ADDING A NEW SECTION 21.03.115,**
2 **SMALL AREA IMPLEMENTATION PLAN, TO PROVIDE FLEXIBILITY AND**
3 **PREDICTABILITY TO PLANNED DEVELOPMENTS, AND AMENDING**
4 **SECTIONS 21.02.030, 21.02.040, 21.03.020, 21.03.050, AND TABLES 21.02-1**
5 **AND 21.03-1, AND ANCHORAGE MUNICIPAL CODE OF REGULATIONS**
6 **SECTION 21.20.007, ACCORDINGLY.**

7
8 (Planning and Zoning Commission Case No. 2021-0039)
9

10 **WHEREAS**, the Small Area Implementation Plan (SAIP) is intended to provide
11 regulatory and design flexibility for larger sites that have the opportunity for compact
12 redevelopment; and

13
14 **WHEREAS**, small area planning was introduced and identified as a strategic
15 planning tool in the *East Anchorage District Plan* and the *Anchorage 2040 Land Use*
16 *Plan* as redevelopment action to achieve the goals of the Comprehensive Plan; and

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18 **WHEREAS**, it was determined that a new master planning tool was needed to
19 address smaller, area specific development projects that were environmentally
20 constrained, had insufficient infrastructure, or necessitated assistance to address
21 development constraints for redevelopment; and

22
23 **WHEREAS**, this ordinance details new master planning procedures in a new small
24 area implementation plan subsection of the common procedures chapter of Title 21;
25 now, therefore,

26
27 **THE ANCHORAGE ASSEMBLY ORDAINS:**

28
29 **Section 1.** Anchorage Municipal Code title 21 is hereby amended by adding a
30 new section 21.03.115 – Small Area Implementation Plan:

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32 **21.03.115 Small Area Implementation Plan.**

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34 A. *Purpose.* Small area implementation plans can facilitate the planned
35 development of tracts of land under unified ownership or control, or
36 with a coordinated group of owners. These plans cover discrete
37 geographic areas, and provide certainty to property owners, the
38 municipality, and the general public by stating a clear vision for public
39 investment and the long-term character, layout, and design of the
40 development of the area. Small area implementation plans allow
41 flexibility, and in some cases may increase the intensity of

1 development, beyond that allowed by other chapters of this Title, when
2 the proposed development is well-designed, provides public benefits
3 for residents, employees and or users of the development, and
4 integrated into the surrounding neighborhood. This flexibility is meant
5 to allow plans to adapt to market conditions and other issues that arise
6 during the planning and development of the project. Administration
7 and management of small area implementation plans should also be
8 flexible and might use terms and conditions set forth in joint
9 development agreements. Overall, a small area implementation plan
10 is intended to promote:

- 11 1. High quality design that is integrated into the urban fabric,
12 which also complements the area's character;
- 13 2. Development that is pedestrian-oriented, with a connection to
14 transit and multimodal transportation alternatives;
- 15 3. Building bulk, height, and orientation that ensures sunlight
16 access;
- 17 4. A safe and vibrant public realm, with buildings and uses
18 oriented to support public spaces;
- 19 5. Affordable housing, energy efficient development, and
20 efficient use of land; and
- 21 6. A flexible and adaptable process that leads to a lasting public-
22 private partnership for the benefit of all parties and the public.

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30 B. *Applicability.* A small area implementation plan may be submitted and
31 approved, in accordance with the procedures of this section, for:

- 32 1. A single parcel not less than five (5) acres in size;
- 33 2. A collection of parcels under common ownership that total not
34 less than five (5) acres in size;
- 35 3. A collection of parcels with several owners that total not less
36 than (5) contiguous acres in size; or
- 37 4. Any single parcel or collection of parcels less than five (5) acres
38 but greater than one (1) acre in size within an adopted
39 reinvestment focus area or located in an area designated in the
40 Anchorage 2040 Land Use Plan as neighborhood center,
41 commercial corridor, main street corridor, or residential mixed-
42 use development.
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1 For the purposes of this section B., the term contiguous acres means
2 an area of lots and/or tracts whose boundaries are abutting or are
3 separated only by a street, other right-of-way, park land, or water
4 feature. The planning boundaries for a small area implementation plan
5 shall include all parcels owned by or under control of those entities
6 desiring the small area implementation plan process and establishing
7 site-specific design and development standards.

8
9 Small area implementation plans shall not apply to developments by
10 large institutions, such as hospitals, universities, or major
11 transportation facilities.

12
13 Small area implementation plans described in this section are
14 available for use in the Anchorage Bowl but not applicable in Chugiak-
15 Eagle River, Turnagain Arm, or Girdwood communities.

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17 C. *Submittal Requirements.* Submittal requirements are listed below and
18 shall be in narrative and illustrative form. It is understood that changes
19 can occur to these original submittal details during the planning and
20 review approval process. The director may waive submittal
21 requirements not relevant to the proposed development or planning
22 area. The urban design commission, the planning and zoning
23 commission when applicable, and/or the director may require the
24 submission of other information as necessary for the informed
25 exercise of judgment under the criteria for the review of the plan, as
26 set out in subsection F. below.

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28 1. A detailed description of the overall proposed development
29 envisioned within the plan area boundary;
- 30
31 2. A map delineating the plan boundary, along with a letter of
32 landowner(s) authorization of participating landowners, a legal
33 description, and acreage of the proposed petition area, a
34 rationale/explanation of boundary delineation, and a
35 description of the existing uses found in the area surrounding
36 the petition area;
- 37
38 3. A traffic summary with sufficient detail of existing and
39 anticipated traffic conditions to determine the impacts of the
40 proposed development(s) on the transportation system and to
41 guide roadway improvements within the plan area;
- 42
43 4. A summary of existing conditions in site plan or graphic format,
44 including land use, existing development and buildings in the
45 area, roads, utilities, storm drains, trails, and a general
46 description of existing vegetation, topography, water features,
47 and site drainage;

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5. A conceptual site plan showing existing and, proposed new streets with cross-sections, trails, building locations and uses, parking lots, open space, and any other proposed development. The site plan shall include the total number and type of dwelling units, and the total floor area of all uses;
 6. A conceptual landscape plan, including vegetation retention areas;
 7. Renderings for all proposed buildings with recognition that these might change thru the plan review and approval process;
 8. A detailed discussion of conformance with the comprehensive plan and its relevant elements;
 9. An implementation schedule, including a phasing plan, if proposed, which includes the probable sequence for proposed developments, estimated milestone dates, and interim uses of property awaiting development;
 10. Site-specific design standards and/or deviations from certain standards of Title 21, if proposed, as directed in section E. below;
 11. Rezone application or proposed future zoning changes, if needed;
 12. Any additional applicable information for a proposed use that would normally require an administrative site plan review, major site plan review, or conditional use approval; and
 13. A description of how the small area implementation plan proposals relate and transition to adjacent properties and the surrounding neighborhood.

D. *Procedures for Small Area Implementation Plan Approval.*

1. *Initiation.* A single or joint application, if for several property owners, for approval of a small area implementation plan shall be initiated by the owner(s) or developer(s) of the subject property or area, or by the municipality.
2. *Concept Meeting.* A concept meeting with the director is required before initiating a small area implementation plan application. This meeting serves as a conceptual project overview for applicants and staff to discuss and document the

1 scope of the project.

- 2
- 3 3. *Pre-Application Conference.* Before filing an application, an
- 4 applicant shall request a pre-application conference with the
- 5 director, in accordance with subsection 21.03.020B.
- 6
- 7 4. *Community Meeting.* A community meeting is required, in
- 8 accordance with subsection 21.03.020C.
- 9
- 10 5. *Application Submittal.* Applications for approval of a small area
- 11 implementation plan shall be submitted to the director and shall
- 12 contain all information and supporting materials specified in
- 13 subsection C. above.
- 14
- 15 6. *Departmental Review.* The director shall review the proposed
- 16 small area implementation plan in light of the approval criteria
- 17 of subsection F. below and shall distribute the application to
- 18 other reviewers as necessary. Based on the results of the
- 19 reviews, the director shall provide a report and
- 20 recommendation for changes or additions to the urban design
- 21 commission, or if applicable, the planning and zoning
- 22 commission.
- 23
- 24 7. *Public Notice.* Notice shall be provided in accordance with
- 25 section 21.03.020H.
- 26
- 27 8. *Review and Action by Urban Design Commission.* Except as
- 28 provided in D.9. and D.10. below, the urban design commission
- 29 shall hold a public hearing on the proposed small area
- 30 implementation plan and, at the close of the hearing, taking into
- 31 account the recommendations of the director and any public
- 32 comment, and based on the approval criteria of subsection F.
- 33 below, shall, within 90 days, approve the small area
- 34 implementation plan as submitted, approve the plan subject to
- 35 conditions or modifications, remand the plan to the applicant for
- 36 modifications, or deny the plan.
- 37
- 38 9. *Concurrent Zoning Changes Allowed.* Requests for small area
- 39 implementation plan approval may be considered concurrently
- 40 with a zoning map amendment. Concurrent zoning map
- 41 amendments shall meet all approval criteria of subsection
- 42 21.03.160E. When a small area implementation plan is being
- 43 considered concurrently with a zoning map amendment, the
- 44 planning and zoning commission shall act as the
- 45 decision-making body for both requests, including to carry out
- 46 the review and action described in D.8. above. The planning
- 47 and zoning commission shall consider the small area

1 implementation plan and the zoning map amendment request
2 separately and shall act separately on both items.
3

- 4 10. *Deviations from Certain Standards of Title 21.* For small area
5 implementation plan applications that incorporate deviations
6 from certain uses of Title 21 as outlined in E.3. below, the
7 planning and zoning commission shall act as the decision-
8 making body.
9

- 10 E. *Deviations from Certain Standards of Title 21.* A small area
11 implementation plan may establish alternative site-specific
12 dimensional, design, uses and intensities, and development standards
13 that modify or deviate from Title 21 standards that would otherwise
14 apply. The small area implementation plan shall list the specific
15 departures from standards of Title 21 and/or the Design Criteria
16 Manual. Where different standards are approved in the small area
17 implementation plan, those standards shall be applied instead of
18 corresponding standards in Title 21. Deviations from Title 21
19 standards eligible for consideration in small area implementation plans
20 include:
21

- 22 1. Those standards listed in 21.03.240B.
23
24 2. With the approval of the director, variances to certain standards
25 in the Design Criteria Manual may also be issued with the
26 concurrence of the fire marshal, the municipal engineer, and/or
27 the municipal traffic engineer.
28
29 3. Certain small-scale commercial and community uses allowed
30 in the B-1A district may be allowed even if not permitted in the
31 underlying zoning district, provided the use is found to be
32 generally compatible with the intent of the underlying district,
33 subject to the terms and conditions of the approved small area
34 implementation plan, and the following:
35
36 a. The proposed commercial and community uses will be
37 primarily for the service and convenience of residents
38 and employees in and adjacent to the small area
39 implementation plan;
40
41 b. The allowed location(s) are delimited and the area
42 surrounding the proposed location of the commercial
43 use is deficient in commercial opportunities; and
44
45 c. The proposed commercial and community uses are
46 consistent with the B-1A district-specific standards in
47 21.04, use regulations in 21.05, and the B-1A district

1 dimensional standards in 21.06, except as specifically
2 approved otherwise as part of the small area
3 implementation plan. The net acreage of the proposed
4 B-1A uses under this subsection shall not exceed double
5 of that allowed in the B-1A district.
6

7 d. The proposed commercial and community uses are
8 compatible with uses allowed by the underlying zoning
9 surrounding the small area implementation plan, in
10 terms of their scale, site design, hours of operation,
11 traffic and parking generation, lighting, noise, and other
12 external impacts.
13

14 4. Proposals for residential lots that do not meet the minimum lot
15 area, lot depth, or setback standards may be requested in
16 residential areas, subject to the small area implementation plan
17 review and consistent with the lot standards in this Title.
18

19 5. Development intensities and number of dwelling units, open
20 space location, and required parking sites may be amassed or
21 located across zoning lines or transferred to strategic sections
22 of the plan area if this action contributes to the efficient use of
23 the site and still meets the intent of the underlying district and
24 development standards of this Title, subject to the small area
25 implementation plan review.
26

27 F. *Approval Criteria.* A small area implementation plan shall be approved
28 if all the following criteria have been substantially met:
29

30 1. The small area implementation plan and any associated site-
31 specific design standards proposed conform to the applicable
32 elements of the comprehensive plan, including the no-net loss
33 of residential capacity, and the purpose of this title;
34

35 2. The small area implementation plan conforms to the intent of
36 the underlying zoning district, is compatible with surrounding
37 zoning and development, and protects areas designated for
38 specific uses on the zoning map from incompatible land uses
39 or development intensities;
40

41 3. The streets, roads, trails, transit, and other transportation
42 elements are in conformance with applicable transportation
43 plans and policies;
44

45 4. The development provides community benefits within the plan
46 boundary and immediate area in terms of design, community
47 facilities, open space, other community amenities, and

1 residential units, if applicable to the area;

2
3 5. The development minimizes any potential adverse impacts to
4 surrounding residential areas to the maximum extent feasible;
5 and

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7 6. Sufficient public safety, transportation, and utility facilities and
8 services are available to serve the subject property at the
9 proposed level of development, while maintaining sufficient
10 levels of service to existing and anticipated development in the
11 surrounding areas; or an infrastructure deficiency plan with
12 upgrade recommendations, is submitted.

13
14 G. *Compliance with Small Area Implementation Plan.* No development
15 rights are granted by the approval of a small area implementation plan.
16 Accordingly, all projects developed under an approved small area
17 implementation plan are subject to the provisions below.

18
19 1. Projects developed under an approved small area
20 implementation plan are exempt from the administrative site
21 plan review, major site plan review, and conditional use review
22 processes required in Tables 21.05-1 and 21.11.050-4 except
23 as provided in subsections 2 and 3 as follows.

24
25 2. The provision in G.1. shall not apply to the following use
26 categories and types when conditional use approval is required
27 in the applicable Title 21 tables of allowed uses:

- 28
29 a. Manufactured home communities;
30 b. Correctional community residential center;
31 c. Habilitative care facilities;
32 d. Transitional living facility;
33 e. Social service facilities;
34 f. Zoo;
35 g. Homeless and transient center;
36 h. Correctional institution;
37 i. Transportation facilities;
38 j. Utility facilities;
39 k. Telecommunications facilities;
40 l. Large domestic animal facility;
41 m. Civic/convention center;
42 n. Amusement establishment;
43 o. Entertainment facility, major;
44 p. Golf course;
45 q. Motorized sports facility;
46 r. Shooting range, outdoor;
47 s. Fueling station;

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- t. Vehicle service and repair;
- u. Camper park;
- v. Recreational and vacation camp;
- w. Heavy equipment sales and rental;
- x. Manufacturing, heavy;
- y. Natural resource extraction;
- z. Warehousing and storage (excepting self-storage); and
- aa. Waste and salvage.

3. Before a building or land use permit is issued for any project within an area covered by an approved small area implementation plan, the director shall certify that the proposed project is consistent with the approved small area implementation plan. The applicant shall submit a request for certification or consistency on a form provided by the department. A certification of consistency, finding of inconsistency, or finding of consistency subject to conditions shall be issued no more than 30 days of receipt of a consistency certification application.

If the director finds that a project is not consistent with the approved small area implementation plan, the director shall provide detailed reasons for the finding and recommend actions to achieve consistency.

4. If the project is found to be inconsistent with the approved small area implementation plan, the department may issue a certification of consistency, to include minor modifications if the project is substantially similar to the original design and project intent, if the director finds the proposed project has minimal impact according to the following criteria:

- a. The project inconsistency does not result in cumulative changes to the small area implementation plan that exceed or depart from the minor modification standards in 21.03.120B., and the project inconsistency meets the minor modification approval criteria in 21.03.120D.; or
- b. The project inconsistency substantially meets the approval criteria in section F.1. and F.2., does not impact adjacent properties, and does not result in changes to any of the following:
 - i. Amount of landscaping, types of landscaping, required parking, exterior lighting, or open space;

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- ii. Quality of pedestrian facilities (e.g., amount, type);
- iii. Proportion of residential to non-residential uses;
- iv. Proportion of uses in mixed-use buildings;
- v. Residential or large establishment design standards;
- vi. Exterior signage;
- vii. Transportation facilities that are proposed to deviate from existing municipal standards; or
- viii. Utilities.

5. The director's decision may be appealed to the zoning board of examiners and appeals.

6. The property owner, or designee if more than one landowner, shall submit to the department an annual report of development within the small area implementation plan to ensure progress and overall compliance. Reporting shall not be required after all proposed development in the small area implementation plan has been completed.

H. *Modification of Approved Small Area Implementation Plan.* The director shall determine whether a proposed modification to an approved small area implementation plan may be approved with a public hearing or is significant enough to require a new small area implementation plan. Any modifications recommended by the director shall be transmitted to the urban design commission, or if applicable, the planning and zoning commission.

I. *Termination of Small Area Implementation Plan.* A small area implementation plan approval shall expire if:

- 1. Implementation of the small area implementation plan schedule is delayed for more than seven years without a request for a modification as outlined in section 21.03.115H.; or
- 2. All property owner(s) or their designee(s) of the subject property or area provide written notice to the director of the extinguishment of the small area implementation plan. The director shall notify urban design commission, or if applicable, the planning and zoning commission.

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Section 2. Anchorage Municipal Code chapter 21.02 – Table 21.02-1: Summary of major Title 21 decision-making and review responsibilities, is hereby amended to read as follows:

TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES								
<i>NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.</i>								
<p>A = APPEAL = Authority to Hear and Decide Appeals D = DECISION = Responsible for Review and Final Decision H = HEARING = Public Hearing Required R = REVIEW = Responsible for Review and/or Recommendation Only</p>								
	Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
Alcohol—Special Land Use Permit	21.03.040	D-H/A1						R/ D1
Certificates of Zoning Compliance	21.03.060					A		D
Comprehensive Plan Amendments	21.03.070 C.	D-H2	R-H2					R
Conditional Uses	21.03.080		D-H				A	R
Flood Hazard Permits	21.03.090					A		D
Land Use Permits	21.03.100				A3	A3		D
Marijuana—Special Land Use Permit and associated variances	21.03.105	D-H						R
Master Plan, Institutional	21.03.110 A.	D-H	R-H					R
Minor Modifications	21.03.120		D4	D4		A5	A5	D4
Neighborhood or District Plans	21.03.130	D-H	R-H					R
Public Facility Site Selection	21.03.140	D-H/ A-H6	R-H/ D-H6					R
Rezoning (Map Amendments)	21.03.160	D-H	R-H					R
Sign Permits	21.03.170					A		D
Site Plan Review, Administrative	21.03. 180C.			A				D
Site Plan Review, Major	21.03. 180D.		D-H7	D-H7			A	R
Street Review	21.03. 190B.		R8/D	R 8/D				R
<u>Small Area Implementation Plan</u>	<u>21.03.115</u>		<u>D-H15</u>	<u>D-H</u>				<u>R</u>
Trail Review	21.03.190 C.			R/D				R
Preliminary Plat	21.03. 200C.5.		D-H9	D-H9	D-H9		A	R
Abbreviated Plat	21.03. 200D.				A-H			D
Commercial Tract Plat	21.03.200 E.		D-H10	D- H10	D- H10			R

<p>TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES</p> <p><i>NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.</i></p> <p>A = APPEAL = Authority to Hear and Decide Appeals D = DECISION = Responsible for Review and Final Decision H = HEARING = Public Hearing Required R = REVIEW = Responsible for Review and/or Recommendation Only</p>								
	Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
Title 21, Text Amendments	21.03. 210	D-H	R-H		R-H11			R
Vacation of Public and Private Interest in Land	21.03.230				D or A12		A12	R or D1 2
Variances from the provisions of 21.05.040K., <i>Telecommunication Facilities</i> ; 21.06, <i>Dimensional Standards and Measurements</i> (except subsection 21.06.030D.9., <i>Airport Height Regulations</i>); 21.07.050, <i>Utility Distribution Facilities</i> ; 21.09.060, <i>Dimensional Standards</i> ; 21.09.070J., <i>Utilities and Utility Equipment Standards</i> ; 21.10.060, <i>Dimensional Standards</i> ; 21.11.060, <i>Dimensional Standards for Sites and Buildings</i> 21.12, <i>Nonconformities</i> .	21.03. 240		D-15, <u>16</u>	D-H17		D-H		R
Variances from the provisions of 21.07.020C., <i>Steep Slope Development</i> ; 21.07.060, <i>Transportation and Connectivity</i> ; 21.08, <i>Subdivision Standards</i> ; 21.09.070C., <i>Hazard Areas</i> ; 21.09.070F., <i>Transportation and Connectivity</i> ; 21.09.070G.1., <i>Street and Trail Lighting Standards</i> ; 21.09.070H., <i>Pedestrian Circulation</i> ; 21.10.070B., <i>Transportation and Connectivity</i> ; 21.10.080, <i>Subdivision Standards</i> .	21.03.240		D-H13, <u>16</u>	D-H13, <u>17</u>	D-H		A	R

TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES

NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.

**A = APPEAL = Authority to Hear and Decide Appeals
 D = DECISION = Responsible for Review and Final Decision
 H = HEARING = Public Hearing Required
 R = REVIEW = Responsible for Review and/or Recommendation Only**

	Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
Variances from the district-specific standards of 21.04, <i>Zoning Districts</i> ; 21.09.040, <i>Zoning Districts</i> ; 21.10.040, <i>Zoning Districts</i> . the use-specific standards of 21.05, <i>Use Regulations</i> (except subsection 21.05.040K., <i>Telecommunication Facilities,</i> and section 21.05.055 <i>Marijuana Establishments</i>); 21.09.050, <i>Use Regulations</i> ; 21.10.050, <i>Use Regulations</i> ; 21.11.050, <i>Use Regulations</i> . 21.07, <i>Development and Design Standards</i> (except 21.07.020C., <i>Steep Slope Development</i> , 21.07.050, <i>Utility Distribution Facilities,</i> and 21.07.060, <i>Transportation and Connectivity</i>); Those subsections of section 21.09.070, <i>Site Development and Design Standards</i> , not reserved to the platting authority or the zoning board of examiners and appeals; 21.09.080, <i>Building Design Standards</i> ; 21.10.070, <i>Development and Design Standards</i> (except 21.10.070B., <i>Transportation and Connectivity</i>); 21.11.070, <i>Development and Design Standards</i> 21.11, <i>Signs</i>	21.03.240		D-H16	D-H			A	R
Administrative Variances	21.03.240 J.					A		D
Verification of Nonconforming Status	21.03.250					A		D

TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES							
<p>NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.</p> <p>A = APPEAL = Authority to Hear and Decide Appeals D = DECISION = Responsible for Review and Final Decision H = HEARING = Public Hearing Required R = REVIEW = Responsible for Review and/or Recommendation Only</p>							
Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
<p>NOTES:</p> <p>1 See section 21.03.040, <i>Alcohol-Special Land Use Permit</i>, to determine whether the Assembly or the director is the decision-making body.</p> <p>2 Only substantive comprehensive plan amendments require a public hearing. See section 21.03.070, <i>Comprehensive Plan Amendments</i>.</p> <p>3 The appeal body for subsection 21.03.100E., <i>Improvements Associated with Land Use Permits</i>, is the platting board. Appeals related to provisions in title 23 are made to the building board of examiners and appeals.</p> <p>4 An applicant may request application of the minor modification process only once during the review process.</p> <p>5 See section 21.03.120C.5. for appropriate appeal body.</p> <p>6 Site selection for municipal facilities is approved by the assembly. See section 21.03.140.</p> <p>7 See section 21.03.180D. for the division of major site plan review decision-making authority.</p> <p>8 See section 21.03.190, <i>Street and Trail Review</i>.</p> <p>9 The planning and zoning commission may act as the platting authority for conditional uses that create a subdivision. The planning and zoning commission or the urban design commission may act as the platting authority for major site plan reviews that create a subdivision.</p> <p>10 The planning and zoning commission or the urban design commission (whichever is the decision-making authority—see section 21.03.180) shall act as the platting authority for a commercial tract whose site plan includes a large retail establishment. The platting board shall be the platting authority for all other commercial tracts.</p> <p>11 Code amendments relating to chapter 21.08, <i>Subdivision Standards</i>, require a hearing by the platting board. All code amendments require a hearing by the planning and zoning commission.</p> <p>12 See section 21.03.230, <i>Vacation of Public and Private Interest in Lands</i>.</p> <p>13 When the planning and zoning commission or the urban design commission acts as the platting authority, they shall have variance authority over these sections as well.</p> <p>14 The planning and zoning commission shall have variance authority over the building tower dimension regulations in 21.11.060C. for all B-2A development sites and for B-2B and B-2C development sites larger than 26,000 square feet.</p> <p>15 <u>The planning and zoning commission is the decision-making authority for a small area implementation plan that is being considered concurrently with a zoning map amendment and/ or when B-1A use types not permitted by the underlying zoning are included per 21.03.115.</u></p> <p>16 <u>The planning and zoning commission shall have variance authority over these sections when such variances are requested as part of a small area implementation plan that is being considered concurrently with a zoning map amendment per 21.03.115.</u></p> <p>17 <u>The urban design shall have variance authority over these sections when such variances are requested as part of a small area implementation plan per 21.03.115.</u></p>							
<p>KEY TO ABBREVIATIONS: ASBLY = Anchorage Assembly PZC = Planning and Zoning Commission PB = Platting Board</p>				<p>ZBEA = Zoning Board of Examiners and Appeals BOA = Board of Adjustment UDC = Urban Design Commission MS = Municipal Staff</p>			

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2015-36, 5-14-15; AO 2016-3(S), 2-23-16; AO 2018-67(S-1), 10-9-2018; AO 2020-38, 4-28-20)

Section 3. Anchorage Municipal Code section 21.02.030 – Planning and Zoning Commission, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

21.02.030 Planning and Zoning Commission

*** *** ***

- 1 B. *Decision-Making Authority.* The planning and zoning commission
 2 has decision-making authority over the following:
 3
- 4 1. Conditional uses (21.03.080);
 - 5
 - 6 2. Preliminary plats, when a conditional use creates a
 7 subdivision or requires the vacation of a dedicated public
 8 area, and the commission directs in the conditional use
 9 approval that it shall act as the platting authority
 10 (21.03.080F.);
 - 11
 - 12 3. Public facility site selections, except for municipal facilities
 13 (21.03.140);
 - 14
 - 15 4. Appeals from the director's decision regarding consistency
 16 with an institutional master plan (21.03.110F.);
 - 17
 - 18 5. Major site plan reviews for non-residential development with a
 19 gross floor area of 100,000 square feet or more, and for
 20 residential development of 140 units or more (21.03.180D.);
 - 21
 - 22 6. Preliminary plats, when a major site plan under the authority
 23 of the planning and zoning commission creates a subdivision
 24 or requires the vacation of a dedicated public area, and the
 25 commission directs in the major site plan approval that it shall
 26 act as the platting authority (21.03.180F.);
 - 27
 - 28 7. Draft design study report for new construction and
 29 reconstruction of streets of collector class or greater in the
 30 Official Streets and Highways Plan (21.03.190);
 - 31
 - 32 8. Commercial tract plats, where the site plan includes a large
 33 commercial establishment under the authority of the planning
 34 and zoning commission (21.03.200E.);
 - 35
 - 36 9. Variance from bulk and lot coverage regulations in section
 37 21.11.060C., Building Tower Dimensions, for all B-2A
 38 development sites, and for B-2B and B-2C development sites
 39 larger than 26,000 square feet; and
 - 40
 - 41 10. Small area implementation plans when a zoning map
 42 amendment is submitted concurrently and/or when B-1A use
 43 types not permitted by underlying zoning are included in the
 44 proposed small area implementation plan.

45 *** *** ***

46 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2020-38, 4-28-20)

1
2 **Section 4.** Anchorage Municipal Code section 21.02.040 – Urban Design
3 Commission, is hereby amended to read as follows (*the remainder of the section is*
4 *not affected and therefore not set out*):

5
6 **21.02.040 Urban Design Commission**

- 7
8 A. *Decision-Making Authority.* The urban design commission has
9 decision making authority over the following:
- 10 1. Appeals of administrative site plan reviews (21.03.180C.);
 - 11 2. Major site plan reviews for non-residential development with a
12 gross floor area of less than 100,000 square feet, and for
13 residential development of fewer than 140 units
14 (21.03.180D.);
 - 15 3. Preliminary plats, where a major site plan review under
16 authority of the urban design commission creates a
17 subdivision or requires the vacation of a dedicated public
18 area, and the commission directs in the major site plan
19 approval that it shall act as the platting authority
20 (21.03.180F.);
 - 21 4. Plans in hand design drawings review for new construction
22 and reconstruction of streets of collector classification or
23 greater on the *Official Streets and Highways Plan* (21.03.190);
 - 24 5. Commercial tract plats, where the site plan includes a large
25 commercial establishment under the authority of the urban
26 design commission (21.03.200E.);
 - 27 6. Variances from:
 - 28 a. The district-specific standards of chapter 21.04, *Zoning*
29 *Districts* section 21.09.040, *Zoning Districts*, and
30 section 21.10.040, *Zoning Districts*;
 - 31 b. The use-specific standards of chapter 21.05, *Use*
32 *Regulations* (except subsection 21.05.040K.,
33 *Telecommunication Facilities*, and section 21.05.055,
34 *Marijuana Establishments*), section 21.09.050, *Use*
35 *Regulations*, and section 21.10.050, *Use Regulations*;
 - 36 c. Chapter 21.07, Development and Design standards
37 (except subsections 21.07.020B., *Watercourse, Water*
38 *Body, and Wetland Protection*, 21.07.020C., *Steep*
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Slope Development, 21.07.050., Utility Distribution Facilities, and 21.07.060, Transportation and Connectivity);

- d. Those provisions of section 21.09.070, *Site Development or Design Standards*, for which variance authority is not given to the platting authority or the zoning board of examiners and appeals;
- e. Section 21.09.080., *Building Design Standards*;
- f. Section 21.10.070., *Development and Design Standards* (except subsection 21.10.070B., *Transportation and Connectivity*);
- g. Section 21.11.070, *Development and Design Standards*; and
- h. Chapter 21.11, *Signs*.

7. Appeals of the director’s decision regarding subsection 21.12.060B., *Bringing Characters into Compliance* (21.03.050); and

8. Small area implementation plan (21.03.115).

*** *** ***

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-36, § 2, 5-14-15; AO No. 2017-55, § 3, 4-11-17; AO No. 2018-67(S-1), § 2, 10-9-18; AO 2020-35, 4-14-20; AO 2020-38, 4-28-20)

Section 5. Anchorage Municipal Code section 21.03.020 – Common procedures, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

21.03.020 Common procedures

- A. *Applicability.* The common procedures of this section 21.03.020 shall apply to all applications for development activity under this title unless otherwise stated.
- B. *Pre-application conferences.*
 - 1. Purpose. The pre-application conference is an informal discussion to familiarize the applicant and the municipal staff

with the applicable provisions of this title that are required to permit the proposed development.

2. Applicability

a. Required for new applications. A pre-application conference is required prior to submittal of the following types of applications:

- i. Rezoning (Map Amendments)(section 21.03.160);
- ii. Subdivisions, except for most Abbreviated Plats (section 21.03.200);
- iii. Conditional Uses (section 21.03.080);
- iv. Institutional Master Plans (section 21.03.110);
- v. Major Site Plan Review (section 21.03.180D.);
- vi. Public Facility Site Selection (section 21.03.140);
- vii. Girdwood Area Master Plans and Development Master Plans (sections 21.09.030E. and F.); [AND]
- viii. Abbreviated plats (section 21.03.200) or administrative site plan reviews (subsection 21.03.180C.) which include Class A or B wetlands within or adjacent to the application area;
- ix. Abbreviated plats for unit lot subdivision (21.08.070E.); and [.]
- x. Small Area Implementation Plan (21.03.115).

No application for these types of approvals shall be accepted until after the pre-application conference is completed and the applicant receives written notification of the conclusions.

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C. Community Meetings.

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1. Purpose. The community meeting is an informal opportunity for the developer to inform the surrounding area residents and property owners of the details of a proposed development and application, how the developer intends to meet the standards contained in this title, and to receive public comment and encourage dialogue at an early time in the review process.

2. Applicability.

a. *Types of applications.* The applicant shall hold a community meeting for any of the following types of applications.

- i. Rezoning (zoning map amendments);
- ii. Subdivisions, except for abbreviated plats;
- iii. Conditional uses;
- iv. Marijuana—special land use permit;
- v. Institutional master plans;
- vi. Major site plan review; [AND]
- vii. Public facility site selection; and
- viii. Small area implementation plan.

*** *** ***

H. *Notice.*

1. *Content of notices.* Public notice required under this chapter shall, unless otherwise specified in this title:

*** *** ***

2. *Summary of notice requirements.* The following table 21.03-1 summarizes the notice requirements of the procedures set forth in this chapter. Unless otherwise specified in this title, procedures not listed in this table have no public notice requirements.

TABLE 21.03-1: SUMMARY OF NOTICE REQUIREMENTS					
Type of Application or Procedure	Section	Notice Required			Community Council
		Written (Mailed)	Published	Posted	
Alcohol—Special Land Use Permit	21.03.040	✓	✓	✓	✓
Appeals to Board of Adjustment	21.03.050A.	✓	✓	-	-
Appeals to ZBEA	21.03.050B.	✓	✓	-	✓
Comprehensive Plan Amendments, Substantive	21.03.070C.	-	✓	-	✓
Conditional Uses	21.03.080	✓	✓	✓	✓
Marijuana - Special Land Use Permit	21.03.105	✓	✓	✓	✓
Marijuana – Modification of a Special Land Use Permit Requiring Public Hearing	21.03.105C.	✓	✓	✓	✓
Marijuana - Variances	21.03.105C.	✓	✓	✓	✓
Master Plan, Area	21.09.030E.	✓	✓	✓	✓
Master Plan, Development	21.09.030F.	✓	✓	✓	✓
Master Plan, Institutional	21.03.110	✓	✓	✓	✓
Neighborhood or District Plans	21.03.130	-	✓	-	✓
Nonconforming Uses of Land or Structures, Replication of	21.12.030C.	✓	✓	✓	✓
Nonconforming Structures, Replication of	21.12.040D.	✓	✓	✓	✓
Public Facility Site Selection	21.03.140	✓	✓	✓	✓
Rezoning (Zoning Map Amendments)	21.03.160	✓	✓	✓	✓
Site Plan Review, Administrative	21.03.180C.	✓ ¹	✓	✓ ¹	✓
Site Plan Review, Major	21.03.180C.	✓	✓	✓	✓
<u>Small Area Implementation Plan</u>	<u>21.03.115</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>
Street Name Alterations	21.03.185	✓	✓	-	-
Street and Trail Review	21.03.190	-	✓	-	✓
Subdivisions (with existing physical access)	21.03.200	✓	✓	✓	✓
Subdivisions (without existing physical access)	21.03.200	✓	✓	-	✓
Abbreviated Plats	21.03.200D.	-	✓	-	✓
Modification or Removal of Plat Notes	21.03.200G.	✓	✓	✓	✓
Title 21, Text Amendments	21.03.210	-	✓	-	✓
Vacation of Public and Private Interest in Land	21.03.230	✓	✓	✓	✓
Variances	21.03.240	✓	✓	✓	✓
Administrative Variances	21.03.240J.	✓	✓	✓	✓

¹ Written (mailed) notice and posted notice shall be provided only when the “administrative site plan review with notice” process is specifically required by this title.

(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)

Section 6. Anchorage Municipal Code section 21 03.050—Appeals, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out);

21.03.050 - Appeals.

A. *Appeals to board of adjustment.*

1. *Jurisdiction of board.* The board of adjustment shall decide appeals:
 - a. From decisions regarding the approval or denial of a preliminary plat (subsection 21.03.200C.);
 - b. From decisions regarding the approval or denial of a variance from the all of the provisions of this title with the exception of subsection 21.05.040K., telecommunication facilities; Chapter 21.06, Dimensional Standards and Measurements; and Section 21.07.050, Utility Distribution Facilities;
 - c. From decisions regarding the approval or denial of vacations of public and private interest in land where the platting board is the platting authority (Section 21.03.230);
 - d. From decisions regarding the approval or denial of a development master plan (subsection 21.09.030F.);
 - e. From decisions regarding the approval or denial of applications for conditional uses (Section 21.03.080);
 - f. From decisions regarding the approval or denial of applications for major site plan reviews (subsection 21.03.180C.);
 - g. From decisions regarding the approval or denial of a draft street review design study report (subsection 21.03.190B.4.);

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h. From decisions regarding the approval or denial of a small area implementation plan (subsection 21 03.115).

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(GAAB 21.05.090; AO No. 77-407; AR No. 78-12; AR No. 79-55; AO No. 82-49; AR No. 83-96; AR No. 83-289(S); AR No. 86-63; AR No. 86-263; AR No. 87-315; AO No. 87-154(S); AR No. 90-151; AR No. 93-327(S), § 1, 2-22-94; AO No. 2001-145(S-1), § 23, 12-11-01; AO No. 2003-97, § 3, 9-30-03; AO No. 2003-152S, § 25, 1-1-04; AO No. 2004-1, § 4, 1-1-03; AR No. 2006-137, § 1, 6-6-06; AR No. 2008-134, § 4, 7-29-08; AO No. 2013-100, § 16, 1-1-14; AO No. 2018-100(S), § 15, 1-1-19; AO No. 2019-116(S), § 11, 1-1-20)

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 _____, 2021.

Chair of the Assembly

ATTEST:

Municipal Clerk

(Planning and Zoning Commission Case No. 2021-0039)

EXHIBIT B

Table of Contents

Exhibit B: Amendment to Title 21 presents the public hearing draft code amendment language for the *new Small Area Implementation Plan* ordinance. (Exhibit A: Under a separate cover, provides the project introduction, its public process, and background materials for the proposed ordinance.) The new Small Area Implementation Plan section of code appears first. The code changes in other sections associated with this new section follow and are arranged in order of the code sections affected:

Amendments by Zoning Code Section	Page
21.03.115 (New) Small Area Implementation Plan	1-12
21.02.020 Table of Decision and Review Authority	13-16
—Table 21.02-1. Summary of Major Title 21 Decision-Making and Review Responsibilities	
21.02.030 Planning and Zoning Commission	17
21.02.040 Urban Design Commission	18
21.03.020 Common Procedures	19-20
21.03.020 Common Procedures	21
—Table 21.03—1. Summary of Notice Requirements	
21.03.050 Appeals	22

How to Read this Document

This document is formatted to ease readability by showing the amended code language on the right-hand (numbered) pages with explanatory annotation on left-hand facing pages. The annotation explains or illustrates how to interpret or apply the draft amendment language. Sometimes the annotation describes the issue being addressed or the intent of the proposed code change.

The explanatory annotation (left-hand page) is in *Comic Sans Serif* font. Code language (right-hand page) is in *Arial* font and has line numbering in its left margin.

- Proposed language to code Section 21.03.115 appears as normal text (the entire section is new).
- Proposed new code language to other code sections is underlined.
- Existing code language that is proposed to be deleted in other code sections is in [ALL-CAPITALIZED TEXT IN BRACKETS].
- Text without underlines or highlights in sections other than new 21.03.115 is current code language not being changed.
- Small Area Implementation Plan(s) is abbreviated to SAIP(s)

ANNOTATION FOR PAGE 1

Section 21.03.115A.: Small Area Implementation Plan - Purpose

Section 21.03.115 is a proposed new element of Chapter 21.03. The Purpose statement outlines the intent and reach of this new master planning feature. Master planning as a regulatory and planning tool is not new to the Municipality or Title 21. Current master planning code sections are Institutional Master Planning (21.03.110), which is applicable municipal-wide, or Area Master Planning (21.09.030E.), and Development Master Planning (21.09.030F.). The latter two sections are specialized for and confined to Girdwood.

This Purpose section describes the rationale for using Small Area Implementation Plans (SAIPs). Small area planning was originally introduced in the *East Anchorage District Plan* as a new tool to guide changes and growth in strategic areas that maximize efficient land use and/or to meet Comprehensive Plan land use goals. The *Anchorage 2040 Land Use Plan (2040 Plan)* expanded the importance of SAIPs and identified this tool as an essential strategy to meet land use objectives in strategic areas of the Bowl. Like Institutional Master Plans, SAIPs offer a planning process for predictable development by delineating land uses, site and design details, and by serving as a one-stop review of certain Title 21 entitlements. SAIPs can serve to guide private or public investment and new infrastructure. SAIPs offer land use and site design flexibility for landowners seeking to develop complex sites. SAIPs can propose alternative standards that meet or exceed approval procedures of Title 21. When SAIPs include private landowners, they serve as a *de facto* partnership between the Municipality, residents, businesses, contractors, and include a public process. SAIPs are implementation tools for, but not amendments to, the Comprehensive Plan. SAIPs may lead to rezoning actions. The Purpose section includes bullets that summarize overall objectives of these plans.

1 **21.03.115: *Small Area Implementation Plan.***
2

3 A. *Purpose.* Small area implementation plans facilitate the planned development of
4 large tracts of land under unified ownership or control, or with a coordinated group
5 of owners. These plans cover discrete geographic areas, and provide certainty to
6 landowners, the municipality, and the general public by stating a clear vision for
7 public investment and the character, layout, and design of the development of the
8 area. Small area implementation plans allow flexibility, and in some cases
9 increased intensity of development, beyond that allowed by other chapters of this
10 Title, when the proposed development is well-designed, provides public
11 benefits for residents, employees and or users of the development, and
12 integrated into the surrounding neighborhood. This flexibility is meant to
13 allow plans to adapt to market conditions and other issues that arise during
14 the planning and development of the project. Administration and
15 management of small area implementation plans should also be flexible and
16 might use terms and conditions set forth in joint development agreements.
17 Overall, a small area implementation plan is intended to promote:

- 18 1. High quality design that is integrated into the urban fabric, which also
19 complements the area's character;
- 20 2. Development that is pedestrian-oriented, with a connection to transit and
21 multimodal transportation alternatives;
- 22 3. Building bulk, height, and orientation that ensures sunlight access;
- 23 4. A safe and vibrant public realm, with buildings and uses oriented to
24 support public spaces;
- 25 5. Affordable housing, energy efficient development, and efficient use of
26 land; and
- 27 6. A flexible and adaptable process that leads to a lasting public-private
28 partnership for the benefit of all parties and the public.
29

ANNOTATION FOR PAGE 2

Section 21.03.115B.: Small Area Implementation Plan - Applicability

This section establishes under what circumstances a SAIP may be submitted. It is primarily for single or multiple parcels totaling 5 acres or more. Any lot down to one acre located in an adopted Reinvestment Focus Area (*a new ordinance to add RFA provisions to Title 21 is under development, as called for in the 2040 LUP*), or in certain called-out designations on the 2040 LUP, is also acceptable. Sites with less than 5 acres are likely harder to justify the planning costs and may be more appropriate to be developed under the standard Title 21 regulations. SAIPs may be undertaken in the Anchorage Bowl but not in Chugiak-Eagle River or Turnagain Arm communities. Master planning activities in Girdwood are already covered by Chapter 21.09. It is intended to consider the use of SAIPs in the future for Chugiak-Eagle River at a future date.

DRAFT

1 **21.03.115: *Small Area Implementation Plan.***
2

3 B. *Applicability.* A small area implementation plan may be submitted and approved,
4 in accordance with the procedures of this section, for:

- 5
6 1. A single parcel not less than five (5) acres in size;
7 2. A collection of parcels under common ownership that total not less than
8 five (5) acres in size;
9 3. A collection of parcels with several owners that total not less than five (5)
10 contiguous acres in size; or
11 4. Any single parcel or collection of parcels less than five (5) acres but greater
12 than one (1) acre in size within an adopted reinvestment focus area or
13 located in an area designated in the Anchorage 2040 Land Use Plan as
14 neighborhood center, commercial corridor, main street corridor, or
15 residential mixed-use development.

16
17 For the purposes of this section B, the term contiguous acres means an area of lots and/or
18 tracts whose boundaries are abutting or are separated only by a street, other right-of-way,
19 park land, or water feature. The planning boundaries for a small area implementation plan
20 shall include all parcels owned by or under control of those entities desiring the small area
21 implementation plan process and establishing site-specific design and development
22 standards.

23
24 Small area implementation plans shall not apply to developments by large institutions,
25 such as hospitals, universities, or major transportation facilities.

26
27 Small area implementation plans described in this section are available for use in the
28 Anchorage Bowl but not applicable in Chugiak-Eagle River, Turnagain Arm, or Girdwood
29 communities.

ANNOTATION FOR PAGE 3

Section 21.03.115C. Submittal Requirements

Section C. presents a list of 13 items required for a new SAIP submittal to the Planning Department. These items will serve to determine completeness of a submitted SAIP application. The submittal requirements include enough detail to allow staff and the Director to make a finding that a proposed SAIP is consistent with the Comprehensive Plan and meets the intent of the SAIP guidelines. These items may become the basis for a SAIP application form.

Submittal requirements include narrative and illustrative graphic components, which resemble elements many users are familiar with in a detailed site plan proposal, for instance. Two important caveats in the submittal requirements section provide flexibility with the new regulation: (1) the Director may waive requirements deemed not relevant to the project or its planning area, and (2) the Urban Design Commission, the Planning and Zoning Commission, or the Director can require the submission of additional materials as necessary to inform the final Department and Commission recommendations and approvals. Some key submittal requirements that are necessary to judge the SAIP's consistency with Title 21 and the Comprehensive Plan include:

- C. 2. A map that delineates the proposed SAIP boundary, along with a letter of landowner(s) authorization of participating landowners, the boundary' legal description, a narrative boundary rationale, and a summary description of existing uses.
- C. 3. A traffic summary with sufficient detail of existing and anticipated traffic conditions to determine the impacts of the proposed development(s) on the transportation system and to guide roadway improvements within the plan area. This is not necessarily intended to be the level of a formal Traffic Impacts Analysis.
- C. 5. A detailed, conceptual site plan that includes existing and proposed streets, trails, building locations with land uses, parking and open space areas, and other amenities along with numbers and types of residential units and total floor area of all uses.
- C. 7. Renderings of all proposed buildings.
- C. 8. A narrative describing how the SAIP elements conform to the Comprehensive Plan and applicable elements.
- C. 9. An implementation and project phasing schedule.
- C. 10. Deviations to certain sections or standards of the code as directed in Section E.
- C.11. A rezone application, if applicable, or proposed new zoning changes.

ANNOTATION FOR PAGE 3

21.03.115: Small Area Implementation Plan.

*** *** ***

C. *Submittal Requirements.* Submittal requirements are listed below and shall be in narrative and illustrative form. It is understood that changes can occur to these original submittal details during the planning and review approval process. The director may waive submittal requirements not relevant to the proposed development or planning area. The urban design commission, the planning and zoning commission when applicable, and/or the director may require the submission of other information as necessary for the informed exercise of judgment under the criteria for the review of the plan, as set out in subsection F. below.

1. A detailed description of the overall proposed development envisioned within the plan area boundary;
2. A map delineating the plan boundary, along with a letter of landowner(s) authorization of participating landowners, a legal description, and acreage of the proposed petition area, a rationale/explanation of boundary delineation, and a description of the existing uses found in the area surrounding the petition area;
3. A traffic summary with sufficient detail of existing and anticipated traffic conditions to determine the impacts of the proposed development(s) on the transportation system and to guide roadway improvements within the plan area;
4. A summary of existing conditions in site plan or graphic format, including land use, existing development and buildings in the area, roads, utilities, storm drains, trails, and a general description of existing vegetation, topography, water features, and site drainage;
5. A conceptual site plan showing existing and, proposed new streets with cross-sections, trails, building locations and uses, parking lots, open space, and any other proposed development. The site plan shall include the total number and type of dwelling units, and the total floor area of all uses;
6. A conceptual landscape plan, including vegetation retention areas;
7. Renderings for all proposed buildings with recognition that these might change thru the plan review and approval process;
8. A detailed discussion of conformance with the comprehensive plan and relevant elements;
9. An implementation schedule, including a phasing plan, if proposed, which includes the probable sequence for proposed developments, estimated milestone dates, and interim uses of property awaiting development;
10. Site-specific design standards and/or deviations from certain standards of Title 21, as directed in section E. below;
11. Rezone application or proposed future zoning changes, if needed;

ANNOTATION FOR PAGE 4

Section 21.03.115C. Submittal Requirements (continued)

- C. 12. Additional information for a site that would normally require administrative site plan review, major site plan review, or conditional use review. Site and project specific design standards, and proposed variances per Section 21.03.240. (See Section 21.03.115E.)
- C. 13. A description of how the SAIP proposals relate and transition to adjacent properties and the neighborhood.

DRAFT

CODE LANGUAGE to be added is presented below.

1 **21.03.115: *Small Area Implementation Plan.***
2

- 3 12. Any additional applicable information for a proposed use that would
4 normally require an administrative site plan review, major site plan review,
5 or conditional use approval; and
6 13. A description of how the small area implementation plan proposals relate
7 and transition to adjacent properties and the neighborhood.

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ANNOTATION FOR PAGE 5

Section 21.03.115D. Procedures for Small Area Implementation Plan Approval

Section D. mirrors other Code processes that regulate and direct master planning or related entitlement actions. It lays out a systematic review and approval process. These procedures facilitate and guide a new SAIP from: initiation; concept meeting; the department's review; to review and action by resolution from the Urban Design or Planning and Zoning Commission, which are designated as the approving bodies. (See Sections D.8., 9., 10.) The SAIP initiation phase includes a concept meeting that serves to introduce details of a proposed new SAIP with the Planning Department, followed by a pre-application conference with municipal and other affected staff, and a community meeting.

In some cases, a proposed SAIP may include an associated zoning map amendment. When a rezoning proposal is submitted concurrently with a new SAIP, it must still meet the rezoning approval criteria of 21.03.160E. and go forward as a separate Assembly-approval process. In these situations, the Planning and Zoning Commission, instead of the Urban Design Commission, acts as the decision-making body for the zoning map amendment request and the SAIP. These could be processed concurrently. In cases where a SAIP includes deviations from certain code sections (see Section E.), the Planning and Zoning Commission would also be the SAIP approval body.

Note that the SAIP review process also serves as the approval venue for any associated review and approvals required in code for administrative site plans, major site plans, or conditional uses. The SAIP process also provides the regulatory structure that serves as an alternative approval, "one-stop" process for these actions. There are exceptions to this procedure highlighted later in the SAIP ordinance. (See section 21.03.115G.)

1 **21.03.115: Small Area Implementation Plan.**

2
3 D. *Procedures for Small Area Implementation Plan Approval.*

- 4 1. *Initiation.* A single or joint application, if for several landowners, for approval of a
5 small area implementation plan shall be initiated by the owner(s) or developer(s)
6 of the subject property or area, or by the municipality.
- 7 2. *Concept Meeting.* A concept meeting with the director is required before initiating
8 a small area implementation plan application. This meeting serves as a conceptual
9 project overview for applicants and staff to discuss and document the scope of the
10 project.
- 11 3. *Pre-Application Conference.* Before filing an application, an applicant shall request
12 a pre-application conference with the director, in accordance with subsection
13 21.03.020B.
- 14 4. *Community Meeting.* A community meeting is required, in accordance with
15 subsection 21.03.020C.
- 16 5. *Application Submittal.* Applications for approval of a small area implementation
17 plan shall be submitted to the director and shall contain all information and
18 supporting materials specified in subsection C. above.
- 19 6. *Departmental Review.* The director shall review the proposed small area
20 implementation plan in light of the approval criteria of subsection F. below and shall
21 distribute the application to other reviewers as necessary. Based on the results of
22 the reviews, the director shall provide a report and recommendation for changes
23 or additions to the urban design commission, or if applicable, the planning and
24 zoning commission.
- 25 7. *Public Notice.* Notice shall be provided in accordance with section 21.03.020H.
- 26 8. *Review and Action by Urban Design Commission.* Except as provided in D.9. and
27 D.10 below, the urban design commission shall hold a public hearing on the
28 proposed small area implementation plan and, at the close of the hearing, taking
29 into account the recommendations of the director and any public comment, and
30 based on the approval criteria of subsection F. below, shall, within 90 days,
31 approve the small area implementation plan as submitted, approve the plan
32 subject to conditions or modifications, remand the plan to the applicant for
33 modifications, or deny the plan.
- 34 9. *Concurrent Zoning Changes Allowed.* Requests for small area implementation
35 plan approval may be considered concurrently with a zoning map amendment.
36 Concurrent zoning map amendments shall meet all approval criteria of subsection
37 21.03.160E. When a small area implementation plan is being considered
38 concurrently with a zoning map amendment, the planning and zoning commission
39 shall act as the decision-making body for both requests, including to carry out the
40 review and action described in D.8. above. The planning and zoning commission
41 shall consider the small area implementation plan and the zoning map amendment
42 request separately and shall act separately on both items.
- 43 10. *Deviations from Certain Standards of Title 21.* For small area implementation plan
44 applications that incorporate deviations from certain uses of Title 21 as outlined in
45 E.3. below, the planning and zoning commission shall act as the decision-
46 making body.

ANNOTATION FOR PAGE 6

Section 21.03.115E. *Deviations from Certain Standards of Title 21.*

Like the Institutional Master Planning section in 21.03.110, the SAIP process provides the framework for projects to propose and establish alternative site-specific dimensional, design, and development standards for the planning area that deviate from certain sections of the code. This section specifies five such deviations, which can be proposed in a SAIP. Much of the flexibility and time-savings (and potential cost-savings) attributed to this SAIP ordinance is found in this section. The intent and practice of this section is to use the SAIP process to identify and craft alternative standards to accommodate a project's needs and to meet the intent of the Code and Comprehensive Plan consistency. Standards eligible for customizing or variances from Title 21 are listed in section 21.03.240. In addition, this section enables deviations or alternatives with certain standards delineated in the Design Criteria Manual with concurrence of the fire marshal, the municipal engineer, and/or the traffic engineer.

Other notable code deviations herein include the provision for consideration of certain B-1A district non-residential uses in otherwise residential areas of a SAIP, which is a strategy from the 2040 LUP. These commercial uses have a stated size/area limitation. The ordinance here provides certain conditions that must be met should a SAIP propose B-1A commercial uses in an otherwise residential area.

All these potential alternative project compliance features allow deviation from existing code standards only if they meet stated conditions and provisos in the SAIP ordinance and the Comprehensive Plan.

1 **21.03.115: Small Area Implementation Plan.**

2
3 E. *Deviations from Certain Standards of Title 21.* A small area implementation
4 plan may establish alternative site-specific dimensional, design, uses and
5 intensities, and development standards that modify or deviate from Title 21
6 standards that would otherwise apply. The small area implementation plan
7 shall list the specific departures from standards of Title 21 and/or the Design
8 Criteria Manual. Where different standards are approved in the small area
9 implementation plan, those standards shall be applied instead of
10 corresponding standards in Title 21. Deviations from Title 21 standards
11 eligible for consideration in small area implementation plans include:

- 12 1. Those standards listed in 21.03.240B.
- 13 2. With the approval of the director, variances to certain standards in
14 the Design Criteria Manual may also be issued with the concurrence
15 of the fire marshal, the municipal engineer, and/or the municipal
16 traffic engineer.
- 17 3. Certain small-scale commercial and community uses allowed in the
18 B-1A district may be allowed even if not permitted in the underlying
19 zoning district, provided the use is found to be generally compatible
20 with the intent of the underlying district, subject to the terms and
21 conditions of the approved small area implementation plan, and the
22 following:
 - 23 a. The proposed commercial and community uses will be
24 primarily for the service and convenience of residents and
25 employees in and adjacent to the small area implementation
26 plan;
 - 27 b. The allowed location(s) are delimited and the area
28 surrounding the proposed location of the commercial use is
29 deficient in commercial opportunities; and
 - 30 c. The proposed commercial and community uses are
31 consistent with the B-1A district-specific standards in 21.04,
32 use regulations in 21.05, and the B-1A district dimensional
33 standards in 21.06, except as specifically approved otherwise
34 as part of the small area implementation plan. The net
35 acreage of the proposed B-1A uses under this subsection
36 shall not exceed double of that allowed in the B-1A district.
 - 37 d. The proposed commercial and community uses are
38 compatible with uses allowed by the underlying zoning
39 surrounding the small area implementation plan, in terms of
40 their scale, site design, hours of operation, traffic and parking
41 generation, lighting, noise, and other external impacts.
 - 42
 - 43

ANNOTATION FOR PAGE 7

Section 21.03.115E. Deviations from Certain Standards of Title 21. (continued)

Included in Section E. is the capability to request deviations from lot dimension standards and revised or customized development intensities or DUA numbers, with the intent of maximizing flexibility in the SAIP process. This is deemed necessary to incentivize and promote redevelopment activities, especially on challenged lots or areas of the Bowl.

Where a proposed SAIP identifies code deviations or alternative site-specific standards or variances, these are required to be listed in the submittal requirements section (#s 10 and 12). The SAIP approval procedures thus serve as the decision-making process for alternative standards and associated variances or code deviations and replaces the usual methods identified for such in Title 21.

This does not supersede AMCR 21.90 Multiple Dwelling Unit Residential Development on a Single Lot or Tract, commonly known as the Private Streets code. Optional private streets are provided including the Woonerf shared-use street in AMCR 21.90. These optional private street standards are a viable option for reducing private street widths resulting in reduced costs to new SAIP developments.

1 **21.03.115: *Small Area Implementation Plan.***
2

3 E. *Deviations from Certain Standards of Title 21.*
4

5 *** **

6
7 4. Proposals for residential lots that do not meet the minimum lot area,
8 lot depth, or setback standards may be requested in residential
9 areas, subject to the small area implementation plan review and
10 consistent with the lot standards in this Title.
11

12 5. Development intensities and number of dwelling units, open space
13 location, and required parking sites may be amassed across zoning
14 lines or transferred to strategic sections of the plan area if this action
15 contributes to the efficient use of the site and still meets the intent of
16 the underlying district and development standards of this Title,
17 subject to the small area implementation plan review.
18

ANNOTATION FOR PAGE 8

Section 21.03.115F. Approval Criteria

Like many entitlement procedures in the Land Use Code, this section of the SAIP ordinance presents a mix of six detailed and more generalized approval criteria standards. Each proposed SAIP will be judged against these criteria, which serve as guidelines for staff findings and detailed recommendations to inform the SAIP approval process. Each SAIP must substantially meet these criteria. When a proposed SAIP is not consistent with these conditions, the process will include attempts and recommendations by staff and the applicants to rectify shortcomings or inconsistencies. There may be some level of flexibility in this negotiation process.

DRAFT

CODE LANGUAGE to be added is presented below.

1 **21.03.115: *Small Area Implementation Plan.***
2

3 F. *Approval Criteria.* A small area implementation plan shall be approved if all the
4 following criteria have been substantially met:

- 5 1. The small area implementation plan and any associated site-specific
6 design standards proposed conform to the applicable elements of the
7 comprehensive plan, including the no-net loss of residential capacity, and
8 the purpose of this title;
- 9 2. The small area implementation plan conforms to the intent of the underlying
10 zoning district, is compatible with surrounding zoning and development,
11 and protects areas designated for specific uses on the zoning map from
12 incompatible land uses or development intensities;
- 13 3. The streets, roads, trails, transit, and other transportation elements are in
14 conformance with applicable transportation plans and policies;
- 15 4. The development provides community benefits within the plan boundary
16 and immediate area in terms of design, community facilities, open space,
17 other community amenities, and residential units, if applicable to the area;
- 18 5. The development minimizes any potential adverse impacts to surrounding
19 residential areas to the maximum extent feasible; and
- 20 6. Sufficient public safety, transportation, and utility facilities and services are
21 available to serve the subject property at the proposed level of
22 development, while maintaining sufficient levels of service to existing and
23 anticipated development in the surrounding areas; or an infrastructure
24 deficiency plan with upgrade recommendations, is submitted.

ANNOTATION FOR PAGE 9

Section 21.03.115G.1. and 2. Compliance with Small Area Implementation Plan

Sections G.1. and G.2. outline how an adopted SAIP is actually implemented. Included are essential standards or conditions for SAIP project permitting and development actions subsequent to approval. All projects of an approved SAIP are subject to the details, standards, and provisions stated herein.

As with other master planning sections in Title 21, this section clarifies that an approved SAIP does not automatically grant development rights—relevant permits and related certification of project consistency with the approved SAIP are always required prior to construction.

This section explains that the SAIP process serves as the approval venue for land use activities that would otherwise trigger an administrative or major site plan review or conditional use review, or subsequent reviews in these entitlements that are exempted. The ordinance includes a provision in G.2. whereby certain Title 21 use categories, if proposed in a SAIP, are not exempted from a conditional use approval. Uses on this list are typically considered sensitive in nature and, as such, it is deemed necessary to require an independent public review via a separate conditional use review process. This allows an extra level of review and comment from the public and adjacent neighborhoods.

1 **21.03.115: Small Area Implementation Plan.**
2

3 G. *Compliance with Small Area Implementation Plan.* No development rights
4 are granted by the approval of a small area implementation plan.
5 Accordingly, all projects developed under an approved small area
6 implementation plan are subject to the provisions below.
7

8 1. Projects developed under an approved small area implementation
9 plan are exempt from the administrative site plan review, major site
10 plan review, and conditional use review processes required in Tables
11 21.05-1 and 21.11-2, except as provided in subsections 2. and 3. as
12 follows.
13

14 2. The provision in G.1. shall not apply to the following use categories and
15 types when conditional use approval is required in the applicable Title
16 21 tables of allowed uses:
17

- 18 a. Manufactured home communities;
- 19 b. Correctional community residential center;
- 20 c. Habilitative care facilities;
- 21 d. Transitional living facility;
- 22 e. Social service facilities;
- 23 f. Zoo;
- 24 g. Homeless and transient center;
- 25 h. Correctional institution;
- 26 i. Transportation facilities;
- 27 j. Utility facilities;
- 28 k. Telecommunications facilities;
- 29 l. Large domestic animal facility;
- 30 m. Civic/convention center;
- 31 n. Amusement establishment;
- 32 o. Entertainment facility, major;
- 33 p. Golf course;
- 34 q. Motorized sports facility;
- 35 r. Shooting range, outdoor,
- 36 s. Fueling station;
- 37 t. Vehicle service and repair;
- 38 u. Camper park;
- 39 v. Recreational and vacation camp;
- 40 w. Heavy equipment sales and rental;
- 41 x. Manufacturing, heavy;
- 42 y. Natural resource extraction;
- 43 z. Warehousing and storage (excepting self-storage); and
- 44 aa. Waste and salvage.
45

ANNOTATION FOR PAGE 10

Section 21.03.115G.3. and G.4.: Compliance with Small Area Implementation Plan (continued)

Sections G.3. through G. 4. continue the list of compliance details, specifically for individual project and new development consistency finding in an approved SAIP. As part of a building or land use permit review for projects in an approved SAIP, the Director determines within 30 days if the proposal is consistent with terms and conditions of the approved SAIP. If an application is deemed inconsistent, the Director's finding shall provide the reasons why and recommend actions needed to achieve consistency. This is a negotiation process that provides for some flexibility to fine tune a plan's details in cases where projects evolve thru the process.

This section also includes a provision where under certain conditions, projects with minor inconsistencies with an approved SAIP could still obtain a Director's finding of consistency. These include a Director's determination that the minor inconsistency does not lead to a significant or cumulative change to the SAIP, which ties to the minor modifications standard in 21.03.120B., and that section's approval criteria in 21.03.120D. In addition, a minor inconsistency finding from the Director must determine that an inconsistent action does not impact adjacent properties and does not result in changes to a list of specific items in the approved SAIP. These flexibility provisions are included to allow for small adjustments to certain aspects of a project that are minor or that otherwise could cause delays and be costly if additional reviews were required.

1 **21.03.115: Small Area Implementation Plan.**

2
3 G. *Compliance with Small Area Implementation Plan.*

4 *** **

5 3. Before a building or land use permit is issued for any project within
6 an area covered by an approved small area implementation plan, the
7 director shall certify that the proposed project is consistent with the
8 approved small area implementation plan. The applicant shall submit
9 a request for certification or consistency on a form provided by the
10 department. A certification of consistency, finding of inconsistency,
11 or finding of consistency subject to conditions shall be issued no
12 more than 30 days of receipt of a consistency certification
13 application.

14 If the director finds that a project is not consistent with the approved
15 small area implementation plan, the director shall provide detailed
16 reasons for the finding and recommend actions to achieve
17 consistency.

18 4. If the project is found to be inconsistent with the approved small area
19 implementation plan, the department may issue a certification of
20 consistency, to include minor modifications if the project is
21 substantially similar to the original design and project intent, if the
22 director finds the proposed project has minimal impact according to
23 the following criteria:

24 a. The project inconsistency does not result in cumulative
25 changes to the small area implementation plan that exceed or
26 depart from the minor modification standards in 21.03.120B.,
27 and the project inconsistency meets the minor modification
28 approval criteria in 21.03.120D.; or

29 b. The project inconsistency substantially meets the approval
30 criteria in section F.1. and F.2. and does not impact adjacent
31 properties and does not result in changes to any of the
32 following:

- 33 i. Amount of landscaping, types of landscaping, required
34 parking, exterior lighting, or open space;
- 35 ii. Quality of pedestrian facilities (e.g., amount, type);
- 36 iii. Proportion of residential to non-residential uses;
- 37 iv. Proportion of uses in mixed-use buildings;
- 38 v. Residential or large establishment design standards;
- 39 vi. Transportation facilities that are proposed to deviate
40 from existing municipal standards; or
- 41 vii. Utilities.

ANNOTATION FOR PAGE 11

Section 21.03.115G.5. through 6.: Compliance with Small Area Implementation Plan - Zoning Board of Examiners and Appeals and Annual Report

This section designates the Zoning Board of Examiners and Appeals as the body that will handle appeals of the Director's consistency findings for SAIP development projects.

Section G is further implemented with a requirement for submission of an annual report of development activities within the small area implementation plan to ensure progress and overall compliance. Reporting, which could be an affidavit attesting to development consistency with terms and conditions of the SAIP, shall not be required after all proposed development is completed.

The annual report should be submitted by the original SAIP applicant, or a designee should the SAIP include more than one landowner or representative.

DRAFT

1 **21.03.115: *Small Area Implementation Plan.***
2

3 G. *Compliance with Small Area Implementation Plan.*
4

5 5. The director's decision may be appealed to the zoning board of
6 examiners and appeals.

7 6. The owner, or a designee if more than one landowner, shall submit
8 to the department an annual report of development within the small
9 area implementation plan to ensure progress and overall
10 compliance. Reporting shall not be required after all proposed
11 development in the small area implementation plan has been
12 completed.
13
14

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ANNOTATION FOR PAGE 12

Section 21.03.115H. and I. Compliance with Small Area Implementation Plan - Modification and Termination

Section 21.03.115H., Modification

This section provides a review and approval procedure for circumstances where a SAIP needs amending. This process authorizes the Director to determine whether a SAIP modification is significant enough to warrant a completely new SAIP. This section is based on the assumption that potential SAIP changes are either simple and minor in nature or more complicated and significant. Any minor modifications are to be handled through a public hearing before the Urban Design Commission. All SAIP modifications shall be reported to the Urban Design Commission by Planning Department staff.

Section 21.03.115I., Termination

Section I. lays out circumstances and parameters for the expiration or termination of a SAIP. These conditions are based on time--more than seven years without progress on the Plan's implementation--or in response to a written termination request from the SAIP landowners/sponsors.

1 **21.03.115: *Small Area Implementation Plan.***
2

3 H. *Modification of Approved Small Area Implementation Plan.* The director
4 shall determine whether a proposed modification to an approved small
5 area implementation plan may be approved with a public hearing or is
6 significant enough to require a new small area implementation plan. Any
7 modifications recommended by the director shall be transmitted to the
8 urban design commission, or if applicable, the planning and zoning
9 commission.

10 I. *Termination of Small Area Implementation Plan.* A small area
11 implementation plan approval shall expire if:
12

- 13
14 1. Implementation of the small area implementation plan schedule is delayed
15 for more than seven years without a request for a modification as outlined
16 in section 21.03.115H.; or
17
18 2. All property owner(s) or developer(s) of the subject property or area provide
19 written notice to the director of the extinguishment of the small area
20 implementation plan. The director shall notify urban design commission, or
21 if applicable, the planning and zoning commission.

ANNOTATION FOR PAGE 13

Section 2. Anchorage Municipal Code chapter 21.02—Table 21.02-1: Summary of decision-making and review responsibilities.

Section 2. of the ordinance includes an amendment to Chapter 21.02, Table 21.02-1, by adding SAIPs to the major Title 21 assigned decision-making and review responsibilities.

The responsibilities assigned are in conjunction with the new duties described in new 21.03.115D.8., 9., and 10. for the Urban Design Commission and the Planning and Zoning Commission. The review-and-decision process lies with the Urban Design Commission. However, if the SAIP includes a concurrent land use plan map change/rezoning or deviations from certain code sections, the review decision rests with the Planning and Zoning Commission. All rezoning actions that run with a SAIP approval must be consistent with or include a concurrent amendment to the 2040 Anchorage Land Use Plan Map. In cases where SAIP approval rests with the Planning and Zoning Commission, the rezoning element receives a recommendation by that commission for final action before the Assembly.

A new superscript note (#15) is also added to the Planning and Zoning Commission annotation to clarify the terms of their decision-making role. The new superscript note is described on the annotations for page 14.

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **21.02.020: Table of Decision and Review Authority**

2
3
4
5
6

*** *** ***

Table 21.02-1: Summary of decision-making and review responsibilities.

TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES

NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.

A = APPEAL = Authority to Hear and Decide Appeals
D = DECISION = Responsible for Review and Final Decision
H = HEARING = Public Hearing Required
R = REVIEW = Responsible for Review and/or Recommendation Only

Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
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Conditional Uses	21.03.080		D-H			A	R
Flood Hazard Permits	21.03.090				A		D
Land Use Permits	21.03.100			A ³	A ³		D
Marijuana—Special Land Use Permit and associated variances	21.03.105	D-H					R
Master Plan, Institutional	21.03.110 A.	D-H	R-H				R

*** *** ***

Site Plan Review, Major	21.03.180D.		D-H ⁷	D-H ⁷		A	R
Street Review	21.03.190B.		R ⁸ /D	R ⁸ /D			R
<u>Small Area Implementation Plan</u>	<u>21.03.115</u>		<u>D-H¹⁵</u>	<u>D-H</u>			<u>R</u>

*** *** ***

7
8

ANNOTATION FOR PAGE 14

Section 2. Anchorage Municipal Code chapter 21.02—Table 21.02-1: Summary of decision-making and review responsibilities.

Section 2. further amends Table 21.02-1 from Chapter 21.02, by adding reference to two new superscript notes (#s 16 & 17), to distinguish both the Planning and Zoning Commission and Urban Design Commission decision-making authority specifically for variances from provisions of 21.05.040K. and 21.07.020C. The superscript notes are described in the annotations for page 14.

DRAFT

CODE LANGUAGE to be added is underlined>. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **21.02.020: Table of Decision and Review Authority**

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Table 21.02-1: Summary of decision-making and review responsibilities.

TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES

NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.

A = APPEAL = Authority to Hear and Decide Appeals
D = DECISION = Responsible for Review and Final Decision
H = HEARING = Public Hearing Required
R = REVIEW = Responsible for Review and/or Recommendation Only

	Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
*** *** ***								
Variances from the provisions of 21.05.040K., <i>Telecommunication Facilities</i> ; 21.06, <i>Dimensional Standards and Measurements</i> (except subsection 21.06.030D.9., <i>Airport Height Regulations</i>); 21.07.050, <i>Utility Distribution Facilities</i> ; 21.09.060, <i>Dimensional Standards</i> ; 21.09.070J., <i>Utilities and Utility Equipment Standards</i> ; 21.10.060, <i>Dimensional Standards</i> ; 21.12, <i>Nonconformities</i> .	21.03. 240		D- <u>H^{15,16}</u>	D-H ¹⁷		D-H		R
Variances from the provisions of 21.07.020C., <i>Steep Slope Development</i> ; 21.07.060, <i>Transportation and Connectivity</i> ; 21.08, <i>Subdivision Standards</i> ; 21.09.070C., <i>Hazard Areas</i> ; 21.09.070F., <i>Transportation and Connectivity</i> ; 21.09.070G.1., <i>Street and Trail Lighting Standards</i> ; 21.09.070H., <i>Pedestrian Circulation</i> ; 21.10.070B., <i>Transportation and Connectivity</i> ; 21.10.080, <i>Subdivision Standards</i> .	21.03.240		D-H ^{13,16}	D-H ^{13,17}	D-H		A	R

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ANNOTATION FOR PAGE 15

Section 2. Anchorage Municipal Code chapter 21.02—Table 21.02-1: Summary of decision-making and review responsibilities.

Section 2. also adds a new superscript note (#16) to the Planning and Zoning Commission S decision-making responsibility to variances, in chapter 21.02, Table 21.02-1. The superscript notes are described in the annotations for page 14.

DRAFT

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **21.02.020: Table of Decision and Review Authority**

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Table 21.02-1: Summary of decision-making and review responsibilities.

TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES

NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.

A = APPEAL = Authority to Hear and Decide Appeals
D = DECISION = Responsible for Review and Final Decision
H = HEARING = Public Hearing Required
R = REVIEW = Responsible for Review and/or Recommendation Only

Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS
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*** *** ***

<p>Variances from</p> <p>the district-specific standards of 21.04, <i>Zoning Districts</i>; 21.09.040, <i>Zoning Districts</i>; 21.10.040, <i>Zoning Districts</i>.</p> <p>the use-specific standards of 21.05, <i>Use Regulations</i> (except subsection 21.05.040K., <i>Telecommunication Facilities, and section 21.05.055 Marijuana Establishments</i>); 21.09.050, <i>Use Regulations</i>; 21.10.050, <i>Use Regulations</i>.</p> <p>21.07, <i>Development and Design Standards</i> (except 21.07.020C., <i>Steep Slope Development</i>, 21.07.050, <i>Utility Distribution Facilities</i>, and 21.07.060, <i>Transportation and Connectivity</i>);</p> <p>Those subsections of section 21.09.070, <i>Site Development and Design Standards</i>, not reserved to the platting authority or the zoning board of examiners and appeals; 21.09.080, <i>Building Design Standards</i>;</p> <p>21.10.070, <i>Development and Design Standards</i> (except 21.10.070B., <i>Transportation and Connectivity</i>);</p> <p>21.11, <i>Signs</i></p>	21.03.240	D-H ¹⁶	D-H			A	R
--	-----------	-------------------	-----	--	--	---	---

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ANNOTATION FOR PAGE 16

Section 2. Anchorage Municipal Code chapter 21.02—Table 21.02-1: Summary of decision-making and review responsibilities.

Section 2. further amends Table 21.02-1 in chapter 21.02 with the inclusion of three new superscript notes (#'s 15, 16, 17). These notes clarify and distinguish decision-making authorities for SAIPs and SAIP-related variance procedures by the Planning and Zoning Commission and the Urban Design Commission.

DRAFT

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **21.02.020: Table of Decision and Review Authority**

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Table 21.02-1: Summary of decision-making and review responsibilities.

TABLE 21.02-1: SUMMARY OF MAJOR TITLE 21 DECISION-MAKING AND REVIEW RESPONSIBILITIES							
<p>NOTE: This table summarizes the major review and decision-making responsibilities for the procedures contained in Chapter 21.03. Exceptions to general rules apply; see Chapter 21.03 for details on each procedure.</p> <p>A = APPEAL = Authority to Hear and Decide Appeals D = DECISION = Responsible for Review and Final Decision H = HEARING = Public Hearing Required R = REVIEW = Responsible for Review and/or Recommendation Only</p>							
Section	ASBLY	PZC	UDC	PB	ZBEA	BOA	MS

*** *** ***

NOTES:	
<p>¹ See section 21.03.040, <i>Alcohol-Special Land Use Permit</i>, to determine whether the Assembly or the director is the decision-making body.</p> <p>² Only substantive comprehensive plan amendments require a public hearing. See section 21.03.070, <i>Comprehensive Plan Amendments</i>.</p> <p>³ The appeal body for subsection 21.03.100E., <i>Improvements Associated with Land Use Permits</i>, is the platting board. Appeals related to provisions in title 23 are made to the building board of examiners and appeals.</p> <p>⁴ An applicant may request application of the minor modification process only once during the review process.</p> <p>⁵ See section 21.03.120C.5. for appropriate appeal body.</p> <p>⁶ Site selection for municipal facilities is approved by the assembly. See section 21.03.140.</p> <p>⁷ See section 21.03.180D. for the division of major site plan review decision-making authority.</p> <p>⁸ See section 21.03.190, <i>Street and Trail Review</i>.</p> <p>⁹ The planning and zoning commission may act as the platting authority for conditional uses that create a subdivision. The planning and zoning commission or the urban design commission may act as the platting authority for major site plan reviews that create a subdivision.</p> <p>¹⁰ The planning and zoning commission or the urban design commission (whichever is the decision-making authority—see section 21.03.180) shall act as the platting authority for a commercial tract whose site plan includes a large retail establishment. The platting board shall be the platting authority for all other commercial tracts.</p> <p>¹¹ Code amendments relating to chapter 21.08, <i>Subdivision Standards</i>, require a hearing by the platting board. All code amendments require a hearing by the planning and zoning commission.</p> <p>¹² See section 21.03.230, <i>Vacation of Public and Private Interest in Lands</i>.</p> <p>¹³ When the planning and zoning commission or the urban design commission acts as the platting authority, they shall have variance authority over these sections as well.</p> <p>¹⁴ The planning and zoning commission shall have variance authority over the building tower dimension regulations in 21.11.060C. for all B-2A development sites and for B-2B and B-2C development sites larger than 26,000 square feet.</p> <p><u>¹⁵ The planning and zoning commission is the decision-making authority for a small area implementation plan that is being considered concurrently with a zoning map amendment and/or when B-1A use types not permitted by the underlying zoning are included per 21.03.115.</u></p> <p><u>¹⁶ The planning and zoning commission shall have variance authority over these sections when such variances are requested as part of a small area implementation plan that is being considered concurrently with a zoning map amendment per 21.03.115.</u></p> <p><u>¹⁷ The urban design shall have variance authority over these sections when such variances are requested as part of a small area implementation plan per 21.03.115.</u></p>	
KEY TO ABBREVIATIONS:	
ASBLY = Anchorage Assembly	ZBEA = Zoning Board of Examiners and Appeals
PZC = Planning and Zoning Commission	BOA = Board of Adjustment
PB = Platting Board	UDC = Urban Design Commission
	MS = Municipal Staff

6

ANNOTATION FOR PAGE 17

21.02.030B. Planning and Zoning Commission

This section formally adds decision-making authority to the Planning and Zoning Commission in 21.02.030B. for SAIPs when a zoning map amendment/rezoning and/or code deviations are included for consideration with the plan. Reference new section 21.03.115D. of this ordinance for approval procedures. Note - any rezoning action submitted as part of a SAIP, or subsequent to an approved SAIP, always requires final approval by the Assembly.

DRAFT

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **21.02.030 Planning and Zoning Commission**

2
3 *** *** ***

4 B. *Decision-Making Authority.* The planning and zoning commission has
5 decision-making authority over the following:

- 6 1. Conditional uses (21.03.080);
- 7 2. Preliminary plats, when a conditional use creates a subdivision or
8 requires the vacation of a dedicated public area, and the
9 commission directs in the conditional use approval that it shall act
10 as the platting authority (21.03.080F.);
- 11 3. Public facility site selections, except for municipal facilities
12 (21.03.140);
- 13 4. Appeals from the director’s decision regarding consistency with an
14 institutional master plan (21.03.110F.);
- 15 5. Major site plan reviews for non-residential development with a
16 gross floor area of 100,000 square feet or more, and for
17 residential development of 140 units or more (21.03.180D.);
- 18 6. Preliminary plats, when a major site plan under the authority of the
19 planning and zoning commission creates a subdivision or requires
20 the vacation of a dedicated public area, and the commission
21 directs in the major site plan approval that it shall act as the
22 platting authority (21.03.180F.);
- 23 7. Draft design study report for new construction and reconstruction
24 of streets of collector class or greater in the Official Streets and
25 Highways Plan (21.03.190); [AND]
- 26 8. Commercial tract plats, where the site plan includes a large
27 commercial establishment under the authority of the planning and
28 zoning commission (21.03.200E.);
- 29 9. Variance from bulk and lot coverage regulations in section
30 21.11.060C., Building Tower Dimensions, for all B-2A
31 development sites, and for B-2B and B-2C development sites
32 larger than 26,000 square feet; and
- 33 10. Small area implementation plans, when a zoning map amendment
34 is being considered concurrently per 21.03.115 and/or when B-1A
35 use types not permitted by underlying zoning are included in the
36 proposed small area implementation plan.

37 *** *** ***

38 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2020-38, 4-28-20)

ANNOTATION FOR PAGE 18

21.02.040 Urban Design Commission

This section of the ordinance formally adds new decision-making authority to the Urban Design Commission for SAIPs in 21.02.040A. Reference section 21.03.115D. of this new ordinance for review and approval procedures.

DRAFT

1 **21.02.040 Urban Design Commission**

2
3 A. *Decision-Making Authority.* The urban design commission has decision making
4 authority over the following:

5
6 *** **

7 6. Variances from:

8
9 a. The district-specific standards of chapter 21.04, *Zoning Districts*
10 section 21.09.040, *Zoning Districts*, and section 21.10.040, *Zoning*
11 *Districts*;

12
13 b. The use-specific standards of chapter 21.05, *Use Regulations*
14 (except subsection 21.05.040K., *Telecommunication Facilities*,
15 and section 21.05.055, *Marijuana Establishments*), section
16 21.09.050, *Use Regulations*, and section 21.10.050, *Use*
17 *Regulations*;

18
19 c. Chapter 21.07, Development and Design standards (except
20 subsections 21.07.020B., *Watercourse, Water Body, and Wetland*
21 *Protection*, 21.07.020C., *Steep Slope Development*, 21.07.050.,
22 *Utility Distribution Facilities*, and 21.07.060, *Transportation and*
23 *Connectivity*);

24
25 d. Those provisions of section 21.09.070, *Site Development or*
26 *Design Standards*, for which variance authority is not given to the
27 platting authority or the zoning board of examiners and appeals;

28
29 e. Section 21.09.080, *Building Design Standards*;

30
31 f. Section 21.10.070, *Development and Design Standards* (except
32 subsection 21.10.070B., *Transportation and Connectivity*);

33
34 g. Section 21.11.070, Development and Design Standards; and

35
36 h. Chapter 21.11, *Signs*

37
38 7. Appeals of the director's decision regarding subsection 21.12.060B.
39 *Bringing Characters into Compliance* (21.03.050); and

40
41 8. Small area implementation plan (21.03.115).

42
43 *** **

44
45 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-36, § 2, 5-14-15; AO No. 2017-
46 55, § 3, 4-11-17; AO No. 2018-67(S-1), § 2, 10-9-18; AO 2020-35, 4-14-20; AO 2020-38, 4-28-
47 20)

ANNOTATION FOR PAGE 19

21.03.020B.2.a. Common procedures – Preapplication Conference

This item adds a new requirement for SAIPs to include a pre-application conference in the common procedures of section 21.03.020. As with other entitlement actions that require pre-app meetings, each new SAIP will benefit from this early-stage coordination.

DRAFT

1 **21.03.020 Common Procedures**

2
3 A. *Applicability.* The common procedures of this section 21.03.020 shall apply
4 to all applications for development activity under this title unless otherwise
5 stated.

6
7 B. *Pre-application conferences.*

8
9 1. Purpose. The pre-application conference is an informal discussion
10 to familiarize the applicant and the municipal staff with the
11 applicable provisions of this title that are required to permit the
12 proposed development.

13
14 2. Applicability

15
16 a. Required for new applications. A pre-application conference
17 is required prior to submittal of the following types of
18 applications:

19 i. Rezoning (Map Amendments) (section 21.03.160);

20 ii. Subdivisions, except for most Abbreviated Plats
21 (section 21.03.200);

22 iii. Conditional Uses (section 21.03.080);

23 iv. Institutional Master Plans (section 21.03.110);

24 v. Major Site Plan Review (section 21.03.180D.);

25 vi. Public Facility Site Selection (section 21.03.140);

26 vii. Girdwood Area Master Plans and Development
27 Master Plans (sections 21.09.030E. and F.); [AND]

28 viii. Abbreviated plats (section 21.03.200) or
29 administrative site plan reviews (subsection
30 21.03.180C.) which include Class A or B wetlands
31 within or adjacent to the application area;[.]

32 ix. Abbreviated plats for unit lot subdivision
33 (21.08.070E.); and [.]

34 x. Small Area Implementation Plan (21.03.115).

35
36 No application for these types of approvals shall be accepted
37 until after the pre-application conference is completed and the
38 applicant receives written notification of the conclusions.

39
40 *** **

ANNOTATION FOR PAGE 20

21.03.020C. Common procedures – Community meetings

This section amends item C. Community meetings of the Common Procedures portion of 21.03.020, by requiring proposed SAIP sponsors/applicants to hold a community meeting in the planning process. This action step in the SAIP process enhances the public's understanding of a proposed SAIP.

DRAFT

1 **21.03.020 Common Procedures**

2
3 C. *Community Meetings.*

4
5 1. Purpose. The community meeting is an informal opportunity for the
6 developer to inform the surrounding area residents and property
7 owners of the details of a proposed development and application,
8 how the developer intends to meet the standards contained in this
9 title, and to receive public comment and encourage dialogue at an
10 early time in the review process.

11
12 2. Applicability.

13 a. *Types of applications.* The applicant shall hold a community
14 meeting for any of the following types of applications.

- 15 i. Rezoning (zoning map amendments);
16 ii. Subdivisions, except for abbreviated plats;
17 iii. Conditional uses;
18 iv. Marijuana—special land use permit;
19 v. Institutional master plans;
20 vi. Major site plan review; [AND]
21 vii. Public facility site selection; and
22 viii. Small area implementation plan.

23 *** **

ANNOTATION FOR PAGE 21

21.03.020H. Common procedures – Notice

Table 21.03-1: Summary of Notice Requirements

This section amends Table 21.03-1 of the common procedures section 21.03.020 by adding SAIPs to the summary list of public notice requirements.

DRAFT

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **21.03.020 Common Procedures**

2 *** **

3 H. *Notice.*

4 1. *Content of notices.* Public notice required under this chapter shall, unless
5 otherwise specified in this title:

6 *** **

7 2. *Summary of notice requirements.* The following table 21.03-1 summarizes
8 the notice requirements of the procedures set forth in this chapter. Unless
9 otherwise specified in this title, procedures not listed in this table have no
10 public notice requirements.

11 **Table 21.03-1: Summary of Notice Requirements**

12 *** **

TABLE 21.03-1: SUMMARY OF NOTICE REQUIREMENTS					
Type of Application or Procedure	Section	Notice Required			Community Council
		Written (Mailed)	Published	Posted	
Alcohol—Special Land Use Permit	21.03.040	✓	✓	✓	✓
Appeals to Board of Adjustment	21.03.050A.	✓	✓	-	-
Appeals to ZBEA	21.03.050B.	✓	✓	-	✓
Comprehensive Plan Amendments, Substantive	21.03.070C.	-	✓	-	✓
Conditional Uses	21.03.080	✓	✓	✓	✓
Marijuana - Special Land Use Permit	21.03.105	✓	✓	✓	✓
Marijuana – Modification of a Special Land Use Permit Requiring Public Hearing	21.03.105C.	✓	✓	✓	✓
Marijuana - Variances	21.03.105C.	✓	✓	✓	✓
Master Plan, Area	21.09.030E.	✓	✓	✓	✓
Master Plan, Development	21.09.030F.	✓	✓	✓	✓
Master Plan, Institutional	21.03.110	✓	✓	✓	✓
Neighborhood or District Plans	21.03.130	-	✓	-	✓
Nonconforming Uses of Land or Structures, Replication of	21.12.030C.	✓	✓	✓	✓
Nonconforming Structures, Replication of	21.12.040D.	✓	✓	✓	✓
Public Facility Site Selection	21.03.140	✓	✓	✓	✓
Rezoning (Zoning Map Amendments)	21.03.160	✓	✓	✓	✓
Site Plan Review, Administrative	21.03.180C.	✓ ¹	✓	✓ ¹	✓
Site Plan Review, Major	21.03.180C.	✓	✓	✓	✓
<u>Small Area Implementation Plan</u>	<u>21.03.115</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>

13 *** **

14
15 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-131, § 1, 1-12-15; AO
16 No. 2015-142(S-1), § 1(Exh. A), 6-21-16; AO No. 2016-3(S), § 3, 2-23-16; AO No. 2017-
17 75, § 1, 5-9-17; AO No. 2017-175(S), § 1, 2-13-18; AO No. 2019-67, § 1, 6-18-19)

ANNOTATION FOR PAGE 22

21.03.050A.1. - Appeals to board of adjustment.

This section amends 21.03.050.A.1., Appeals, to add SAIPs to the items to be appealed through the Zoning Board of Examiners and Appeals.

DRAFT

1 **21.03.050 - Appeals.**
2

3 A. *Appeals to board of adjustment.*
4

5 1. *Jurisdiction of board.* The board of adjustment shall decide
6 appeals:

- 7
- 8 a. From decisions regarding the approval or denial of a
9 preliminary plat (subsection 21.03.200C.);
 - 10
 - 11 b. From decisions regarding the approval or denial of a
12 variance from the all of the provisions of this title with the
13 exception of subsection 21.05.040K., telecommunication
14 facilities; Chapter 21.06, Dimensional Standards and
15 Measurements; and Section 21.07.050, Utility Distribution
16 Facilities;
 - 17
 - 18 c. From decisions regarding the approval or denial of
19 vacations of public and private interest in land where the
20 platting board is the platting authority (Section 21.03.230);
21
 - 22 d. From decisions regarding the approval or denial of a
23 development master plan (subsection 21.09.030F.);
24
 - 25 e. From decisions regarding the approval or denial of
26 applications for conditional uses (Section 21.03.080);
27
 - 28 f. From decisions regarding the approval or denial of
29 applications for major site plan reviews (subsection
30 21.03.180C.);
31
 - 32 g. From decisions regarding the approval or denial of a draft
33 street review design study report (subsection
34 21.03.190B.4.);
35
 - 36 h. From decisions regarding the approval or denial of a small
37 area implementation plan (subsection 21.03.115).

38 *** **
39 ***

DRAFT



Planning Department
Long-Range Planning Division
PO Box 196650
Anchorage, Alaska 99519-6650

www.muni.org/Planning/2040Actions.aspx

Public Comments: 2021-0039

Commenter	Email	Phone Number	Submitted
Kate Sauve 4204 Harrison Anchorage, AK 99503	sauvekd0@gmail.com	907-242-2434	3/16/2021 9:27:28 AM
I find this proposed ordinance to be very well written and thought out. This amendment to set in place review and approval procedures for SAIPs is something I believe Anchorage desperately needs and I am very excited to see what will happen once implemented.			
Marc June 8801 Upper Dearthoun Rd. Anchorage, AK 99516	Junelawyer@cs.com	9073452726	3/16/2021 11:20:16 AM
<p>In its own words, this Ordinance creates a "one-stop entitlement process" for parcels of less than 5 acres subject to approval by the Urban Design Commission with the ability to simultaneously rezone. Once adopted, responsibility for compliance rests solely on the Planning Director with no apparent public remedy.</p> <p>I make the following observations:</p> <ol style="list-style-type: none"> 1. While a Community Meeting is required at the inception of the approval, the Ordinance is silent as to what is required. There are systemic problems in the Community Meeting concept where projects continually evolve during the life of the project with misinformation takes place. The Ordinance should require that the Community Meeting fully disclose the project and require an additional Community Meeting when a Project incurs significant changes, i.e., no deminimis. 2. Approval if provided by the Urban Design Commission but I did not understand the remedy if one disagreed with the Urban Design Commission decision. My recommendation would be that it be subject to the same process as a rezoning with Assembly review. <p>To the extent that the Proposed Ordinance increases the Planning Department's authority to act, it decreases the Public's rights.</p> <p>Thank you for your consideration.</p>			

Kimmel, Corliss A.

From: Fisher, Timothy W (DPS) <timothy.fisher@alaska.gov>
Sent: Wednesday, March 17, 2021 3:38 PM
To: Kimmel, Corliss A.; Blake, Lori A.
Subject: RE: 2021-0039 & 2021-0052 Request for Reviewing Agency Comments

[EXTERNAL EMAIL]

Hello;

State Fire Marshals Office doesn't have any issues on zoning in the Cities.

We only review commercial structures...to include Residential 4 or more units.

Let me know if you have any questions.

Tim

Plans Examiner II
www.akburny.com ,
Plan Review Bureau
SOA, DPS, DFLS

From: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>
Sent: Wednesday, March 17, 2021 3:05 PM
Cc: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>; Yelle, Ryan J <ryan.yelle@anchorageak.gov>; Gedig, Karlie D. <karlie.gedig@anchorageak.gov>; Tobish, Thede G. <thede.tobish@anchorageak.gov>
Subject: 2021-0039 & 2021-0052 Request for Reviewing Agency Comments

Hello all. Attached please find our Routing Cover Sheet for the above referenced cases (2021-0039 SAIP Public Hearing Draft & 2021-0052 Parks Rezone) scheduled for review and recommendation by Planning & Zoning Commission on 05/03/2021. Routing materials can be viewed by clicking on the links below, scrolling to bottom of page and selecting Reviewing Agency Routing for the respective case. **PLEASE REMIT COMMENTS EITHER BY MAIL OR EMAIL AS FOLLOWS:** by email to Corliss Kimmel & Lori Blake (corliss.kimmel@anchorageak.gov & lori.blake@anchorageak.gov) or by USPS to the add <http://www.muni.org/CityViewPortal/Planning/Status?planningId=17321ress> listed in the upper right hand corner of the Routing Cover Sheet.

<http://www.muni.org/CityViewPortal/Planning/Status?planningId=17321>

<http://www.muni.org/CityViewPortal/Planning/Status?planningId=17342>

Gloria Stewart
Sr. Planning Technician
Current Planning Section
Municipality of Anchorage
Phone: 343-7934 Fax: 343-7927
gloria.stewart@anchorageak.gov

Kimmel, Corliss A.

From: McGee, Lynn M.
Sent: Thursday, March 18, 2021 3:32 PM
To: Stewart, Gloria I.
Cc: Blake, Lori A., Kimmel, Corliss A.
Subject: RE: 2021-0039 Request for Reviewing Agency Comments

RECEIVED

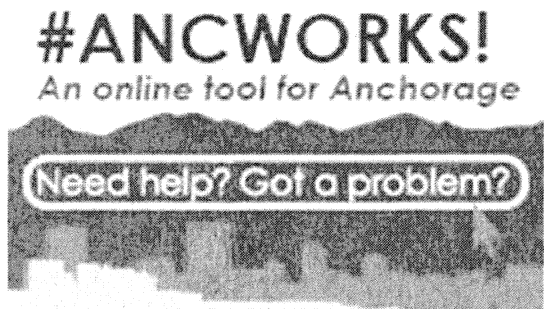
MAR 18 2021

All:

ROW has no objections or comments on the proposed action.

Regards,

Lynn McGee
Senior Plan Reviewer
Right of Way Section
lynn.mcgee@anchorageak.gov
Office: 343-8226
Fax: 249-7340



From: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>
Sent: Wednesday, March 17, 2021 3:05 PM
Cc: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>; Yelle, Ryan J <ryan.yelle@anchorageak.gov>; Gedig, Karlie D. <karlie.gedig@anchorageak.gov>; Tobish, Thede G. <thede.tobish@anchorageak.gov>
Subject: 2021-0039 Request for Reviewing Agency Comments

Hello all. Attached please find our Routing Cover Sheet for the above referenced cases (2021-0039 SAIP Public Hearing Draft & 2021-0052 Parks Rezone) scheduled for review and recommendation by Planning & Zoning Commission on 05/03/2021. Routing materials can be viewed by clicking on the links below, scrolling to bottom of page and selecting Reviewing Agency Routing for the respective case. **PLEASE REMIT COMMENTS EITHER BY MAIL OR EMAIL AS FOLLOWS:** by email to Corliss Kimmel & Lori Blake (corliss.kimmel@anchorageak.gov & lori.blake@anchorageak.gov) or by USPS to the add <http://www.muni.org/CityViewPortal/Planning/Status?planningId=17321ress> listed in the upper right hand corner of the Routing Cover Sheet.

<http://www.muni.org/CityViewPortal/Planning/Status?planningId=17321>

<http://www.muni.org/CityViewPortal/Planning/Status?planningId=17342>

Gloria Stewart

MUNICIPALITY OF ANCHORAGE



Development Services Department
Addressing email: addressing@muni.org

Phone: 907 343-8466
Fax: 907 249-7868

Mayor Ethan Berkowitz

Case 2021-0039 Public Hearing Draft for Amendment to T21: Adding Small Area Implementation Plans (SAIP)
as a New Element of Chapter 3, Review and Approval Procedures

- a. C. 5.
 - i. Proposed new streets within developments must have approved street names from Addressing

RECEIVED

MAR 19 2021

Kimmel, Corliss A.

From: Bunnell, Kristine R.
Sent: Wednesday, March 24, 2021 11:22 AM
To: Tobish, Thede G.
Cc: Kimmel, Corliss A.; Wong, Carol C.; Perry, Susan; Shanna Zuspan; Holly Spoth-Torres
Subject: PH Draft SAIP Ordinance Comment

Dear Thede,

2021-0039

I would appreciate the inclusion of the comment below in the Planning and Zoning Commission packet for the public hearing on the SAIP Public Hearing Draft ordinance.

Recommendation to amend the SAIP PH Draft to Include 2040 City Center Land Use Designation

The Planning Department is in the midst of completing a targeted update of the 2007 Downtown Comprehensive Plan. An issue of concern heard during one-on-one interviews with the development community is the design standards for buildings downtown including setbacks and bulk building heights. This issue has led to fewer residential units allowed for construction.

I would like to request the City Center land use designation from the Anchorage 2040 Land Use Plan be added to the language in the ordinance on page 2, lines 41-46, where several 2040 land use designations are listed as an "or" alternative. I would also ask the City Center area be allowed to have SAIP projects that are as small as an acre.

The update to the Downtown code (Our Downtown STEP 3) is still in the future where such design requirements as setbacks and building bulk may be amended. Time is off the essence for Downtown. Several smaller developers are interested in bringing housing to our Downtown. Having the SAIP as a tool for an acre-sized development could mean the difference in the closing the gap on the project.

Thank you,
Kristine Bunnell, Project Manager
Our Downtown STEP 2

Kristine Rene' Bunnell
Municipality of Anchorage
Phone: 907-343-



7993
"This Place Matters!"



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Transportation and
Public Facilities

DIVISION of PROGRAM DEVELOPMENT and STATEWIDE PLANNING
Anchorage Field Office

4111 Aviation Avenue
P.O. Box 196900
Anchorage, AK 99519-6900
Main: 907.269.0520
Fax: 907.269.0521
dot.alaska.gov

March 30, 2021

David Whitfield, Current Planning Manager
MOA, Community Development Department
Planning Division
P.O. Box 196650
Anchorage, Alaska 99519-6650

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MAR 30 2021

RE: MOA Zoning Review

Dear Mr. Whitfield:

The Alaska Department of Transportation and Public Facilities (DOT&PF), Central Region Planning Field Office has no comments on the following zoning cases:

- **2021-0039: Small Area Implementation Plan**
- **2021-0052: Dedicated Parks Rezone Project**

Comments that apply to all applications accessing DOT facilities:

*These comments may or may not be specifically listed in a comment for an application, but each still apply.

All properties accessing ADOT&PF roads must apply to Right-of-Way for a driveway permit, subject to provisions listed in 17 AAC 10.020. Any previously issued driveway permits become invalid once the property undergoes a platting action and must be reissued.

We recommend the petitioner verify all ADOT&PF road rights-of-way adjacent to their property and dedicate them. If there is an existing right-of-way, the petitioner is unable to develop that portion of the property yet continues to pay property taxes on it; dedicating will remove that cost to the petitioner.

If there are any questions regarding these comments, please feel free to contact me at (907) 269 – 0522 or shawn.gardner@alaska.gov.


Sincerely,

“Keep Alaska Moving through service and infrastructure.”

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MAR 31 2021

MEMORANDUM

DATE: March 31, 2021
TO: Dave Whitfield, Planning Manager, Planning Section, Planning Division
FROM: Alex Prosak, P.E., Civil Engineer II, Planning Section, AWWU 
RE: Zoning Case Comments
Hearing date: May 5, 2021
Agency Comments due: April 5, 2021

AWWU has reviewed the materials and has the following comments.

21-0039 TITLE 21, Text Amendments to AMC, An ordinance amending the zoning map and providing for the rezoning of dedicated municipal parks from R-1 (Single-Family Residential), R-2A (Two-Family Larger Lot), PLI (Public Lands & Institutions), PLI-p (Public Lands & Institutions - Parks), RO (Residential Office), B-3 (General Business) and I-1 (Light Industrial) respectively, to PR (Parks & Recreation) in Anchorage., Grid N/A

1. AWWU has no objection to this AMC amendment.

If you have any questions pertaining to public water or sewer, please call 786-5694 or send an e-mail to alex.prosak@awwu.biz.

Anchorage Water & Wastewater Utility  Clearly



MUNICIPALITY OF ANCHORAGE



Development Services Department

Private Development Section

Acting Mayor Austin Quinn-Davidson

MEMORANDUM

Comments to Planning and Zoning Commission Applications/Petitions

DATE: April 2, 2021

RECEIVED

TO: Thede Tobish, Senior Planner

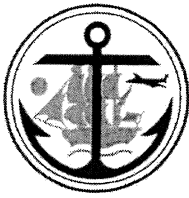
APR 05 2021

FROM: Judy Anunciacion, Private Development Engineer

SUBJECT: PZC Case 2021-0039

Case 2021-0039 – Review and Recommendation by Planning and Zoning Commission of an Ordinance amending Title 21 by adding a new Section 21.03.115, Small Area Implementation Plans, to provide flexibility and predictability to Planned Developments, and amending Sections 21.02.030, 21.02.040, 21.03.020, 21.03.050, and Tables 21.02-1 and 21.03-1, and Anchorage Municipal Code of Regulations Section 21.20.007, accordingly.

Department Recommendations: The Private Development Section has no objection to amending Title 21 by adding a new Section 21.03.115, Small Area Implementation Plans, to provide flexibility and predictability to Planned Developments, and amending Sections 21.02.030, 21.02.040, 21.03.020, 21.03.050, and Tables 21.02-1 and 21.03-1, and Anchorage Municipal Code of Regulations Section 21.20.007.



MEMORANDUM

DATE: April 5, 2020

TO: Current Planning Division Supervisor,
Planning Department

THRU: Kristen A. Langley, Traffic Safety Section Supervisor,
Traffic Engineering Department

FROM: Randy Ribble, Assistant Traffic Engineer

SUBJECT: **2021-0039 Recommendation amending AMC 21.03 adding a new section 21.03.115**

RECEIVED

APR 06 2021

Traffic Engineering has the following comment regarding the language of the proposed ordinance.

Section C.3 requires a traffic summary to be provided but is very vague on the requirements. Traffic Engineering is recommended that additional language to be added to this paragraph.

Types of Information to be provided are adjacent road classification and topology, traffic volumes, proposed development trip generation, access requirements and site circulation or additional information as determined to be needed by the Municipality's Traffic Engineering department.

This summary should be completed by a design professional with experience in traffic impact analysis.



RABBIT CREEK COMMUNITY COUNCIL (RCCC)
 A Forum for Respectful Communication & Community Relations



1057 West Fireweed Lane, Suite 100 / Anchorage, AK 99503

RECEIVED

April 16, 2021

APR 16 2021

TO: Planning and Zoning Commission
 Thede Tobish, Senior Planner

RE: PZC Case No. 2021-0039, Small Area Implementation Plan Ordinance

The Rabbit Creek Community Council (RCCC) submits this letter regarding PZC Case No. 2021-0039, regarding proposed changes to Anchorage Municipal Code Title 21 to create a Small Area Implementation Plan (SAIP) process.

The RCCC discussed Planning and Zoning Commission (PZC) Case No. 2021-0039 at its publicly-noticed April 8, 2021 meeting. The new planning process appears to be a useful tool for the facilitating infill and compact redevelopment in the Anchorage Bowl, particularly when multiple lots or multiple zoning districts are involved. However, the RCCC has several concerns regarding use of the SAIP process in the outlying areas of the Anchorage Bowl, such as our Council area. Following a discussion on the record and input from the community, the RCCC voted to request the following revisions to the proposed ordinance, by a vote of 20 yeas, 0 nays, 3 abstentions.

A. Add language to the appropriate sections of the ordinance to limit the SAIP to areas served by transit, water, and sewer or to the Class A improvement area. The SAIP is intended to achieve compact urban land use through infill and redevelopment, achieving relatively high density. This is appropriate in parts of the city where urban services are in place. The RCCC does not feel that high-density development should be expedited in Class B improvement areas, where residents and institutional uses may depend on onsite wells and septic, and where roads and intersections are often built to rural standards.

B. Add a requirement that at least 2/3 of the area proposed within a Small Area Implementation Plan must have been previously developed (graded, filled, paved or had structures built on it). The SAIP process is intended for redevelopment and infill, yet there is nothing in the ordinance to preclude an SAIP on virgin land, especially if the virgin land has environmental constraints or lacks infrastructure. The SAIP process could be also be mis-applied to sparsely developed land, such as a 5-acre Hillside homesite with one house on it. Virgin tracts and sparsely developed tracts should follow traditional planning, which includes choices such as planned unit development and conservation subdivision development.

C. Add a requirement that the Small Areas and the types of development under an SAIP should not increase Vehicle Miles Traveled compared to the standard type of development allowed under zoning. The SAIP, section 21.03.240.E.3.c, allows B1A commercial use at twice the acreage of normal B1A districts and this could create far-flung business hubs on the periphery of the Anchorage

Bowl, and generate long commutes to jobs and services. We should avoid SAIP projects that induce more commuter travel.

D. Provide a longer-than-usual public comment: a 60- or 90-day public comment period after presentation to Community Councils, prior to the public hearing by the Urban Design Commission. At least half of the comment period should be non-summer months (June, July, August). This is a complex and compressed planning process compared to the normal sequence of rezoning, platting, and site plan approvals. Residents should be afforded time to learn the complex details, especially given the infill nature and increased density intended under the SAIP.

E. Finally, RCCC suggests consideration of a maximum size to the SAIP. Given the intent for the SAIP to transform the local land use pattern and increase the intensity of use, there should possibly a maximum acreage limit so that the Comprehensive Plan and District Plans are not, in effect, overridden. This would be in keeping with “Small Area” in the title of the ordinance.

If you have any questions, please feel free to contact us.

Sincerely,



Ann Rappoport, Co-chair
Rabbit Creek Community Council



Carl Johnson, Co-chair
Rabbit Creek Community Council

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APR 16 2021

April 16, 2021

TO: Planning and Zoning Commission c/o Corliss.Kimmel@anchorageak.gov
Theede Tobish, Senior Planner theede.tobish@anchorageak.gov

Re: PZC Case 2021-0039, Small Area Implementation Plan ordinance

Thank you for the opportunity to comment on the proposed changes to Title 21 to create the Small Area Implementation Plan process.

The new planning process appears to be a good tool for stimulating infill and compact redevelopment in the Anchorage Bowl, particularly where there are multiple lots or multiple zoning districts.

However, the draft ordinance sends mixed messages about size of SAIP redevelopments, and the draft ordinance lacks specific wording to ensure that this method is used for redevelopment, and not used for virgin or sparsely developed tracts where the standard development process would best meet the intent of the Comprehensive plan.

SIZE LIMITS FOR THE SAIP

- The first WHEREAS in the ordinance mentions design flexibility for “larger sites”...larger than what?
- The second WHEREAS in the ordinance says “a new master planning tool was needed to smaller, area specific development projects”...smaller than what?

21.03.115.B should be revised to set an upper limit on acreage for a SAIP. An SAIP is intended to transform the local land use patterns and increase the intensity of use. If there is no size limit, an SAIP of 20 or 50 or 200 acres could, in effect, crush the intent of a District Plan or Neighborhood Plan. Set an upper size limit for a “Small Area” implementation plan. In a predominantly residential zone, this might be a city block; while in a predominantly commercial area, this might be 30 or 40 acres.

LOCATION LIMITS FOR THE SAIP

Add language to the appropriate sections of the ordinance to limit the SAIP to to the Class A improvement area. The SAIP is intended to achieve compact urban land use through infill and redevelopment, achieving relatively high density. High density is manageable in parts of the city where urban services are in place. High density should not be expedited in the Class B improvement areas of the Bowl, where roads and intersections built to rural standards, where there is poor drainage infrastructure, and where there are onsite wells and septic systems.

AVOID USE OF THE SAIP FOR NEW DEVELOPMENT

Add a requirement that at least 2/3 of the area proposed within a Small Area Implementation Plan must have been previously developed. The SAIP process is intended for redevelopment and infill, yet there is nothing in the ordinance to preclude an SAIP on virgin land. In fact, the WHEREAS section of the ordinance refers to land with environmental constraints or lack of infrastructure, and that is often the case with virgin land. Virgin land, or sparsely developed land, presumably offers the developer some amount of inherent flexibility under existing planning processes, and therefore the SAIP should not apply. Land with environmental constraints should be developed under a conservation subdivision planning process.

AVOID 'LEAPFROG' DEVELOPMENT PATTERNS THAT INDUCE COMMUTER TRAVEL

Add a requirement that an SAIP must include traffic calculations to evaluate Vehicle Miles Traveled compared to the standard type of development allowed under zoning, and the SAIP must not induce additional Vehicle Miles Taveled. The Comprehensive Plan, AMATS 2040, and the Anchorage Climate Action Plan aim to reduce dependence on vehicle travel, as well as vehicle miles traveled. The SAIP, should not generate intense land use in locations that increase long commutes.

LONGER COMMENT PERIOD

Provide a longer-than-usual public comment prior to the public hearing by the Urban Design Commission. At least half of the comment period should be non-summer months (June, July, August). The SAIP follows an accelerated timeline compared to the normal sequence of rezoning, platting, and site plan approvals. Residents should be afforded time to learn the complex details, especially given transformation of uses and the waiving of many design standards and zoning requirements under a SAIP.

Nancy Pease
19300 Villages Scenic Parkway

Jon and Marnie Isaacs
2418 Forest Park Drive
Anchorage, Alaska
99517

RECEIVED

APR 19 2021

Re: comments and questions regarding adoption of Small Area Implementation Plan

All –

The proposed Small Area Implementation Plan (SAIP) has the potential to facilitate desirable redevelopment of areas within the Municipality of Anchorage, but also creates a potential for adverse impacts on surrounding neighborhoods. We appreciate the opportunity to review the public hearing draft of the Small Area Implementation Plan (SAIP) and have the following comments and questions:

Section 1, B page 3 - defines the term “contiguous acres” means an area of lots and/or tracts whose boundaries are abutting or are separated only by a street, other right-of-way, park land, or water feature. Park land and water feature are publicly owned. It will be important to ensure that public access to these public use areas be maintained or improved as part of approval of an SAIP.

Section C submittal requirements – we suggest starting with the intended use/purpose of the proposed SAIP, why it is being requested, and how it meets the guidance from foundational planning documents (i.e. 2040 Plan). This makes it clear to the public why the SAIP is being proposed.

Section 1, C.2 – it is our understanding that an approved SAIP can be transferred to another property owner/group of owners. Should this be proposed, we recommend that a public notice of proposed transfer be published and that the affected community councils be notified prior to approval of the transfer.

Section 1, C.3 – it is our understanding that the MOA Traffic Engineer can require mitigation plans and conditions of approval based on the Traffic Analysis Study submitted by the applicant. We suggest that proposed mitigation/conditions of approval be available for public review and comment prior approval of an SAIP.

Section 1, C.9 - mentions a proposed phasing plan. It is unclear what is the obligation to complete future phases and Guarantee (financial or lots) or penalties if not completed. Section G6 requires that an annual report on progress made be submitted. Similarly, the draft ordinance addresses if implementation of the SAIP schedule is delayed for more than seven years, but no deadline for completion. This leaves the MOA and surrounding neighborhood facing the potential for default without a guarantee for completing the SAIP. We suggest that there should be some specific deadlines set for completing an SAIP, and some form of guarantee required for completing the SAIP should the developer default. This is not unlike what is required for subdivision development.

Section 1, C.13, and D.4 - the requirement for a community meeting should document/capture any suggestions and discussion of conditions for approval raised by participants. We suggest that there is requirement for a potential developer to consult with adjacent property owners.

Section 1, D.6 – states that departmental review “shall distribute the application to other reviewers as necessary”. We recommend that the draft ordinance specifically include Community Councils.

Section 1, E.2 - states that variations may also be issued with the concurrence of the fire marshal, the municipal engineer, and/or the municipal traffic engineer. If so, before these variations are issued, the justifications and conditions should be made available for public review prior to approval.

Section 1, G - states that "all projects developed under an approved small area implementation plan are subject to the provisions below: Projects developed under an approved small area implementation plan are exempt from the administrative site plan review, major site plan review, and conditional use review processes, with exceptions outlined in G 2". In our opinion, many of the things outlined in G2 should not be allowed under SAIP that is in a residential area without a conditional use review; does the condition use review come into play under these circumstances and when in the SAIP approval process does it occur?

Section 1, G4 - addresses minor modifications and actions to consistency. What is the threshold for minor modifications and does the public get to weigh in on minor modifications and actions to achieve consistency? One assumes that major modifications would require additional MOA and public review, and this should be stated in the draft ordinance.

General - The SAIP language implies that one of the objectives is to encourage affordable housing. Is there a condition of approval that requires a certain amount of affordable housing? It seems to us that this should be strongly recommended.

Thank you for consideration of our comments.

Jon and Marnie Isaacs

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**Small Area Implementation Plan
PZC Case No. 2021-0039**

Comment-Response Table –Public Hearing Draft Ordinance

Commenter	Comment/Questions	Staff Response/Recommendation	PZC Action
Kate Suave	Ordinance is well written. Anchorage needs this type of action.	AGREED.	
Marc June	Because projects evolve after the community meeting, the ordinance should require full project disclosure and if changes occur after community meeting, additional community reviews should be required.	NO ACTION T. 21 spells put the community meeting process. If a project evolves, the new changes are available for review with the UDC/PZC packet and public review process. Adding a second community meeting could delay projects and incur additional pre-construction costs. Projects evolve in part as a result of the community mtg. Counting the community review, the public gets three chances to comment.	
Marc June	What if the public disagrees with the UDC/PZC SAIP approval-should the Assembly review and adjudicate like in a rezoning action?	NO ACTION Appeals to UDC and PZC are currently reviewed and decided by ZBEA now. This is the appropriate process especially with the SAIP submittal’s requirement for consistency with the Comp Plan.	
Rabbit Creek Community Council Nancy Pease	The SAIP applicability should be limited to areas served by transit, sewer and water. Call B Improvement areas are not suited to the higher use intensities envisioned in SAIPs and services and roads are to rural standards.	NO ACTION While this is an accurate observation, a new SAIP could be proposed in the less urban sections of the Bowl. SAIP is an entitlement tool like others in code. Use of it will be governed to some extent by market conditions. It requires a public process and will need to be in-line with adopted plans and context of area where it is being used. A SAIP does not always equal high density. A SAIP is not likely to be considered very often in or be appropriate in the more rural areas of the Bowl. The ordinance requires strict adherence to the Comprehensive Plan and to the underlying zoning, which would strongly govern any SAIP proposal outside of where it is most likely to be used, as illustrated on Map 1-2. Areas of Growth and Change, in the 2040 Land Use Plan.	

PZC Case No. 2021-0039 - Comment-Response Table

Commenter	Comment/Questions	Staff Response/Recommendation	PZC Action
Rabbit Creek Community Council Nancy Pease	Nothing in the ordinance precludes using a SAIP on virgin land, especially areas with environmental constraints. Add a requirement that 2/3 of a SAIP site must have been previously disturbed. Virgin tracts should follow traditional planning processes.	NO ACTION The SAIP review process, including the submittal requirements and the underlying zoning, already address the site's existing conditions and environmental constraints. If a SAIP is proposed on an undisturbed site with environmental constraints, the review process will require adherence to zoning, platting and land use permit conditions.	
Rabbit Creek Community Council Nancy Pease	Add a requirement that a SAIP and its types of development not increase Vehicle Miles Travelled over the underlying zoning. Otherwise a SAIP could include commercial hubs on the Anchorage periphery.	NO ACTION The 2040 LUP and this ordinance envision SAIPs to occur in more urban areas of the Bowl. The section of the ordinance that allows consideration of commercial uses in otherwise residentially zoned areas is strongly conditioned to limit this possibility. With these conditions outlined in 21.03.115 E.3, it is unlikely that commercial uses would ever be considered in a SAIP in rural zoning areas. The SAIP review process includes input from the Traffic Engineer and the MOA Engineer and VMT is part of the review considerations. The AMATS traffic model was run for the 2040 LUP land use projections and addressed VMT to some degree.	
Rabbit Creek Community Council Nancy Pease	Provide a longer than usual 60-90 day comment period after the community meeting prior to the UDC/PZC public process. Because this is a complex and compressed process, residents should have more time.	NO ACTION There is already ample time to review, digest and comment under the existing review process. Code currently requires the public to receive the first notice 21 days prior to the community meeting and then there is another opportunity to comment at least 45 days from application submittal to public hearing. This is ample time.	
Rabbit Creek Community Council Nancy Pease	Consideration be given to setting a maximum size limit for a SAIP. A SAIP should not overrule the Comp Plan.	NO ACTION Much consideration was given to a size limit during the ordinance development. It was decided that if a proposal met the ordinance's standards and conditions and was consistent with the Comp Plan, size would not matter.	

PZC Case No. 2021-0039 - Comment-Response Table

Commenter	Comment/Questions	Staff Response/Recommendation	PZC Action
Jon & Marnie Isaacs	Ensure that public access to contiguous land is maintained/improved with a new SAIP.	NO ACTION This is an important consideration under the SAIP review. It would be addressed in the project plans mostly in the submittal requirements, approval criteria, and in the staff review.	
Jon & Marnie Isaacs	The submittal requirements section list should start with the intended use/purpose of the proposed SAIP, why it is being requested, and how it meets existing plans.	AMENDMENT Most of these items are already covered in the submittal requirements section. Additional language could be added to further clarify purpose of the proposed development. Staff recommends amending C. 1. To read: 1. A detailed description of the <u>purpose and overall proposed development</u> envisioned within the plan area boundary;	
Jon & Marnie Isaacs	In Section C. 2 they recommend a proposed transfer of a SAIP be published and notification sent to affected Community Councils prior to approval of a transfer,	NO ACTION Transfers of approved SAIPs is a private matter between the original holder and a new receiver. No material changes can otherwise be made without notification to the Department. We see no reason to make a SAIP transfer a public review action.	
Jon & Marnie Isaacs	The MOA Traffic Engineer can require mitigation plans and conditions of approval based on the submitted Traffic Analysis Study. We suggest that proposed mitigation/conditions of approval be available for public review and comment prior approval of an SAIP.	NO ACTION To some degree the initial SAIP submittal will reflect recommendations and conditions imposed by the Traffic Engineer in response to the required Concept Meeting and the Pre-Application meeting. These will be in the final submittal and these may evolve thru the Department and Commission review process. The public can provide additional response at the Commission's public hearing.	

PZC Case No. 2021-0039 - Comment-Response Table

Committer	Comment/Questions	Staff Response/Recommendation	PZC Action
Jon & Marnie Isaacs	<p>It is unclear what is the obligation to complete future phases and Guarantee (financial or lots) or penalties if not completed. Section G6 requires that an annual report on progress made be submitted. Similarly, the draft ordinance addresses if implementation of the SAIP schedule is delayed for more than seven years, but no deadline for completion. This leaves the MOA and surrounding neighborhood facing the potential for default without a guarantee for completing the SAIP. We suggest that there should be some specific deadlines set for completing an SAIP, and some form of guarantee required for completing the SAIP should the developer default. This is not unlike what is required for subdivision development.</p>	<p>NO ACTION</p> <p>The project team did not think it appropriate to require a milestone time requirement for completing the SAIP development. Individual projects in an approved SAIP are controlled by market conditions, permitting, financial terms, utility agreements, subdivision agreements with Private Development, etc. It would be complicated and subject to continual review to assign completion dates with associated penalties or fines. Probably the main concerns revolve around utility and infrastructure upgrades in a new SAIP, which are typically included in subdivision agreements and accomplished early on in a new SAIP development.</p>	
Jon & Marnie Isaacs	<p>The requirement for a community meeting should document or capture suggestions and discussion of conditions for approval raised by participants. We suggest that there is requirement for a potential developer to consult with adjacent property owners.</p>	<p>NO ACTION</p> <p>The required Community Meeting must include adjacent property owners and must include submitting a meeting summary to the Department, including how the applicant addressed community concerns in the final SAIP submittal. These items can then be checked by the public in the Commission review process.</p>	

PZC Case No. 2021-0039 - Comment-Response Table

Commenter	Comment/Questions	Staff Response/Recommendation	PZC Action
Jon & Marnie Isaacs	Section 1, D.6 – states that departmental review “shall distribute the application to other reviewers as necessary”. We recommend that the draft ordinance specifically include Community Councils.	<p>NO ACTION</p> <p>The councils are automatically notified of all new SAIP application packets, as included in this ordinance’s amendments to Table 21.03-1 in AMC 21.03.020.</p>	
Jon & Marnie Isaacs	Section 1, E.2 - states that variations may also be issued with the concurrence of the fire marshal, the municipal engineer, and/or the municipal traffic engineer. If so, before these variations are issued, the justifications and conditions should be made available for public review prior to approval.	<p>NO ACTION</p> <p>The submittal requirements item C. 10, requires proposed variations/deviations from the Design Criteria Manual be included in the application. Item C. 12 also calls for submission of information to address the deviations in section E. At that point these become subject to public review and comment. The final findings and conditions of review of these deviations are then made by the Director and the appropriate MOA entity. These decisions would likely be included in the staff packet to the Commission for review and approval. The public can respond at the public hearing.</p>	
Jon & Marnie Isaacs	In our opinion, many of the things outlined in G.2 should not be allowed under SAIP that is in a residential area without a conditional use review; does the condition use review come into play under these circumstances and when in the SAIP approval process does it occur?	<p>NO ACTION</p> <p>Because of the complicated and sometimes impacting nature of these uses in G.2, they are not permitted in a SAIP without a conditional use approval public process. The required conditional use for these could come as a separate entitlement process either concurrent with the SAIP or by itself afterwards. To some degree, the staff may suggest either or, and the Commission might make it a condition of approval.</p>	

PZC Case No. 2021-0039 - Comment-Response Table

Commenter	Comment/Questions	Staff Response/Recommendation	PZC Action
Jon & Marnie Isaacs	Section 1, G4 - addresses minor modifications and actions to consistency. What is the threshold for minor modifications and does the public get to weigh in on minor modifications and actions to achieve consistency? One assumes that major modifications would require additional MOA and public review, and this should be stated in the draft ordinance.	NO ACTION By nature, minor modifications do not significantly alter the original project. This section clearly lists conditions and criteria that define minor modifications in the SAIP context. Minor modifications are otherwise already described in AMC 21.03.120.	
Jon & Marnie Isaacs	The SAIP language implies that one of the objectives is to encourage affordable housing. Is there a condition of approval that requires a certain amount of affordable housing? It seems to us that this should be strongly recommended.	NO ACTION Staff sees affordable housing being more of an element that the Department negotiates if a developer seeks relief. As a standalone tool it would be an inappropriate requirement. Not all SAIPs may have housing as its focus nor included as an element. SAIP is first a master plan process that could be used in an all commercial project. Affordable housing is listed as an ordinance objective in the Purpose section and is also an objective of the 2040 LUP.	
State Fire Marshall	No comment.		
MOA-Right-of-Way	No comment.		
MOA-Addressing	Note that proposed new streets in C.5 in a SAIP must have approved street names from Addressing.	NO ACTION Comes with standard processing of plans and permits.	

PZC Case No. 2021-0039 - Comment-Response Table

Commenter	Comment/Questions	Staff Response/Recommendation	PZC Action
MOA-Long Range Planning	Request that the land use designation City Center from Anchorage 2040 LUP be added to the applicability section B. 4.	<p>AMENDMENT</p> <p>Amend item B. 4 to:</p> <p>Any single parcel or collection of parcels less than five (5) acres but greater than 1 (one) acre in size within an adopted reinvestment focus area or located in an area designated in the Anchorage 2040 Land Use Plan as neighborhood center, <u>city center</u>, commercial corridor, main street corridor, or residential mixed-use development.</p>	
ADOT	All properties accessing ADOT roads must apply to Right-of-Way for a driveway permit. Previous issued driveway permits become invalid one a property undergoes a platting action and must be reissued. Recommends the petitioner verify ADOT rights-of-way adjacent to their property and dedicate them.	<p>NO ACTION</p> <p>ADOT related permitting actions are always subject to these conditions during or as a condition of approval for a plat or permitting related to a new SAIP. No need to add anything here.</p>	
AWWU	No comment.		
MOA-Private Development	No comment.		
MOA-Traffic Engineering	<p>Modify section C. 3 by adding language including:</p> <p>Types of info to be provided in C. 3 are adjacent road classification and topology, traffic volumes, proposed development trip generation, access requirements and site circulation or additional info as determined to be needed by the MOA-Traffic Engineers.</p>	<p>AMENDMENT</p> <p>Amend section C. 3 to:</p> <p>A traffic summary with sufficient detail of existing and anticipated traffic conditions to determine the impacts of the proposed development(s) on the transportation system and to guide roadway improvements within the plan area. <u>Types of information to be provided are adjacent road classification and topology, traffic volumes, proposed development trip generation, access requirements and site circulation or additional information as determined by the Traffic Engineer.</u></p>	