

ASSEMBLY MEMBERS BRAWLEY, VOLLAND, & ZALETTEL

# LEGISLATIVE PATHS IN TITLE 21

AO 2024-45, May 3, 2024

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# AO 2022-80(S) PARKING MINIMUMS

Municipal Clerk's Office  
**Amended and Approved**  
Date: **November 22, 2022**

Submitted by: Assembly Members Volland,  
Cross, and Dunbar  
Prepared by: Planning Department  
Reviewed by: Department of Law and  
Assembly Counsel's Office  
For reading: November 22, 2022

## ANCHORAGE, ALASKA AO No. 2022-80(S), As Amended

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING  
2 ANCHORAGE MUNICIPAL CODE TITLE 21 CHAPTERS 21.04, ZONING  
3 DISTRICTS; 21.07, DEVELOPMENT AND DESIGN STANDARDS; 21.11,  
4 DOWNTOWN; 21.15, RULES OF CONSTRUCTION AND DEFINITIONS, AND  
5 AMENDING ANCHORAGE MUNICIPAL CODE OF REGULATIONS SECTION  
6 21.20.007, SCHEDULE OF FEES, IN ORDER TO AMEND THE OFF-STREET  
7 PARKING AND SITE ACCESS DEVELOPMENT STANDARDS AND ACHIEVE  
8 COMPREHENSIVE PLAN GOALS FOR INFILL AND REDEVELOPMENT,  
9 HOUSING, AND ACCESSIBLE LAND USE.

10  
11 (Planning and Zoning Commission Case No. 2022-0026)

12  
13 WHEREAS, a thriving city is a place full of people, that has a strong  
14 economy, a diverse transportation network everyone can safely use, and an  
15 attractive environment of buildings, public spaces, and natural features; and

16  
17 WHEREAS, surface parking lots have become a large portion of our city's  
18 total land area as the city's footprint continues to grow, leaving more of our  
19 land covered in asphalt and reducing available area for housing,  
20 development, and green spaces; and

# AO 2022-107

## ADUS

Municipal Clerk's Office  
Amended and Approved  
Date: January 10, 2023

Submitted by: Chair of the Assembly at  
the Request of the Mayor  
Prepared by: Planning Department  
For reading: November 22, 2022

### ANCHORAGE, ALASKA AO NO. 2022-107, As Amended

1 **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE, TITLE 21**  
2 **SECTION 21.05.070, ACCESSORY USES, AND 21.10.050, USE**  
3 **REGULATIONS.**

4  
5 (Planning and Zoning Commission Case No. 2022-0090)

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6  
7 **WHEREAS**, Goal 4 of the 2040 Land Use Plan (LUP) calls for neighborhoods to  
8 provide a range of places to live and meet the housing needs of residents at all  
9 income levels, household sizes, interests, ages, abilities, and races, and  
10 ethnicities; and

11  
12 **WHEREAS**, the 2040 LUP encourages 1,000 new Accessory Dwelling Units  
13 (ADUs) in the Bowl by 2040; and

14  
15 **WHEREAS**, 2040 LUP policy 4.2 allows for and encourages innovative compact  
16 housing types and a variety of housing options that respond to changing  
17 preferences; and

18  
19 **WHEREAS**, 2040 LUP Action 4-7 states an amendment to Title 21 is needed to  
20 ease restrictions that deter the construction of ADUs; and



AO 2023-42  
R4A DISTRICT

Municipal Clerk's Office  
Amended and Approved

Date: May 23, 2023

Immediate Reconsideration Passed

Date: June 6, 2023

Approved

Date: August 22, 2023

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

Prepared by: Planning Department

For reading: April 11, 2023

ANCHORAGE, ALASKA  
AO No. 2023-42, As Amended

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1 AN ORDINANCE AMENDING THE R-4A DISTRICT IN ANCHORAGE  
2 MUNICIPAL CODE, TITLE 21 SECTIONS 21.04.020, RESIDENTIAL  
3 DISTRICTS; 21.05.010, TABLE OF ALLOWED USES; 21.06.020,  
4 DIMENSIONAL STANDARDS TABLES, 21.060.030, MEASUREMENTS AND  
5 EXCEPTIONS; 21.07.110, RESIDENTIAL DESIGN STANDARDS; 21.07.120,  
6 LARGE ESTABLISHMENTS; AND 21.08.70, ALTERNATIVE RESIDENTIAL  
7 SUBDIVISIONS.

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10 (Planning and Zoning Commission Case No. 2021-0127)

11 **WHEREAS**, Action 3-1 of the Anchorage 2040 Land Use Plan calls for the  
12 amendment of Title 21 to simplify zoning regulations for mixed-use projects relative  
13 to commercial or other projects; and

14  
15 **WHEREAS**, Policy 2.3 of the Anchorage 2040 Land Use Plan calls for the removal  
16 of barriers to desired infill development and for the incorporation of flexibility in  
17 development requirements; and

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19 **WHEREAS** very few properties have been rezoned to R-4A across the

AO 2023-50  
SITE ACCESS

Municipal Clerk's Office  
Amended and Approved  
Date: July 11, 2023

Submitted by: Chair of the Assembly at  
the Request of the Mayor  
Prepared by: Planning Department  
For reading: April 11, 2023

ANCHORAGE, ALASKA  
AO No. 2023-50, As Amended

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21  
2 CHAPTERS 21.03, REVIEW AND APPROVAL PROCEDURES; 21.04, ZONING  
3 DISTRICTS; 21.07, DEVELOPMENT AND DESIGN STANDARDS; AND 21.15,  
4 RULES OF CONSTRUCTION AND DEFINITIONS, IN ORDER TO AMEND THE  
5 SITE ACCESS DEVELOPMENT STANDARDS AND ACHIEVE  
6 COMPREHENSIVE PLAN GOALS FOR INFILL AND REDEVELOPMENT,  
7 HOUSING, AND ACCESSIBLE LAND USE.

8  
9 (Planning and Zoning Commission Case No. 2023-0011)

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11  
12 **WHEREAS**, the *Anchorage 2040 Land Use Plan (2040 Plan)* assesses the  
13 housing and employment needs of current and future Anchorage residents and  
14 includes goals, policies, and actions to address those needs; and

15 **WHEREAS**, Goal 3 of the *2040 Plan* defines Anchorage's commercial centers and  
16 corridors as the places to accommodate new business growth and mixed-use



AO 2023-103(S)  
**3/4PLEXES**

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Municipal Clerk's Office  
**Amended and Approved**  
Date: December 19, 2023

(S) Submitted by: Assembly Members Volland,  
Cross, and Sulte  
(S) Prepared by: Legislative Services Office and  
Assembly Counsel's Office  
(S) Reviewed by: Planning Department, Building  
Services Department  
Planning and Zoning  
Commission  
For reading: December 19, 2023

**ANCHORAGE, ALASKA**  
**AO No. 2023-103(S), As Amended**

**AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING CERTAIN PROVISIONS OF ANCHORAGE MUNICIPAL CODE TITLE 21 TO CREATE A CLASSIFICATION OF RESIDENTIAL DEVELOPMENT FOR THREE AND FOUR DWELLING UNIT CONSTRUCTION; APPLY THE RESIDENTIAL DESIGN STANDARDS FOR ONE- AND TWO-FAMILY DWELLINGS TO SUCH DEVELOPMENTS; AND CONFORMING CODE AMENDMENTS.**

**WHEREAS**, with one-third of Alaska's population and nearly half of its jobs in a 100-square-mile area, the Anchorage Bowl is the urban center of an emerging

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# CURRENT AMC TITLE 21, CHAPTER 3

21.03.210

## TEXT AMENDMENTS

Provides for the Assembly to amend the text of the title that are necessary in light of **changed conditions** or **changes in public policy**, or that are necessary to **advance the general welfare** of the municipality.

21.03.160

## REZONES, ZONING MAP AMENDMENTS

Provides for extending the **boundaries of an existing zoning district**

OR changing the zone classification of a **parcel of land**.

21.03.070C.

## COMPREHENSIVE PLAN AMENDMENTS

Provides uniform procedures, schedules and review criteria necessary for **amendments to the Anchorage 2020 Comprehensive Plan**.

A director-initiated review is required once every 20 years.

# CURRENT AMC TITLE 21, CHAPTER 3

21.03.210

## TEXT AMENDMENTS

- Submitted to the **Dept Director**
- Requires Notice to be **publicly published** and submitted to **Community Councils**

21.03.160

## REZONES, ZONING MAP AMENDMENTS

- Initiated by the **Property Owner** or **Municipal Entity**
- Requires Notice to be:
  - **publicly published**
  - **mailed to neighboring lots**
  - **posted on the subject lot**
  - submitted to **Community Councils**

21.03.070C.

## COMPREHENSIVE PLAN AMENDMENTS

- Initiated by the **Property Owner** or **Municipal Entity**
- Requires Notice to be **publicly noticed** and submitted to **Community Councils**



**WE NEED A PATH TO ADOPT  
LEGISLATIVE POLICY ACTIONS  
IN TITLE 21 THAT INITIATE  
CONFORMING AMENDMENTS**

# AO 2024-45

## A SOLUTION FOR LEGISLATIVE ACTION

When code doesn't contemplate a procedure that:

1. Allows local policy makers to change local policies;
  2. Gives community members the notice they deserve; and
  3. Ensures efficiency of public processes without expensive redundancy. . .
- . . . we contemplate changing code!

**LAID-ON-THE-TABLE**

Submitted by: Assembly Vice Chair Zaletel  
Assembly Member Brawley  
Assembly Member Volland  
Prepared by: Assembly Counsel's Office  
For reading: April 23, 2024

**ANCHORAGE, ALASKA**  
AO No. 2024-\_\_\_\_\_

1 AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE  
2 MUNICIPAL CODE, TITLE 21, LAND USE PLANNING, INCLUDING SECTIONS  
3 21.01.050, 21.03.020, 21.03.070, 21.03.160, AND 21.03.210 TO CLARIFY THE  
4 ASSEMBLY'S LEGISLATIVE POWERS FOR ESTABLISHING LAND USE  
5 PUBLIC POLICY AND THE METHODS BY WHICH IT MAY EFFECTUATE  
6 CHANGES TO TITLE 21, AND RELATED MATTERS AND WAIVING PLANNING  
7 AND ZONING COMMISSION REVIEW OF THIS ORDINANCE.

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9  
10 **WHEREAS**, the Anchorage Municipal Charter grants the Assembly the sole  
11 authority over the planning for future development and use of land in the Municipality  
12 through the adoption of a comprehensive plan and zoning or similar land use control  
13 measures; and

14  
15 **WHEREAS**, inflexible procedural requirements and overly complex and  
16 burdensome processes can inhibit effective land use developments and create  
17 obstacles to responding to problems in the housing market; and

18  
19 **WHEREAS**, the process for rezoning land when part of the larger process of  
20 amending the comprehensive plan or text of Title 21, can be dramatically  
21 streamlined while maintaining a robust public process; and  
22

# AO 2024-45(S)

## FINE TUNED WITH IMPLEMENTATION IN MIND

We came to the table with MOA Legal and have incorporated their feedback.

The question is: **How do you give staff the clarity they need to administer the code in practice?**

(S) aims to create clarity for policy initiatives driven by Assembly Members.

### LAID-ON-THE-TABLE

Submitted by: Assembly Vice Chair Zaletel  
Assembly Member Brawley  
Assembly Member Volland  
Prepared by: Assembly Counsel's Office  
For reading: April 23, 2024

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

1 AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE  
2 MUNICIPAL CODE, TITLE 21, LAND USE PLANNING, INCLUDING SECTIONS  
3 21.01.050, 21.03.020, 21.03.070, 21.03.160, AND 21.03.210 TO CLARIFY THE  
4 ASSEMBLY'S LEGISLATIVE POWERS FOR ESTABLISHING LAND USE  
5 PUBLIC POLICY AND THE METHODS BY WHICH IT MAY EFFECTUATE  
6 CHANGES TO TITLE 21, AND RELATED MATTERS AND WAIVING PLANNING  
7 AND ZONING COMMISSION REVIEW OF THIS ORDINANCE.

8 ..

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

14  
15 WHEREAS, inflexible procedural requirements and overly complex and  
16 burdensome processes can inhibit effective land use developments and create  
17 obstacles to responding to problems in the housing market; and

18  
19 WHEREAS, the process for rezoning land when part of the larger process of  
20 amending the comprehensive plan or text of Title 21, can be dramatically  
21 streamlined while maintaining a robust public process; and

22  
23 WHEREAS, the Assembly finds it in the public interest to stimulate new

# A0 2024-45(S) SECTION BY SECTION PAGE 2

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

**21.01.050 Official zoning map.**

\*\*\*      \*\*\*      \*\*\*

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



# A0 2024-45 (S) SECTION BY SECTION PAGE 2

24 **Section 2.** Anchorage Municipal Code section 21.03.020 is hereby amended to  
25 read as follows (*the remainder of the section is not affected and therefore not set*  
26 *out*):

27  
28 **21.03.020 Common procedures.**  
29 \*\*\* \*\*

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31 J. Public Hearing. For every decision that requires a public hearing  
32 before a decision-making body other than the assembly, the applicant  
33 shall be provided reasonable opportunity to present their case. In  
34 cases of text amendments initiated or proposed by the assembly, the  
35 sponsors of the ordinance shall have the opportunity to present to and  
36 [any] answer questions of the decision-making body.  
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# A0 2024-45 (S) SECTION BY SECTION PAGE 2

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L[K]. *Concurrent processing.*

1. Where possible without creating an undue administrative burden on the municipality's decision-making bodies and staff, this title intends to accommodate the simultaneous processing of applications for different permits and approvals that may be required for the same development project in order to expedite the overall review process. Review and decision-making bodies considering multiple amendments or applications related to the same matter may elect to take up those items simultaneously and/or consolidate them into one matter, however they may[SUBMITTED SIMULTANEOUSLY MAY] render separate reports, recommendations, and decisions on each amendment or application based on the specific standards applicable to each approval as necessary.

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3. Other plan amendments. In addition to the regularly scheduled reviews described above, any review or decision-making body, **the director upon request of**[OR] the director of any municipal department, **a member of the assembly or, if accompanied by a rezone application, any property owner** may propose a plan amendment at any time. All such proposals shall be processed in accordance with the procedures in subsections C. and D. below.

# A0 2024-45 (S) SECTION BY SECTION PAGE 6

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3. *Concurrent zoning changes allowed.*

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



# AO 2024-45 (S) SECTION BY SECTION PAGE 6

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

# A0 2024-45 (S) SECTION BY SECTION PAGE 7

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D. ~~Conforming amendments to the official zoning map.~~

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

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**E**[D]. *General procedure.*

1. *Initiation.*

- a. A rezoning may be initiated by the assembly, the planning and zoning commission, or by the administration. **Such a rezoning may be proposed concurrently to a proposed amendment to the comprehensive plan or the text of title 21, either through the same ordinance or through separate ordinances processed concurrently. In such concurrent cases, the rezoning shall be subject the approval criteria of subsection F below, but may be exempted from the other requirements of this section, provided it is subjected to the procedural requirements of section 21.03.070 or 21.03.210 concurrent to the proposed amendment to the comprehensive plan or text of title 21, as applicable.**

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7. *Planning and zoning commission action.*

- a. The planning and zoning commission shall hold a public hearing on the proposed rezoning and, at the close of the hearing, taking into account the recommendations of the department and public input, and based upon the approval criteria of subsection E. below, shall recommend approval, approval with special limitations or other modifications (at least as restrictive as submitted in the application), or denial. The commission shall include written findings based on each of the approval criteria. The planning and zoning commission shall supplement any denial recommendation with a summary of critical issues related to the application, based upon public input and the commission's deliberations. This information will be available to assist the assembly if an ordinance is submitted under subsection 7.c. below. In cases of amendments initiated or proposed by the assembly, the sponsors of the ordinance shall have the opportunity to present to and any answer questions of the commission.



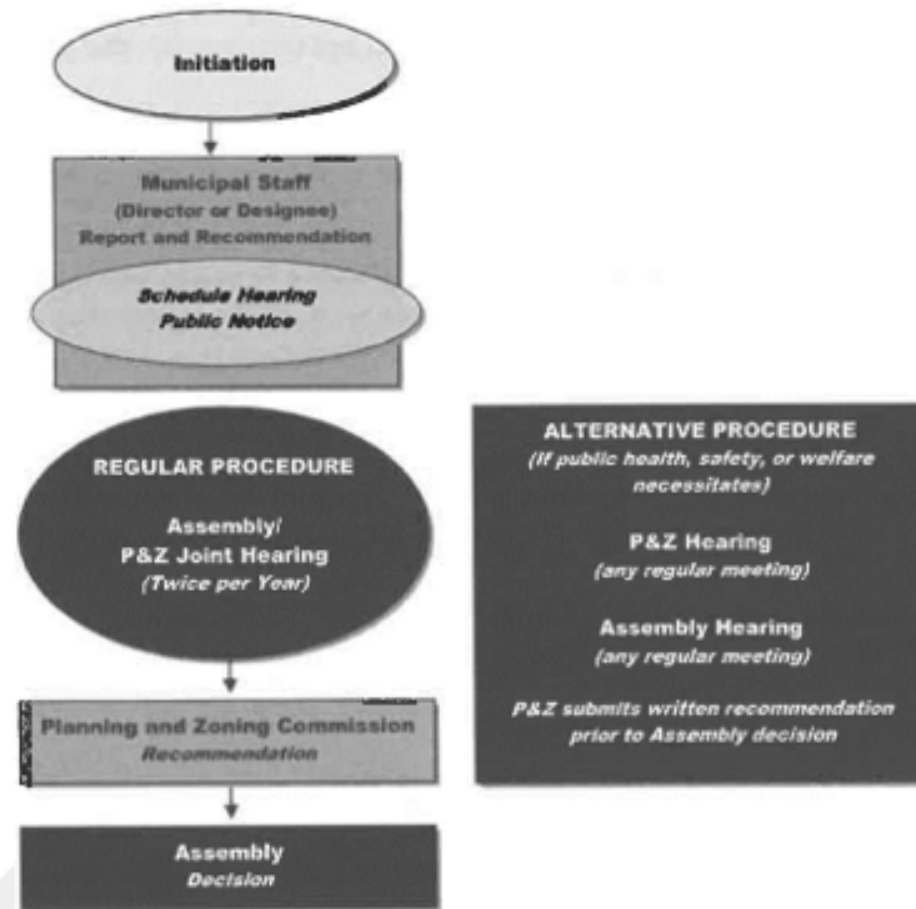
# A0 2024-45 (S) SECTION BY SECTION PAGE 11

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

2. *Proposal [APPLICATION] submittal.*

Proposals for text amendments shall be in ordinance form and shall be filed with the director.



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3. *Departmental review.* Amendments to Text of Title 21  
The department shall review each proposed text amendment in light of the approval criteria of subsection C. below and distribute the application to other reviewers as deemed necessary. Within seven days of submission**[BASED ON THE RESULTS OF THOSE REVIEWS]**, the department shall confer with the proponent of the text amendment and may suggest changes to the proposal. At any time within fourteen days following**[After]** this initial review, the sponsor may submit additional information and **[any]** modifications to the proposal, which the department may re-distribute to reviewers. **[and then]** The department shall, at this time, forward the proposed amendment and any additional material provided by the sponsor to the planning and zoning commission so that it may schedule a public hearing. No

section continued on next slide.

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later than 60 days following its initial receipt of the proposed amendment, the department shall provide a report to the planning and zoning commission~~[, or may proceed directly to submitting its report and the proposed text amendments, modified or unmodified, to the commission]~~. A positive recommendation shall be accompanied by a draft ordinance reflecting the recommendation. A negative recommendation shall be accompanied with draft amendments to the originally submitted ordinance reflecting recommendations of the department. Failure of the department to submit its report within 60 days of initial receipt shall not delay the public hearing or action by the planning and zoning commission.

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

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D. Concurrent zoning changes allowed.

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



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

# THANK YOU.

**ANNA BRAWLEY**

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**DANIEL VOLLAND**

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**MEG ZALETEL**

[meg.zaletel@anchorageak.gov](mailto:meg.zaletel@anchorageak.gov)

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