

Chapter 2.40 - COMMUNITY COUNCILS^[1]

Footnotes:

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Editor's note— AO No. 2014-3(S), § 1, adopted February 11, 2014, amended chapter 2.40 in its entirety to read as herein set out. Former chapter 2.40, §§ 2.40.010—2.40.090, pertained to similar subject matter. See Code Comparative Table for complete derivation.

Charter reference— Community councils, § 8.01.

Cross reference— Code of ethics, Ch. 1.15; public meetings, ch. 1.25.

2.40.010 - Community councils and procedures.

The establishment of community councils is recognized in section 8.01 of the municipal charter: The assembly by ordinance shall provide for establishment of community councils to afford citizens an opportunity for maximum community involvement and self-determination. The ordinance shall include procedures for negotiation between the local government and each community council with respect to the duties and responsibilities of the community council. In this chapter 2.40, the assembly establishes basic community council procedures to implement self-determination and maximize community involvement through independent community councils.

(AO No. 2014-3(S), § 1, 2-11-14)

Charter reference— Establishment of community councils, § 8.01.

2.40.020 - Purpose of chapter.

The purpose of this chapter is to implement the charter by providing a direct and continuing means of citizen participation in government and local affairs. Community councils are intended to give:

- A. The people a method by which they can work together for expression and discussion of their opinions, needs and desires in a manner that will have an impact on their community's development and services.
- B. Governmental agencies a method for receiving opinions, needs, desires and recommendations of residents and groups.
- C. Local governing bodies an improved basis for decision-making assignment of priorities for all programs affecting community development and individual well-being.

(GAAB 5.75.010; AO No. 2014-3(S), § 1, 2-11-14)

2.40.030 - Definitions and community council membership.

These words and terms shall have meaning for purposes of this chapter and community council membership as follows:

Business owner shall mean the record owner or agent of a professional or commercial entity currently licensed by the State of Alaska and having a physical premises located within the boundaries of a community council.

Business owner community council memberships are single memberships. When two or more individuals own a business, or more than one business is owned by the same entity, the business owner shall designate a primary representative for community council membership and may designate an alternate.

Community council members and *community council membership* shall mean collectively each resident and the representatives designated by the non-resident property owners, business owners and nonprofit organizations, within the geographical areas established as community council districts under this chapter, who attend a community council meeting in their district and sign the member attendance roster. A person may qualify and hold membership in more than one community council.

Council and community councils shall mean the not-for-profit voluntary, self-governing associations within geographical areas designated as districts and recognized in ordinance by the assembly under this chapter. A community council may, but is not required to, incorporate under the Alaska Nonprofit Corporations Act.

Ex officio membership shall mean non-voting membership.

Government entity membership. If a local, state, tribal, or federal government entity does not meet the definition of business owner, nonprofit organization, or non-resident property owner to qualify for community council membership, the government entity's membership shall be ex officio unless the community council's bylaws provide otherwise.

Nonprofit community council memberships are single memberships available to nonprofit organizations. The nonprofit organization shall designate a primary representative for community council membership and may designate an alternate.

Nonprofit organization shall mean a not-for-profit entity having a physical premises located within the council boundaries and one or more of the following: Status recognized under law as a not-for-profit organization by incorporation under the Alaska Nonprofit Corporations Act, or a current Alaska business license, or tax-exempt status under federal law, or other bona fide affiliation.

Non-resident property owner shall mean the record owner of real property within the council boundaries when the record owner does not qualify as a resident. Non-resident property owner community council memberships are single memberships. When two or more non-resident individuals own a property, or more than one property is owned by the same entity, the non-resident property owner shall designate a primary representative for community council membership and may designate an alternate.

Resident shall mean each person 18 years of age or older whose habitual, physical dwelling address is within the council boundaries, and includes homeowners and tenants. If more than one qualifying resident shares the same habitual, physical dwelling address, each may be a community council member. Proxy and alternate designations for resident memberships shall not be recognized.

(AO No. 2014-3(S), § 1, 2-11-14)

2.40.035 - Recognition of community councils; special ex officio community council recognition for Girdwood Board of Supervisors.

A. *Recognition of community councils.* Upon request of one or more voluntary associations and after public notice and hearing, the assembly may recognize by ordinance any one voluntary association as the community council for a given district. To qualify for and maintain recognition, an association must establish that it:

1. Includes residents, non-resident property owners, business owners and nonprofit organizations within geographical areas established as community council districts under this chapter;

2. Has a policy and practice of open membership and meetings which will encourage participation of persons from all segments of the community;
 3. Is committed to affording citizens an opportunity for maximum community involvement and self-determination through community council membership and does not engage in practices contrary to the provisions of this chapter;
 4. Has, in the opinion of the assembly, the capability to represent the community council district membership;
 5. Has held at least two meetings in the district which resulted in a determination to seek recognition as a community council. Such meetings must have been subsequent to public notice through publication, school distribution and other means adequate to inform most, if not all, district residents of the meeting; and
 6. Has adopted and implements bylaws consistent with this chapter governing the organization, operation, and proceedings of the community council.
- B. *Girdwood recognized; special provision.* The municipality recognizes the Girdwood Board of Supervisors as the community council, ex-officio, which serves the Girdwood Community Association/Land Use Committee boundary area depicted on Map 10 located in section 2.40.090.

(GAAB 5.75.020; AO No. 88-85, § 1, 7-19-88; AO No. 2003-75, § 1, 7-22-03; AO No. 2003-113, § 1, 8-12-03; AO No. 2005-1(S-1), § 1, 4-12-05; AO No. 2009-134, § 1, 1-12-10; AO No. 2014-3(S), § 1, 2-11-14)

2.40.036 - Community council bylaws.

- A. Community councils shall file bylaws through the office of municipal clerk for acceptance by the assembly:
1. In conjunction with community council recognition under this chapter;
 2. In timely response to the requirements of this chapter and subsequent code changes as specified in the ordinance; and
 3. Within 45 days of a change in the bylaws.
- B. Pre-approved bylaw provisions. Community council bylaw provisions meeting the requirements of this chapter are set out for the convenience and use of community councils in Exhibit A. Exhibit A provisions may be adopted by individual councils. Revisions and adaptations of Exhibit A provisions consistent with this chapter may be adopted by a community council subject to acceptance by the Assembly.

EXHIBIT A
COMMUNITY COUNCIL BYLAWS
(INSERT NAME) COMMUNITY COUNCIL BYLAWS
ARTICLE I: NAME

The name of this organization shall be the (INSERT NAME) Community Council, hereinafter referred to as the "Council."

ARTICLE II: BOUNDARIES

The geographical boundaries adopted by the Anchorage Assembly on July 8, 2003 (AO 2003-11), and appropriate associated map listed under municipal code § 2.40.040 shall apply to this Council, subject to any comprehensive review of community council boundaries to occur every ten years following the decennial U.S. Census, as required by municipal code § 2.40.040. The findings of the boundary review are

communicated to the Planning and Zoning Commission and to the Assembly for final review and approval; community council boundary amendments adopted by Anchorage Municipal Code are hereby incorporated by reference.

ARTICLE III: DESCRIPTION

The Council is an independent, not-for-profit, voluntary, self-governing association composed of residents 18 years of age or older, non-resident property owners, business owners, and nonprofit organizations who meet the qualifications for membership as outlined in Article VI of these bylaws and municipal code chapter 2.40. Community councils are created by the Anchorage Municipal Charter to "afford citizens an opportunity for maximum community involvement and self-determination." There shall exist between the Council and local government a cooperative relationship. The Council shall not endorse any candidate for local, state or federal elected office.

ARTICLE IV: PURPOSE

The purpose of the Council is to provide a direct and continuing means of citizen participation in local affairs. The Council is intended to give:

- A. Local people a method by which they can work together for expression and discussion of their opinions, needs and desires in a manner that will have an impact on their community's development and services;
- B. Governmental agencies a method for receiving opinions, needs, desires and recommendations of residents and groups; and
- C. Local governing bodies an improved basis for decision-making and assignment of priorities for all programs affecting community development and individual well-being.

ARTICLE V: FUNCTION

The Council has a policy and practice of open membership and meetings to encourage participation of persons from all segments of the community. The Council shall have the following functions:

- A. In regard to the Anchorage Comprehensive Plan;
 - 1. Evaluate compliance with the plan, alerting Municipal officials to, or proposing appropriate action regarding any inconsistencies with the plan and its adopted elements as described in municipal code § 21.01.080 and listed in Table 21.01-1; and
 - 2. Conduct a continuing review and study of the plan to determine its workability within the Council's geographical boundaries and to advise Municipal officials on appropriate action regarding proposed modifications or additions to the plan;
- B. Assume leadership and propose action in regards to enforcement of existing laws or ordinances, pursuit of rights under existing rights or ordinances, desired or opposed changes in or additions to laws or ordinances, or any matter of policy regulation;
- C. Respond to local government proposals or concerns submitted to the Council pursuant to municipal code § 2.40.060;
- D. Work with local government and other governmental entities, as well as with persons and groups outside the government, to accomplish Council goals, including goals which may have an area wide impact;
- E. Receive and review notices to the Council from Municipal departments including those noticed under municipal code:
 - 1. 2.30.120.C, Alcohol Beverage Control Board license applications;
 - 2. 10.55.030, Permits for teen nightclubs and cultural performance venues;

3. 21.03.020.H, Land use proposals;
 4. 24.35.020, National security road closures;
 5. 25.30.025.E, Disposal of Municipal land requiring voter approval;
 6. Other notices received from Municipal departments requiring input or action by the Council;
- F. Advise the Assembly of the Council's annual priority list of Capital Improvement Projects by filing a copy with the Municipal Clerk when the list is submitted to the Administration;
 - G. Participate in the community meeting process under municipal code § 21.03.020.C when the notice from the developer is timely.

ARTICLE VI: MEMBERSHIP

- A. Any person 18 years of age or older whose primary place of abode is within the Council's geographical boundaries is eligible for membership. Residents, non-resident property owners, business owners, and nonprofit organizations as described in municipal code chapter 2.40 with a physical premise located within the Council's geographical boundaries are eligible for membership. Business owners and nonprofit organizations must possess one or more of the following:
 - a valid Alaska business license;
 - a valid Alaska professional license;
 - valid incorporated status under Alaska law
 - tax exempt status under federal law.

If more than one qualifying resident shares the same habitual, physical dwelling address, each may be a community council member. Alternate designations for resident memberships shall not be recognized. Non-resident property owners shall be the owner of record. Per municipal code § 2.40.030, non-resident property owner, business owner, and nonprofit organization memberships are single memberships, and shall have a designated primary representative, and may have a designated alternate representative.

- B. Any person who qualifies under section A of this article is a voting member immediately after signing the member attendance roster at any regular or special Council meeting. The member attendance roster shall be used only for council business.
- C. The Council shall not charge dues or require any financial contribution as a condition of membership, voting, or other participation. The Executive Board may establish annual voluntary dues.

ARTICLE VII: MEETINGS

- A. There shall be a minimum of four (4) general membership meetings per calendar year and at least one meeting quarterly.
- B. Special meetings of the membership may be called by the President, or the Executive Board, or by written petition of 10 council members delivered to any officer, to address council business, including the accommodation of community council responsibilities under municipal code § 21.03.020.C.
- C. All meetings shall be open to the public.
- D. Minutes shall be taken or recordings shall be made at all regular and special Council meetings, and shall be made available at the next council meeting.
- E. After consulting with the officers and Executive Board the President shall establish the meeting agenda.
- F. Notices:

1. Whenever possible the draft agenda shall be posted online and emailed to those who have signed up for the Council's distribution list at least seven days in advance of the meeting. Notices may also be placed in such public locations as schools, libraries, and shopping centers. The draft agenda may be submitted to the Federation of Community Councils, or current municipal contractor, for electronic distribution.
 2. The meeting date and time may be submitted to the media as a public service announcement.
 3. For meetings where annual elections take place, public notice may be done through email notification to members, council newsletters, area wide mailings, newspapers, publications, school distribution and other means to inform as many council members as possible. Notice may also be submitted to the Federation of Community Councils, or current municipal contractor, for electronic distribution.
- G. The Executive Board or their designee(s) shall be responsible for any meeting notices.
- H. A quorum for meetings and special meetings shall be those provisions contained in the Council's bylaws in effect as of November 1, 2013.
- I. Robert's Rules of Order, Revised, shall apply for regular and special meetings for all matters not covered by the bylaws.

ARTICLE VIII: VOTING

- A. Any member of the Council as defined in Article VI shall have one vote. If a single individual possesses several kinds of property or businesses within the definition for membership qualification, or meets the definition of member in more than one category, s/he shall still have just one vote. Nonprofit associations and business owners shall have one vote each. Nonprofit association, business owner, and non-resident property owner memberships shall designate a primary representative and may designate an alternate representative. Persons may be a member of more than one community council if they qualify for membership.
- B. A member must be present at the time of the vote in order to cast a vote. There will be no proxy voting.
- C. Any vote may be challenged. The member attendance roster shall serve as the official list of eligible voters.

ARTICLE IX: REPORTING OFFICIAL COUNCIL POSITIONS

The President or designee shall be charged with communicating official positions of the Council in a timely manner to the appropriate agencies and individuals. The Council's official positions on community matters may be communicated through resolutions, motions, position letters or emails.

ARTICLE X: OFFICERS

Provisions for council officers and executive board (or like body), including qualifications and duties, election, removal and/or replacement, and terms of office shall be those provisions contained in the Council's bylaws in effect as of November 1, 2013, along with the requirement that Council officers and Executive Board members with financial or fiduciary responsibility must be 18 years old at the time of service. The Council may, in its discretion, designate non-fiduciary and non-signatory roles to younger members for leadership training.

ARTICLE XI: COMMITTEES

Committees may be established by the Executive Board at any time for whatever purpose deemed necessary. The nature and duties of the committees shall be determined by the Executive Board.

ARTICLE XII FINANCES

- A. Funds collected by the Council shall be deposited into an account or accounts at an established financial institution, with the Treasurer being responsible for all deposits and accountings.

- B. The Treasurer shall sign each check or withdrawal. If the Treasurer is not available the President shall sign the check or withdrawal in place of the Treasurer.
- C. A financial report signed by the Treasurer and the President and a person approved by the Membership showing all receipts and expenditures shall be made yearly to the Council prior to the election of new officers.

ARTICLE XIII: AMENDMENTS

Proposed bylaws changes must be noticed and discussed at a minimum of one Council meeting prior to the meeting at which action will be taken. The notice shall include a statement of the articles to be changed and the reason. The bylaws may be amended or repealed by a two-thirds (2/3) vote of the members present at a general or special meeting. Within 45 days of approval by the membership, bylaws amendments shall be filed with the Municipal Clerk for acceptance by the Municipal Assembly as required by municipal code chapter 2.40. It shall be the responsibility of the Council President, or designee, to timely notify the Municipal Clerk regarding bylaws amendments.

ARTICLE XIV: DISSOLUTION

Unless otherwise provided by law, dissolution may occur by vote of three-fourths of the members of the Council at a regular Council meeting, at a special meeting called for that purpose, or by mail ballot. If the Council is dissolved by law or by this Article the Council's property including, but not limited to, funds remaining in the Council treasury after all obligations are met, may be donated. The Council's donation shall be made to the Federation of Community Councils, or current municipal contractor, for community council use, or another nonprofit organization if designated in the dissolution action.

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- C. Bylaws adopted by the community council and submitted to the municipal clerk's office will be reviewed by the Assembly Rules Committee, the ombudsman, or other assembly designee for conformity with this chapter 2.40 prior to acceptance by the assembly, and the community council will be notified of any nonconformity requiring correction.
 - D. Bylaws in conformity with this chapter 2.40 will be submitted by the municipal clerk to the assembly by assembly information memorandum at the next assembly meeting following submission by the community council, or as soon as practicable after receipt by the office of municipal clerk.
 - E. Community council bylaws shall include provisions consistent with these requirements:
 - 1. Definition of the boundaries of the community council as set forth in section 2.40.040D and 2.40.090; identification of boundaries by code reference and associated map number under section 2.40.040 is sufficient and preferred.
 - 2. Definition and eligibility for community council membership consistent with affording residents maximum community involvement and self-determination under the charter and meeting the requirements of this chapter.
 - 3. Regular meetings of the council at least four times in a calendar year and at least once each calendar quarter; special meetings at the call of designated officers or executive board members, and by petition from a designated number of council members, to address community council business, including the accommodation of community council responsibilities under municipal code section 21.03.020.C.
 - 4. The election of officers, term of service, and the designation of an executive board to receive notice and conduct the business of the council between meetings. Community council officers and executive board members with financial or fiduciary responsibility must be 18 years of age or older at the time of service. A community council, in its discretion, may designate non-fiduciary and non-signatory roles to younger members for leadership training, and may extend voting eligibility to residents 16 years of age and older in the adoption of community council bylaws.
 - 5. The duties and responsibilities of officers, their removal or replacement when a vacancy occurs, and criteria for eligibility to hold an office with the council.

6. A record shall be made by minutes or an electronic recording of all regular and special meetings. Upon request, the record will be made available within a reasonable time determined by the community council.
7. The management of the council's finances including regular status reports and an annual report to the council members on the council's finances or a compilation of treasurer's reports.
8. The dissolution of the council, and for the disposition of the council's property upon dissolution.
9. That the latest edition of Robert's Rules of Order, Revised, shall apply in all instances, matters, and proceedings not covered by the bylaws.
10. Procedures for amending the bylaws.
11. Meeting and member attendance rosters shall be used only for council business.
12. Eligibility to vote.
 - a. Community council bylaws may require prior attendance at one community council meeting in the preceding 12 months as a prerequisite to voting eligibility. For the election of officers and executive board members, community council bylaws may require prior attendance at one but no more than two community council meetings in the preceding 12 months prior to election. Prior attendance is demonstrated by the meeting and member attendance roster. Bylaws shall not otherwise restrict eligibility to vote by members in attendance.
 - b. Only one vote shall be granted to any member: Each resident, non-resident property owner, business, and non-profit organization shall have one vote. If a person meets the qualification of member in more than one category or for more than one property, the member shall have one vote.
13. Conflict of interest. Community councils shall not endorse a candidate for federal, state or municipal elected office.
14. The community council shall not charge dues, or require other financial contribution as a condition of membership or participation. A community council may receive gifts, grants, contributions, or in-kind donations from members or others to meet the costs of its operations, including voluntary dues, provided that membership, participation, and voting privileges shall not be predicated upon payment.

(AO No. 2014-3(S), § 1, 2-11-14)

2.40.040 - Establishment of community council districts.

- A. *Standards.* The assembly shall define community council districts so as to group residents within natural communities and so as to recognize community desires as to boundaries. Natural communities are defined as areas within the municipality that are divided one from another by physical or traffic barriers, and that have common interests, and that have or are achieving a distinct identity by reason of geography, history, population, transportation and other factors. Population is not a criterion.
- B. *Procedures for changes in districts.* Review and amendment of community council district boundaries shall adhere to the standards for defining district boundaries set forth in subsection A. above, and follow a public process. Reviews shall occur periodically to ensure that community council district boundaries adjust through decades of neighborhood growth and change, and continue to reflect and represent actual neighborhoods, as follows:
 1. *Initiation and timing of boundary reviews.* Review of community council district boundaries and the number of districts shall occur upon assembly or planning and zoning commission initiative or at the request of the mayor or one or more community councils; however, a comprehensive review of district boundaries and the number of districts shall occur at least once every ten years, following the release of decennial U.S. Census results and after assembly redistricting is acted upon and any court appeals are disposed of.

2. *Public review process.* For any review of one or more district boundaries, the planning department shall obtain public input and the participation of community councils on possible changes to community council district boundaries, and shall submit to the planning and zoning commission and assembly a report and recommendations on district boundaries. The planning and zoning commission shall review the report, and after conducting a public hearing, forward its recommendation to the assembly. Upon receipt of the recommendation, the assembly shall conduct a public hearing and by ordinance may adjust community council district boundaries. The assembly and the planning and zoning commission shall each solicit and consider the recommendations of community councils concerning changes in community council district boundaries.
- C. *Initial districts.* Initially, the suggested district boundaries were those described in appendix A to GAAB 5.75.030.B, a copy of which is available in the office of the municipal clerk.
- D. *Districts recognized.* The municipality recognizes the following community council districts, which serve areas depicted on maps located in section 2.40.090.
1. Abbott Loop;
 2. Airport Heights;
 3. Basher;
 4. Bayshore/Klatt;
 5. Bear Valley;
 6. Birchwood;
 7. Campbell Park;
 8. Chugiak;
 9. Downtown;
 10. Eagle River;
 11. Eagle River Valley;
 12. Eklutna Valley;
 13. Fairview;
 14. Glen Alps;
 15. Government Hill;
 16. Hillside;
 17. Huffman/O'Malley;
 18. Mountain View;
 19. Midtown;
 20. Northeast;
 21. North Star;
 22. Old Seward/Oceanview;
 23. Portage Valley;
 24. Rabbit Creek;
 25. Rogers Park;
 26. Russian Jack Park;
 27. Sand Lake;

28. Scenic Foothills;
29. South Addition;
30. South Fork;
31. Spenard;
32. Taku/Campbell;
33. Tudor Area;
34. Turnagain;
35. Turnagain Arm;
36. University Area.

(GAAB 5.75.030; AO No. 2003-15, § 2, 7-22-03; AO No. 2014-3(S), § 1, 2-11-14; [AO No. 2016-80, §§ 2—4, 7-26-16](#))

2.40.050 - Functions.

Community councils shall have the following advisory functions:

- A. In regard to the Anchorage comprehensive plan and its adopted elements as described in municipal code section 21.01.080 and listed in Table 21.01-1:
 1. Evaluate compliance with the plan, alerting municipal officials to, or proposing appropriate action regarding any inconsistencies with the plan; and
 2. Conduct a continuing review and study of the plan to determine its workability in each district and to advise municipal officials of, or propose any appropriate action regarding proposed modifications or additions to the plan.
- B. Assume leadership and propose action in regard to enforcement of existing laws or ordinances, pursuit of rights under existing laws or ordinances, desired or opposed changes in or additions to laws or ordinances, or any matter of policy regulation.
- C. Respond to local government proposals submitted to community councils pursuant to section 2.40.060.
- D. Work with local government and other governmental entities, as well as with persons and groups outside the government, to accomplish district goals, including goals which may have an areawide impact.
- E. Receive and review notices to community councils from municipal departments including notice under:
 1. Section 2.30.120.C. (alcohol beverage control board license applications);
 2. Section 10.55.030 (permits for teen nightclubs and cultural performance venues);
 3. Section 21.03.020.H. (land use proposals);
 4. Section 24.35.020 (national security road closures);
 5. Section 25.30.025.E. (disposal of municipal land requiring voter approval);
 6. Chapter 10.80 (licensing and regulation of marijuana establishments);
 7. Other code provisions deemed appropriate by a municipal department.
- F. Participate in the community meeting process under municipal code section 21.03.020.C when notice from a developer is timely.

- G. Advise the assembly of the community council's annual priority list of capital improvement projects by filing with the municipal clerk within the timeframe established by the administration, a copy of the list as submitted to the administration. The municipal clerk will prepare an assembly information memorandum to submit the community council annual priority lists to the assembly. The assembly information memorandum will be presented at the next assembly meeting following the end of the submission period, or as soon as practicable after receipt by the municipal clerk.

(GAAB 5.75.040; AO No. 2014-3(S), § 1, 2-11-14; [AO No. 2016-27\(S\), § 1, 4-12-16](#).)

2.40.060 - Municipal responsibilities to community councils.

- A. Notice and submission of proposals for review by community council. In supplement to the community council functions in section 2.40.050 and except where action must be taken on an emergency basis, the mayor shall be responsible for giving to community councils an opportunity to participate in the formulation of, and to review and comment upon, all land use, social and economic proposals which in the opinion of the mayor, the assembly, or the agency head involved, will have a significant impact on all or a substantial portion of district residents. Such notice shall not preempt due process requirements in code or regulation. Timely notice under this section with regard to the processing, hearing, and appeal of applications for rezoning, special exceptions, variances, conditional use, building permits, and other matters of significant impact to the community council is supplemental to other code-required notice to community councils.
 1. Such opportunity for participation shall be afforded community councils in the initial stages of planning as well as in subsequent stages of proposal development.
 2. Where municipal ordinance or resolution requires the giving of mailed notice to adjacent or nearby residents or property owners with respect to a proposed permit application, rezoning, or land use change, the planning department shall timely send a copy of the same notice to the chairman of any community council whose boundaries contain land described in Tables 1 and 2 of this subsection, or to such other officer or contact designated by the council for receiving such notice.

Table 2.40.060A.-1: Community Council Notice Requirements For Land Use Changes Proposed on Public Lands and Facilities

Land Use Proposals on Public Lands and Facilities (proposals for which 21.15.005A. requires notice)	Minimum Notice Radius
<p>A1. Regional (Areawide) Public Lands and Facilities. The following regional (areawide) public facilities are geographically expansive, adjoin multiple council districts, and impact a wide area:</p> <ol style="list-style-type: none"> 1. Merrill Field Airport; 2. Ted Stevens Anchorage International 	<p>Community councils that have boundaries within 1,000 feet of the subject public land or facility shall receive notice which includes the proposal application. Community councils more than 1,000 feet from the subject public land or facility shall receive notice. Such</p>

<p style="text-align: center;">Airport;</p> <p>3. Far North/Bicentennial Park, with BLM and Tudor Road public facilities;</p> <p style="padding-left: 40px;">4. Chugach State Park; and,</p> <p>5. Anchorage Coastal Wildlife Refuge.</p>	<p style="text-align: center;">community councils may request the proposal application.</p>
<p>A2. The following kinds of public lands and facilities are geographically within a council district and have regional (areawide) impacts:</p> <p style="padding-left: 40px;">1. Public airports and airstrips;</p> <p style="padding-left: 40px;">2. Regional and Urban parks as designated in the Parks, Greenbelts and Recreational Facilities Plan;</p> <p style="padding-left: 40px;">3. Public schools and universities with areawide attendance.</p>	
<p>B. Other Municipal and State Lands and Facilities.</p>	<p style="text-align: center;">The Planning Department shall provide notice to community councils within 1,000 feet of the subject public lands or facility.</p>
<p>C. Branch Municipal Facilities that Serve Specific Delineated Areas.</p> <p>These are branch municipal facilities that serve an established delineated sub-area of the Municipality. Examples:</p> <ul style="list-style-type: none"> • Public Schools; school attendance areas • Fire Stations; emergency response areas 	<p style="text-align: center;">The Planning Department shall provide notice to community councils within 1,000 feet of the subject facility, AND to community councils within the facility's delineated district of service.</p>

Table 2.40.060A.-2: Community Council Notice Requirements for Land Use Proposals on Private Property

<p style="text-align: center;">Land Use Proposal on Private Property</p>	<p style="text-align: center;">Minimum Notice Radius</p>
<p>A. Zoning map amendments, conditional uses, public hearing site plan reviews, subdivisions</p>	<p style="text-align: center;">The planning department shall notify community councils within 1,000 feet of the subject site.</p>

cases that require public hearings, and other land use and development proposals that require notification and a public hearing.	
B. Variances, non-public hearing platting cases, easement vacations, or non-public hearing site plan reviews.	The planning department shall notify community councils within 1,000 feet of the subject site if notice is required by 21,15.005.
C. Land use proposals that are potentially major projects or controversial uses, and it is the opinion of the planning department director that community councils beyond the minimum notification distance are likely to be impacted.	The planning director shall notify community councils beyond the minimum notification distance regarding proposals which, in the opinion of the director, are likely to have a significant impact on residents of community councils beyond the minimum notice distance.

- B. On and after January 1, 2014, land use notice to community councils shall meet or exceed the requirements for community council notice specified in municipal code section 21.03.020H. and summarized in Table 21.03-1. In recognition that special land use permits for marijuana-related land use is a significant change for all communities within the municipality, neighborhood responsibility planning guidelines are provided to assist in neighborhood engagement.
1. *Neighborhood engagement without liability to community councils.* Meaningful engagement in neighborhood responsibility planning is a benefit to the owner/operator of a marijuana retail establishment and nothing in this chapter, title 10, or title 21 regarding special land use permits and municipal licenses for marijuana retail establishments may be used to infer or create community council liability. For purposes of neighborhood engagement, marijuana retail sales establishments and the respective owner/operator of any marijuana retail sales establishment are collectively referred to as "marijuana retailers".
 2. *Neighborhood responsibility planning guidelines for marijuana retail sales establishments (marijuana retailers).* Assembly issuance of special land use permits for the retail sale of marijuana under AMC title 21 and the related licensing and regulation of marijuana retailers under AMC chapter 10.80 require the marijuana retailer to meaningfully engage in neighborhood responsibility planning with residents and other neighborhood businesses to mitigate concerns such as odor, parking, and security. To provide community councils and marijuana retailers assistance in fostering a mutually beneficial relationship for the community, these guidelines are made available. As soon as practicable, applicants for a State of Alaska license to operate a marijuana retail sales establishment within any community council district, and the duly authorized representative(s) of the community council, are encouraged to engage in neighborhood responsibility planning and endeavor to:
 - a. Establish a point of contact for each licensed marijuana retailer, with the name and contact information, including an after-hours contact for community alerts and assistance.
 - b. Establish the community council's preferred method of communication, including a designated point of contact, and contact information.
 - c. Develop a schedule of mutual engagement and outreach to the community council and immediate residents and property owners within 500 feet of the establishment to touch base

and mitigate any potential issues. For Chugiak-Eagle River, mutual engagement and outreach for marijuana retail establishments located within a community council district identified on Map 1 and Map 2 of section 2.40.090 of this chapter, will include the community council, residents and property owners within 1,000 feet of the establishment, and the Chugiak-Eagle River Advisory Board established in section 4.60.105.

- d. Develop a resolution process which outlines how problems and issues of mutual concern will be brought forward and addressed by the marijuana retailer, community council, residents, and/or other businesses.
 - e. Identify and designate two individuals authorized to speak on behalf of the marijuana retailer at community council meetings.
 - f. Encourage community council member participation by the marijuana retailer and identify the preferred months for the licensed marijuana business to attend by representative.
 - g. Address other matters of concern identified by either the applicant or the council.
 - h. Develop a memorandum of understanding, to include all items discussed, the detail on items concluded, and the plan for any items still in progress.
3. *Neighborhood responsibility planning is an informal process.* Neighborhood responsibility planning is intended to facilitate ease of integration of the new business into the community. To assist with development, an outline of planning topics and potential provisions meeting the intent are set out for ease of reference and adaptation in Exhibit B. Exhibit B provisions may be expanded and revised to reflect particulars of the neighborhood responsibility planning engaged in by the marijuana retailer with the community council.

Exhibit B

Neighborhood Responsibility Planning—Suggested Topics & Provisions

MEMORANDUM OF UNDERSTANDING

Between [Marijuana Retail Sales Establishment] and [Community Council]

Effective Date: [date]

This Memorandum of Understanding (hereafter "Agreement") is hereby entered into by and between [Community Council] (hereafter "Community Council"), a community council within the Municipality of Anchorage, and [Marijuana Retail Sales Establishment] (hereafter "Marijuana Store"), an applicant for a municipal license and special land use permit for a marijuana retail sales establishment to be located at [address].

I. RECITALS

WHEREAS, the Community Council has a vested interest in ensuring that they represent the best interests of the community council area; and

WHEREAS, the Marijuana Store is seeking to open a legitimate business within the community council area; and

WHEREAS, the Community Council and the Marijuana Store have a long-term interest in fostering a mutually beneficial relationship to address communications and problem-solving; and

WHEREAS, this Agreement is intended to satisfy neighborhood responsibility planning requirements in municipal code;

Now, therefore, the parties agree as follows:

II. AGREEMENT BASICS

1. The point of contact for the Marijuana Store is [name], who can be contacted as follows: [contact information]. Contact may be outside of store hours if necessary to address issues as they arise. Changes to the point of contact or contact information shall be promptly shared with the Community Council.
2. The point of contact for the Community Council is [name], who can be contacted as follows: [contact information]. Contact may be outside of regular business hours. Changes to the point of contact or contact information shall be promptly shared with the Marijuana Store.
3. The following two individuals are authorized to speak for the Marijuana Store at community council meetings: [name] and [name]. Changes in individuals authorized to speak for the Marijuana Store shall be promptly shared with the Community Council.
4. The Marijuana Store shall engage with the community council and the residents and property owners within 500 feet of the proposed business location, on the following schedule:
5. When the Community Council's residents or businesses, the Community Council, or the Marijuana Store raise issues of concern, the Community Council and the Marijuana Store will take the following steps:
(Suggested options)
 - a. Agree to discuss the issue at the next regularly scheduled community council meeting.
 - b. Agree to call a special community council meeting to discuss the issue.
 - c. Agree to call an executive board meeting of the community council to discuss the issue.
6. The Marijuana Store is encouraged to attend regular Community Council meetings. The Marijuana Store will make a concerted effort to attend the Community Council meeting in [month(s)], at a minimum.
7. The Community Council has identified the following particular concerns relating to the Marijuana Store's application and proposed business:
8. The Marijuana Store has identified the following particular concerns relating to locating within the Community Council:

III. ASSEMBLY AUTHORITY

Each party recognizes and agrees that the authority to approve or deny a municipal license and special land use permit for a marijuana retail sales establishment rests exclusively with the Anchorage Municipal Assembly.

IV. NO FORMAL PARTNERSHIP

This Agreement is mutually beneficial to the Community Council and the Marijuana Store. The parties understand and acknowledge that they do not intend to create a formal partnership. Nothing in this agreement shall be construed or interpreted to create any fiduciary responsibility between them. Neither party shall have any authority, express or implied, to act for or to assume any obligation or responsibility on behalf of the other party. Neither party shall be responsible for the liabilities of the other. The parties understand that non-compliance with this Agreement carries no penalties, but instead shall be information provided to the Anchorage Municipal Assembly for consideration during original and subsequent license and land use actions.

IV. TERM OF AGREEMENT

The parties have executed this Agreement as of the effective date. The Agreement may be updated from time to time with the concurrence of both parties, and shall remain in effect as long as the Marijuana Store is licensed to operate at the identified location.

_____ [Name], [Title] [Community Council]	_____ [Name], [Title, if any] [Marijuana Retail Sales Establishment]
Date: _____	Date: _____

- C. Response to community councils. In the event of a written communication from a community council requesting information, recommending municipal action such as, but not limited to, inclusion of items on the Capital Improvement Project list, or modification of municipal law or policy, or acting upon a municipal proposal submitted pursuant to subsection A of this section, the appropriate municipal officials shall respond within 30 days or such shorter time as may be reasonable. The response shall include the reasons for the municipal position. If a detailed or informative response will require more than thirty days to complete, the community council shall be given the information timely available within 30 days, and a date by which the response will be completed.
- D. Safeguarding fair, efficient and equitable community council relations and practices. The assembly may request review and recommendation from the office of the ombudsman or other assembly designee to assist in maintaining appropriate procedures and support with respect to community council duties and responsibilities. Such request may be from the assembly chair, the Assembly Rules Committee, or by action of the assembly. Bylaw review and items relating to actions or inactions of community councils and community council officers may be referred to the Assembly Rules Committee.

(GAAB 5.75.050; AO No. 2003-75, § 3, 7-22-03; AO No. 2014-3(S), § 1, 2-11-14; [AO No. 2016-27\(S\), § 2, 4-12-16](#))

2.40.070 - Additional citizen participation in municipal government.

Nothing contained in this chapter is intended to deny or limit in any manner the right of persons individually or in groups to petition the assembly or otherwise participate in municipal government under existing procedures and practices.

(GAAB 5.75.060; AO No. 2014-3(S), § 1, 2-11-14)

2.40.080 - Capacity to sue or be sued.

Neither this chapter nor section 8.01 of the Charter shall be interpreted to empower, to authorize or to provide legal capacity to community councils to sue or be sued in any court.

(AO No. 92-45; AO No. 2014-3(S), § 1, 2-11-14)

2.40.090 - Community council maps.

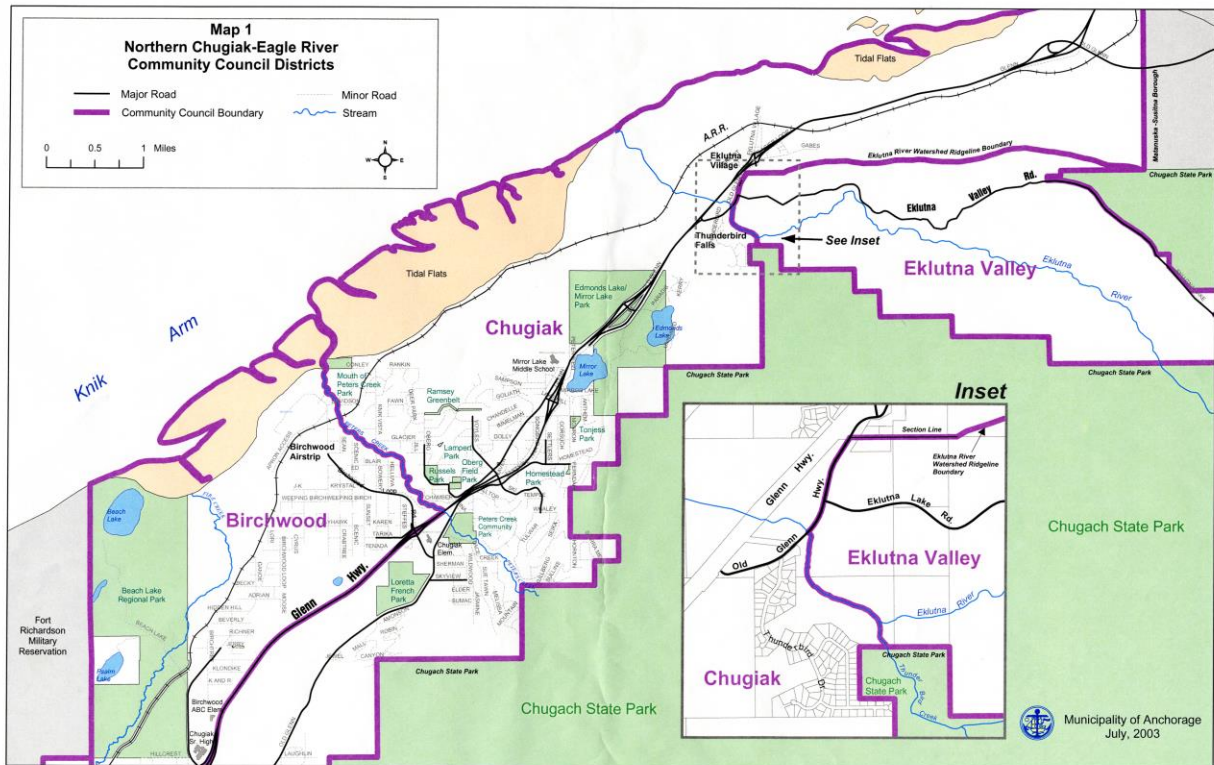
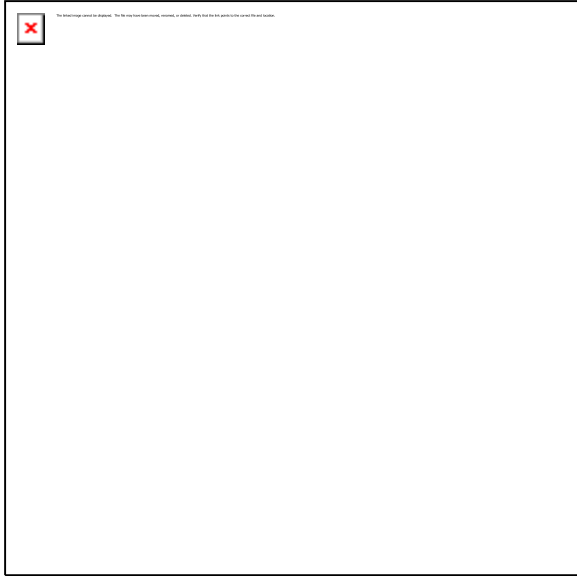
- A. *Purpose.* The community council maps of this chapter have the following purposes:
1. Provide residents of the municipality with a clear and accurate set of descriptions for all community council districts and their boundaries, together in one accessible document, and in a consistent format;
 2. Ensure that residents can easily read, understand, and define their community council district boundaries;
 3. Document future changes to community council district boundaries in this section.
- B. *Map interpretations.* The community council maps in this chapter shall be interpreted as follows:
1. A community council district boundary line on the map that follows a street, highway or railroad or the meanderings of a river or creek on the map shall be interpreted as following the centerline of the street, highway, railroad, river, or creek.
 2. A community council district boundary line on the map that follows a property line or section line on the map shall be interpreted as falling on that property or section line as it existed on the 22nd day of July, 2003.
 3. A community council district boundary line on the map that follows the boundary of a public land or facility that is shaded on the map shall be interpreted as falling on the boundary of that public land or facility.
 4. Where a community council district boundary line on the map does not follow a road, stream, property boundary, or section line, and instead follows some other prominent physical feature such as a ridgeline between watershed valleys, the community council district boundary shall be interpreted as falling on the feature that is labeled alongside the boundary line.
 5. The boundary of a community council that abuts, adjoins or is adjacent to either Turnagain Arm or Knik Arm of Cook Inlet extends seaward to mean low or lower water.
- C. *Specific community council maps adopted.*
1. The community council district maps prepared by the department of planning, dated June 17, 2003, embodying the recommendations of the Federation of Community Councils' Boundary Review Committee, dated June 4, 2003, for Map Nos. 1—12, modifying the maps prepared by the department of planning to implement the recommendations of the Anchorage Planning and Zoning Commission, December 9, 2002, adopted by the Assembly on July 22, 2003, and subsequently with the date of the most recent adjustment on a map to community council district boundaries by assembly action noted:
 - a. Map 1 — Northern Chugiak-Eagle River;
 - b. Map 2 — Central Chugiak-Eagle River;
 - c. Map 3 — Northeast Anchorage Bowl;
 - d. Map 4 — East-central Anchorage Bowl (July 26, 2016);
 - e. Map 5 — Northwest Anchorage Bowl (July 22, 2014);
Map 5a — Northwest Anchorage Bowl: Bootleggers Cove Vicinity;
Map 5b — Northwest Anchorage Bowl East Downtown Vicinity;
 - f. Map 6 — Midtown Anchorage;
Map 6a — Midtown Anchorage: Spenard Lake Vicinity;
Map 6b — Midtown Anchorage: West Fireweed Lane Vicinity;
 - g. Map 7 — Sand Lake and Taku/Campbell;

- h. Map 8 — Southwest Anchorage Bowl;
 - i. Map 9 — Hillside Anchorage (July 26, 2016);
Map 9a — Hillside Anchorage Section 36/Bear Valley Elementary Vicinity (July 26, 2016);
 - j. Map 10 — Turnagain Arm;
 - k. Map 11 — Chugiak-Eagle River;
 - l. Map 12 — Anchorage Bowl (July 26, 2016).
2. The planning department shall maintain, for inspection by the public, maps showing the community council district boundaries.

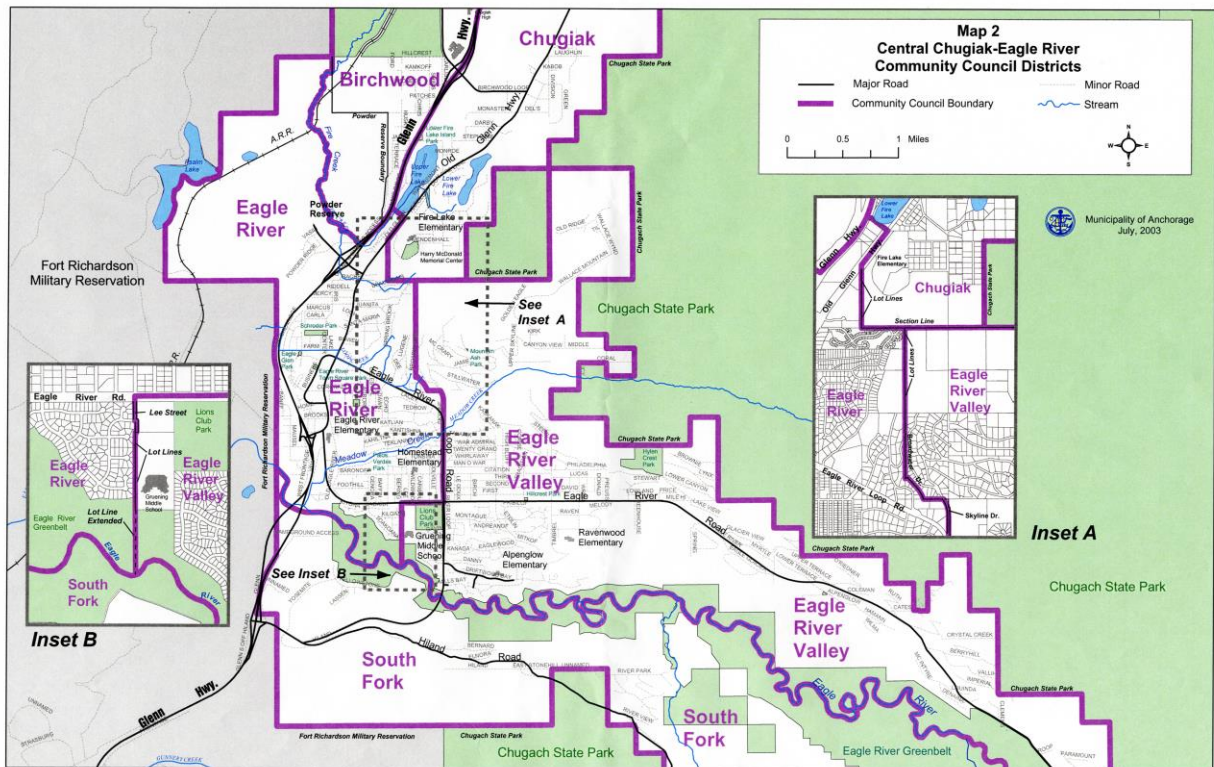
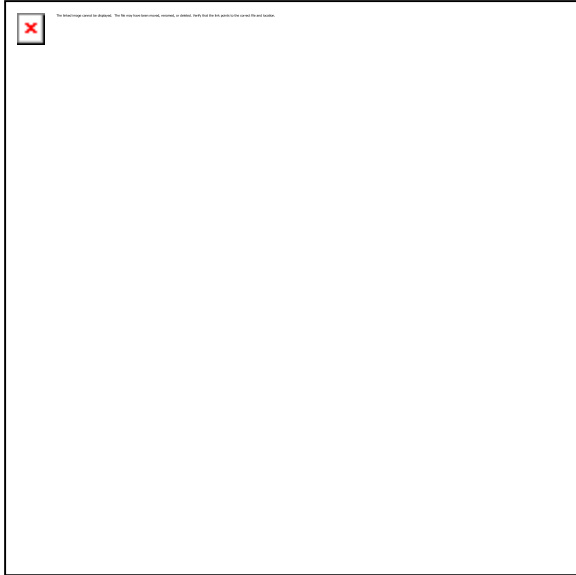
(AO No. 2003-75, § 4, 7-22-03; AO No. 2004-27, § 2, 2-17-04; AO No. 2014-3(S), § 1, 2-11-14; AO No. 2014-89, § 2, 7-22-14; [AO No. 2016-80, § 4, 7-26-16](#).)

Editor's note— Section 2 of AO No. 2014-3(S) adopted February 11, 2014 states, "To implement this ordinance, each community council shall file with the Municipal Clerk's Office new or amended bylaws in conformity with the requirements of chapter 2.40, as amended by this ordinance, for acceptance by the Assembly. Bylaws submitted to the Municipal Clerk's Office will be reviewed by the Ombudsman for conformity with this chapter 2.40 prior to the Municipal Clerk's submission to the Assembly. To facilitate Assembly acceptance, the Ombudsman will notify a community council of any nonconformity requiring correction. Bylaws deemed by the Ombudsman in conformity with Chapter 2.40 will be presented by assembly information memorandum from the Municipal Clerk at the next assembly meeting following notification from the Ombudsman, or as soon as practicable."

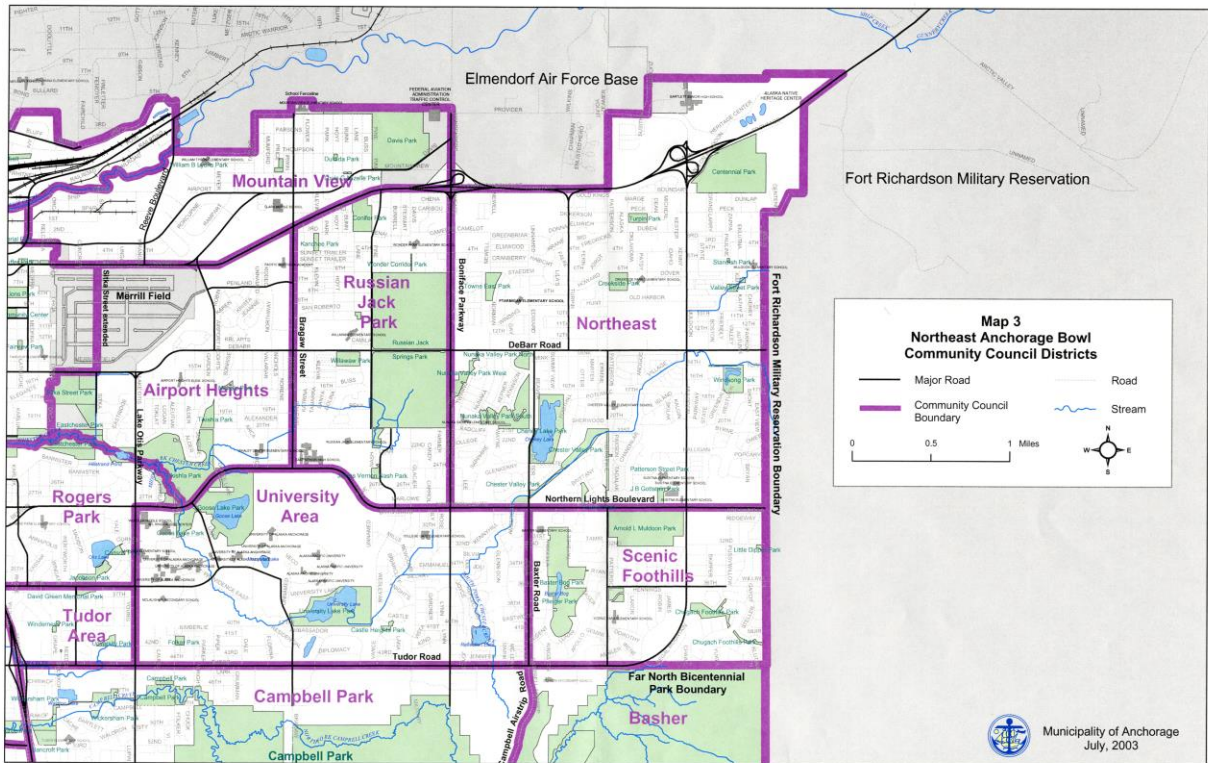
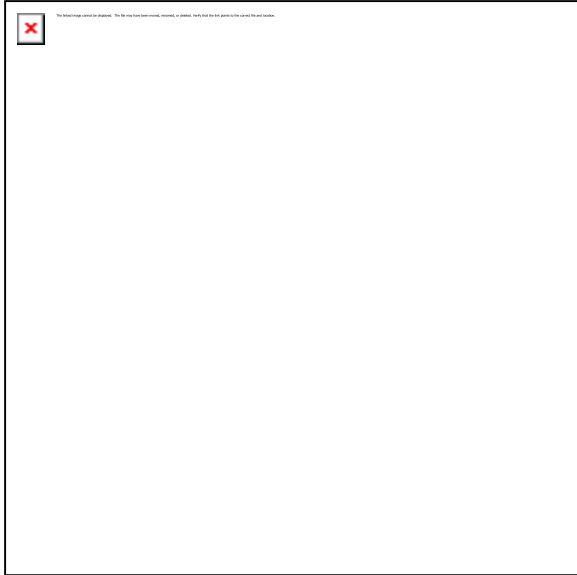
Section 3 of AO No. 2014-3(S) states, "The filing period for new or amended bylaws is 120 days from the effective date of this ordinance, subject to an automatic extension for up to 90 additional days upon the community council filing written notice to the Municipal Clerk. In the absence of new or amended bylaws timely filed with the Municipal Clerk, the bylaws in Exhibit A shall be deemed in effect until acceptance of new or amended bylaws by the Assembly. In place of a provision not accepted by the Assembly, a comparable bylaw provision in Exhibit A may be substituted by the Assembly in the acceptance."



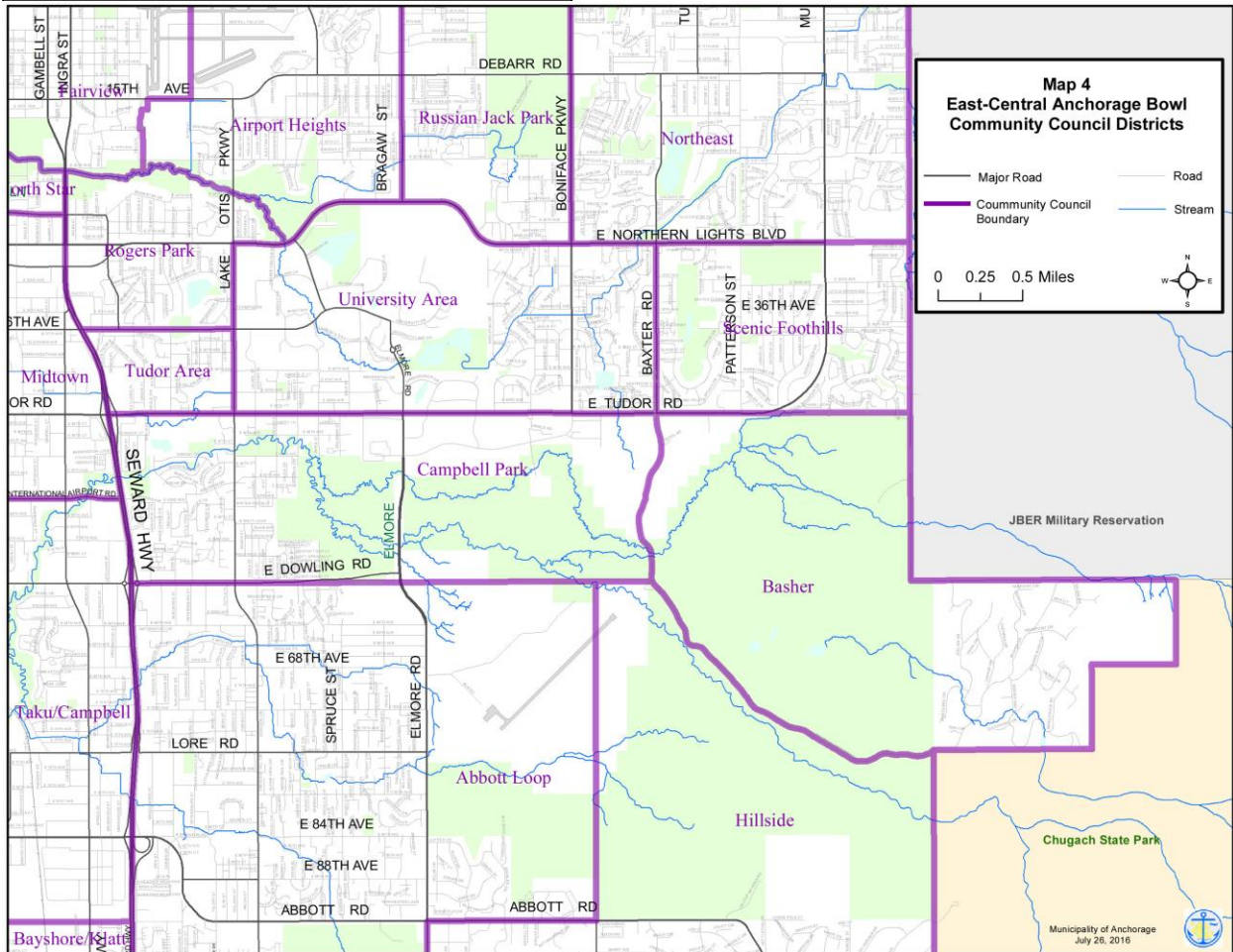
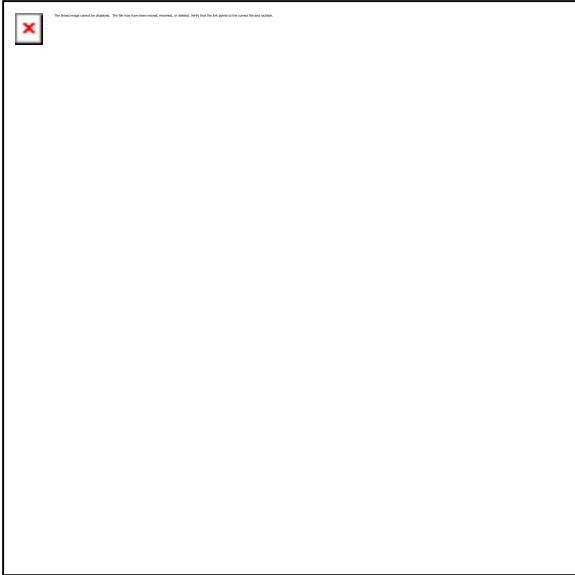
Map 1 — Northern Chugiak-Eagle River

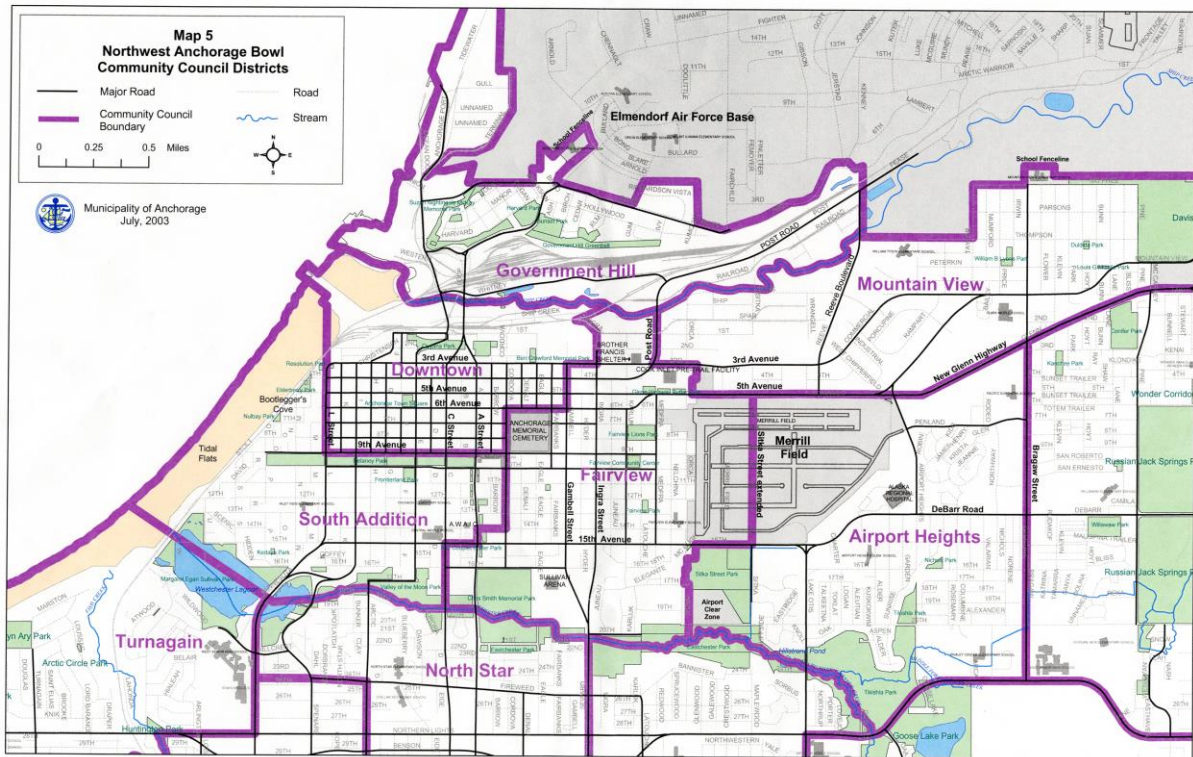
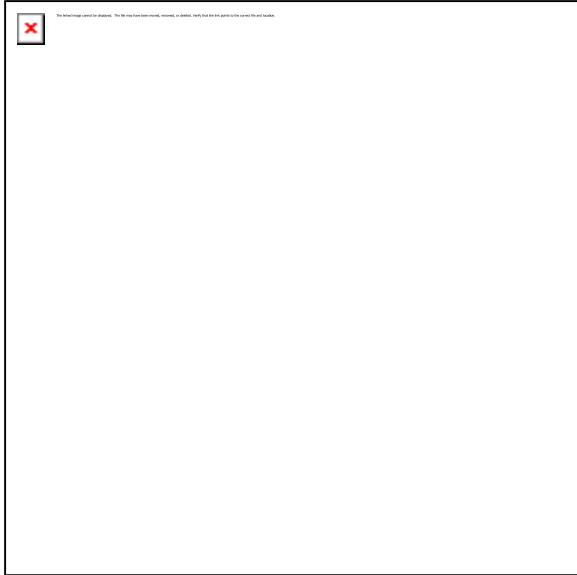


Map 2 — Central Chugiak-Eagle River

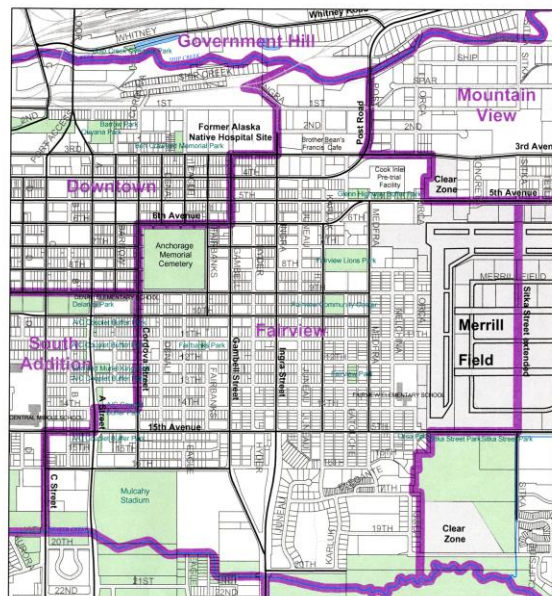
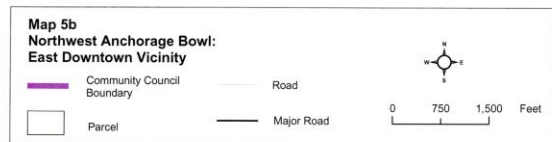
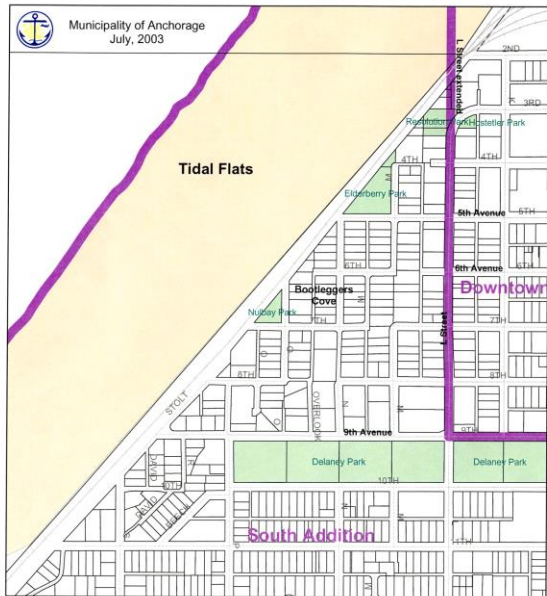
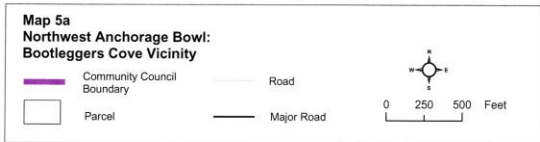
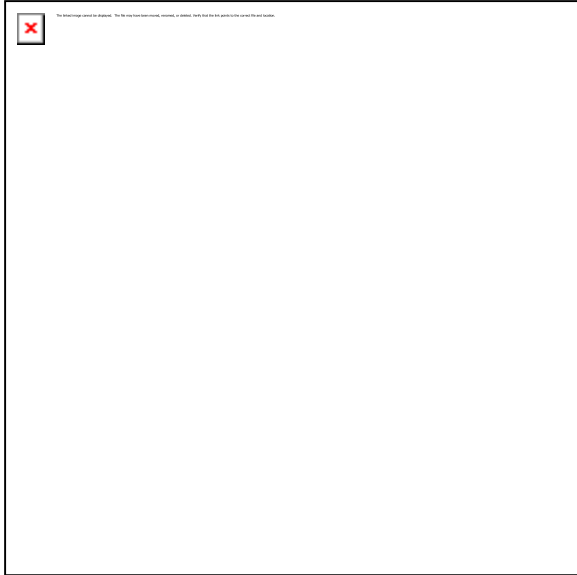


Map 3 — Northeast Anchorage Bowl

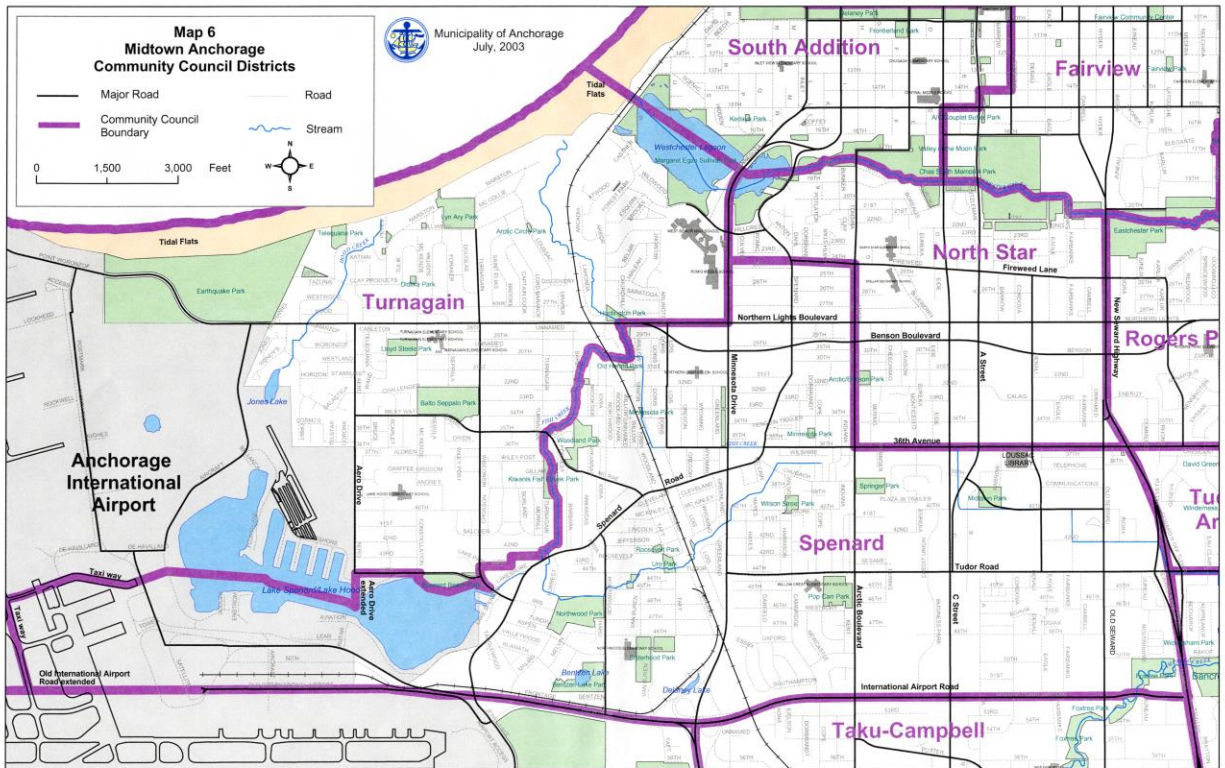
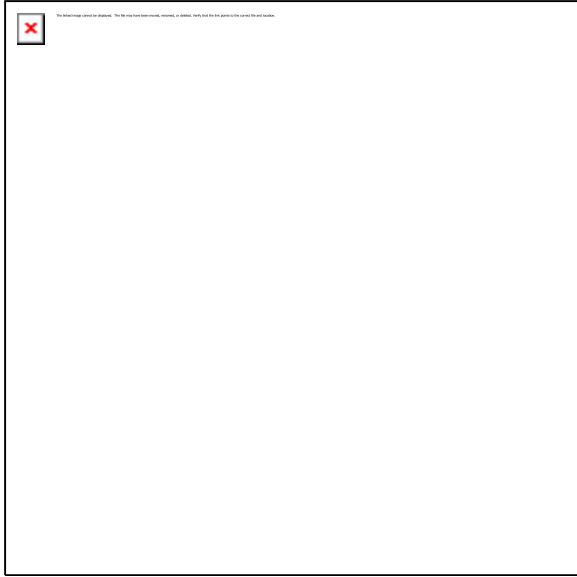




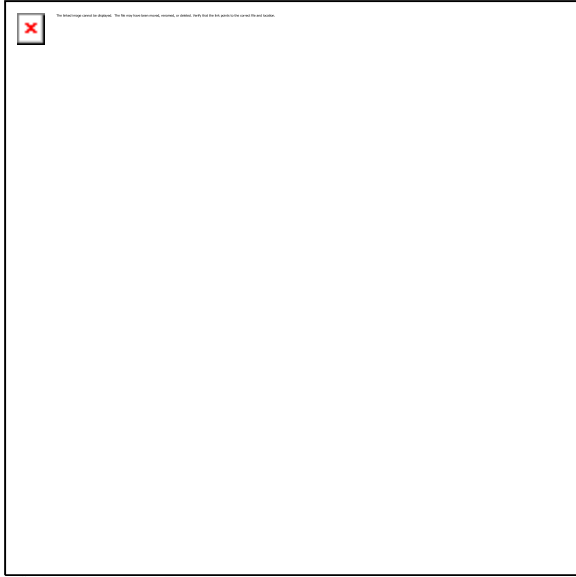
Map 5 — Northwest Anchorage Bowl



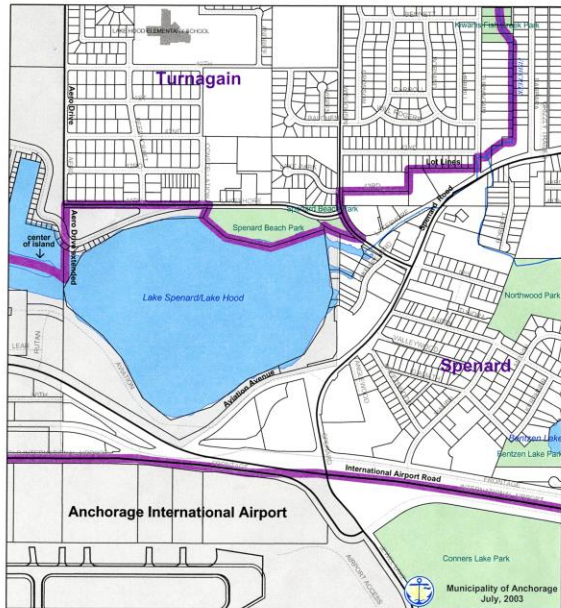
Map 5a — Northwest Anchorage Bowl: Bootleggers Cove Vicinity—Map 5b — Northwest Anchorage Bowl East Downtown Vicinity



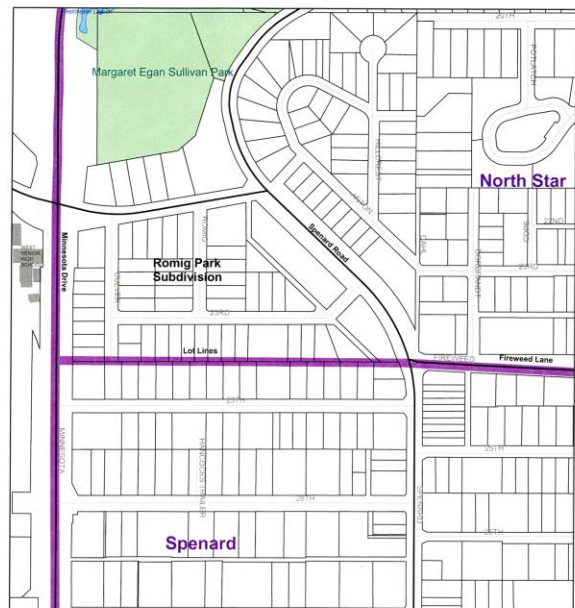
Map 6 — Midtown Anchorage



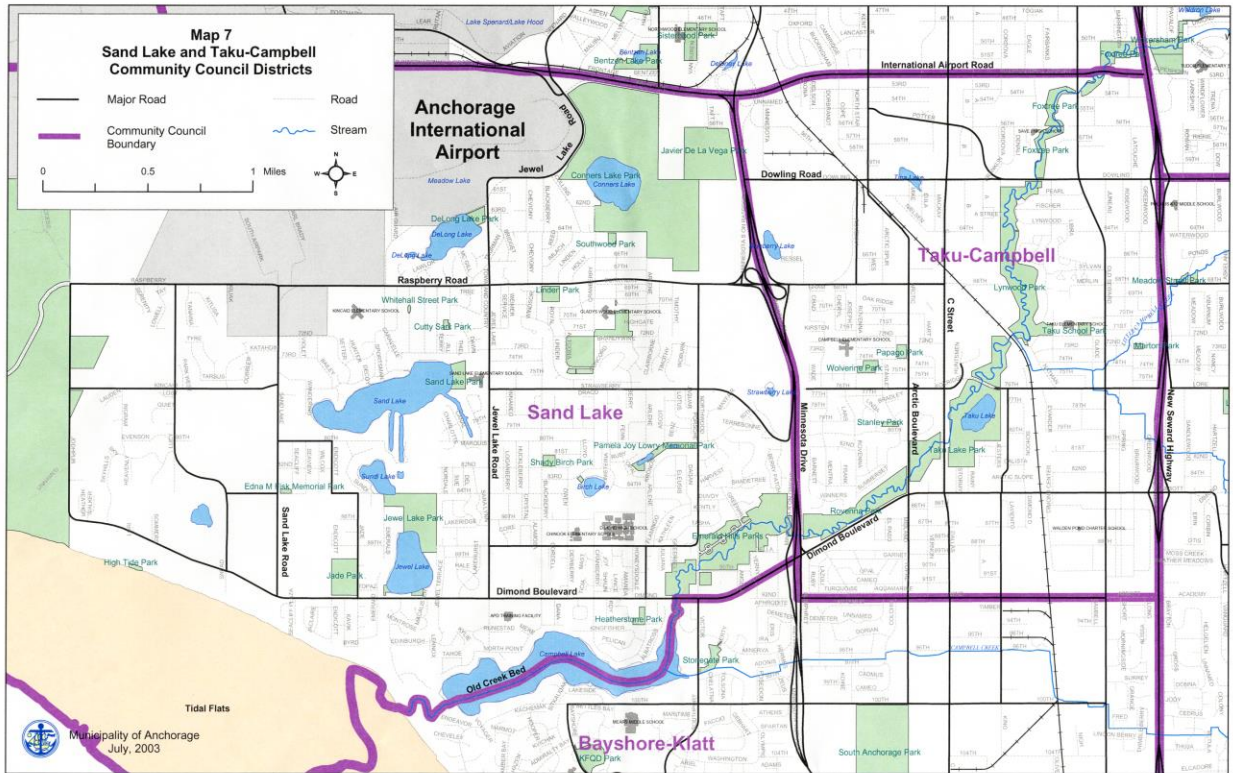
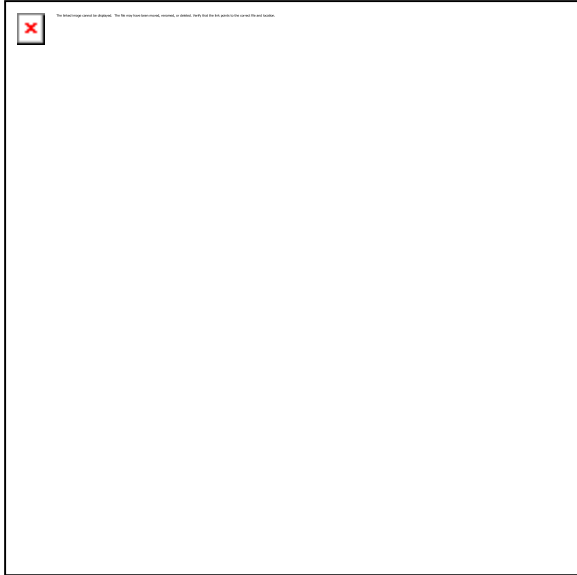
Map 6a
Midtown Anchorage Community Councils:
Spenard Lake Vicinity



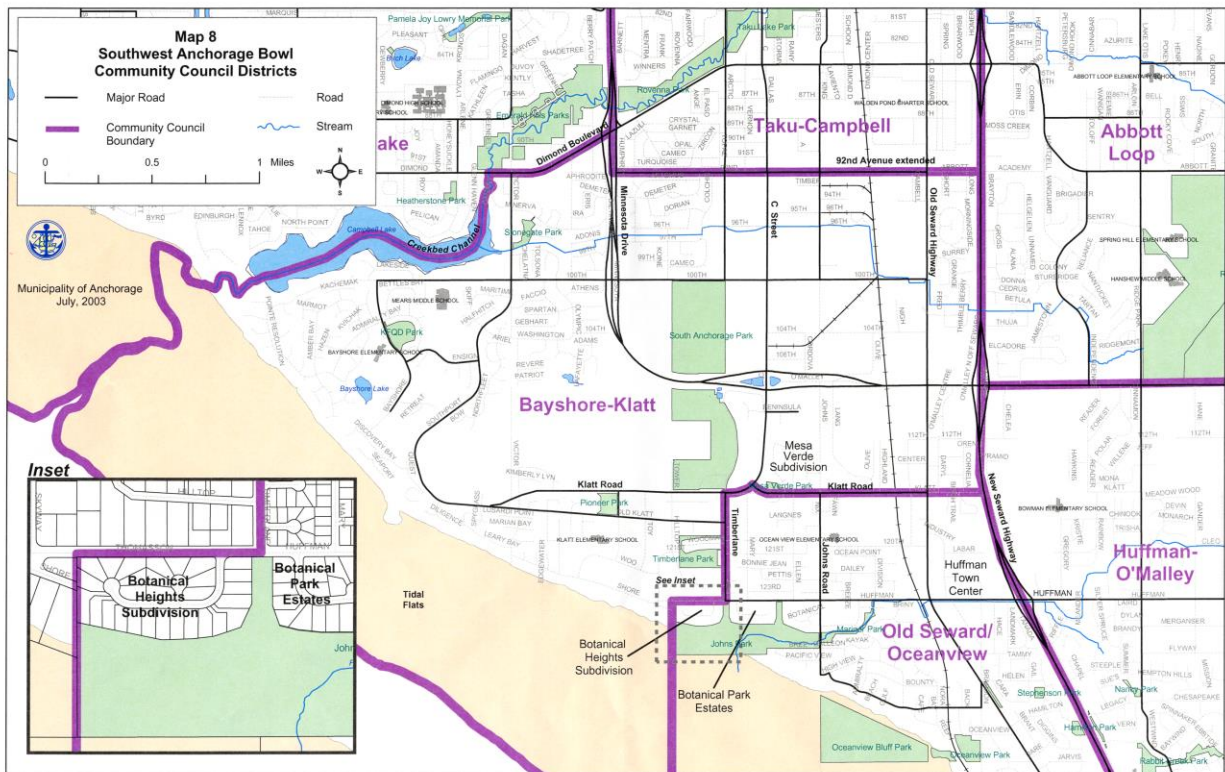
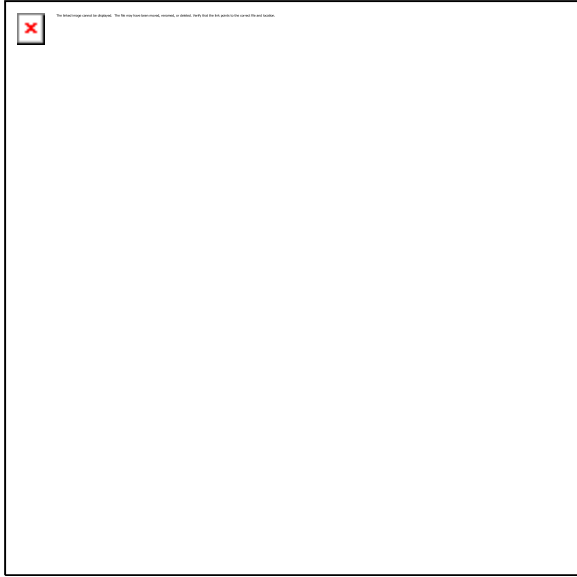
Map 6b
Midtown Anchorage Community Councils:
West Fireweed Lane Vicinity



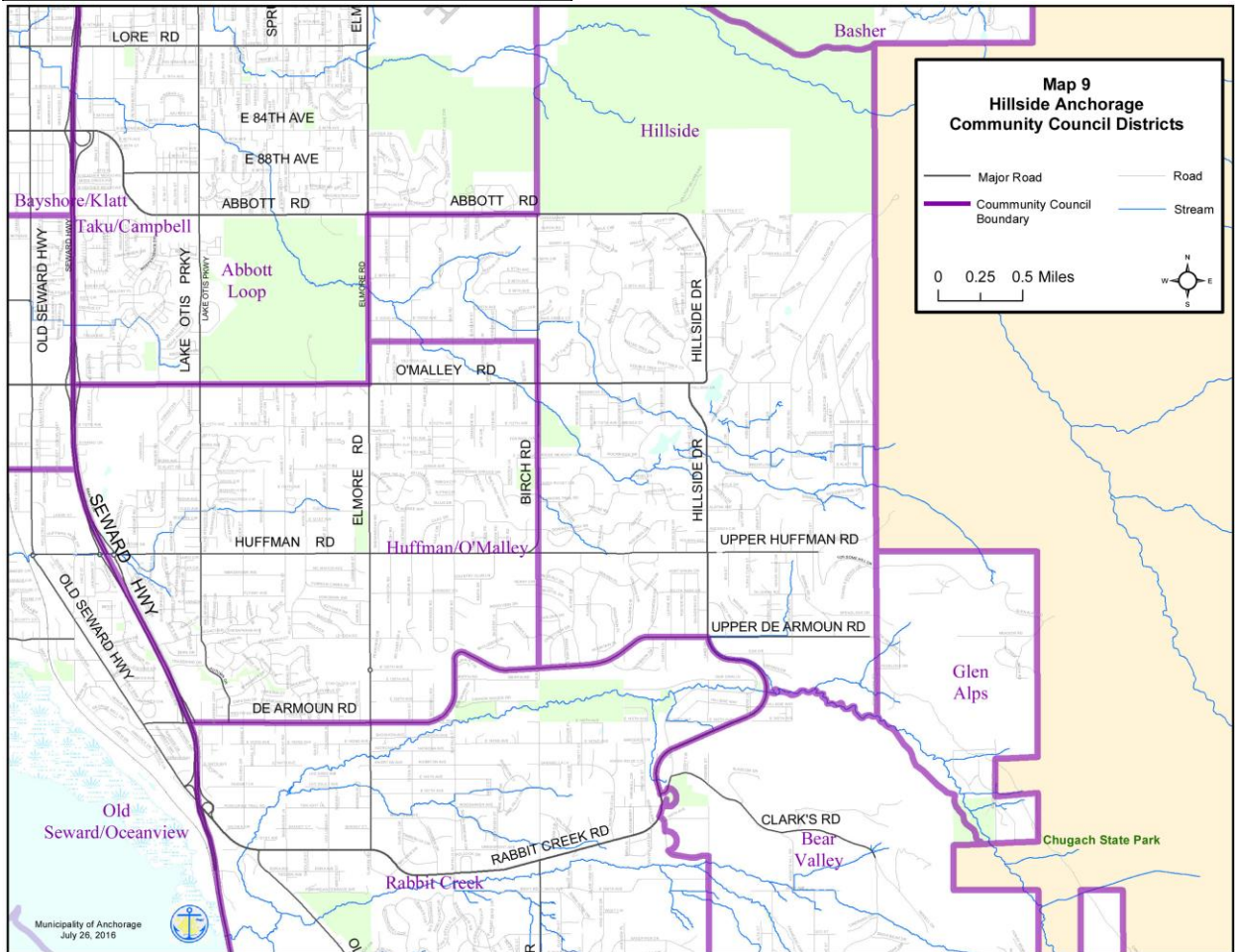
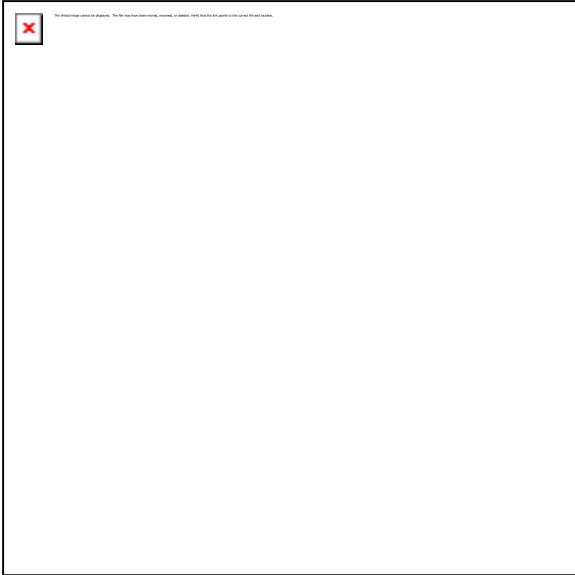
Map 6a — Midtown Anchorage: Spenard Lake Vicinity—Map 6b — Midtown Anchorage: West Fireweed Lane Vicinity

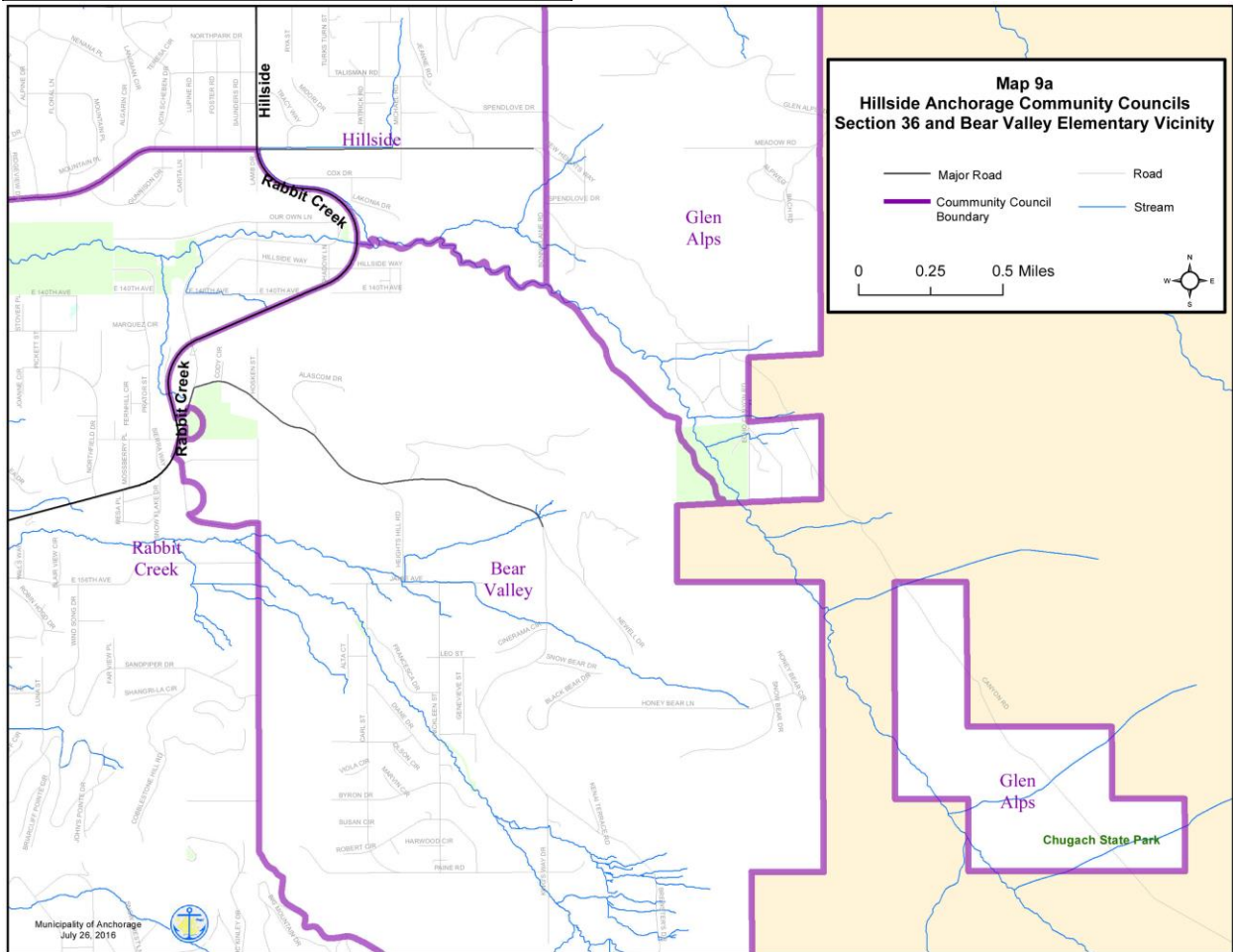
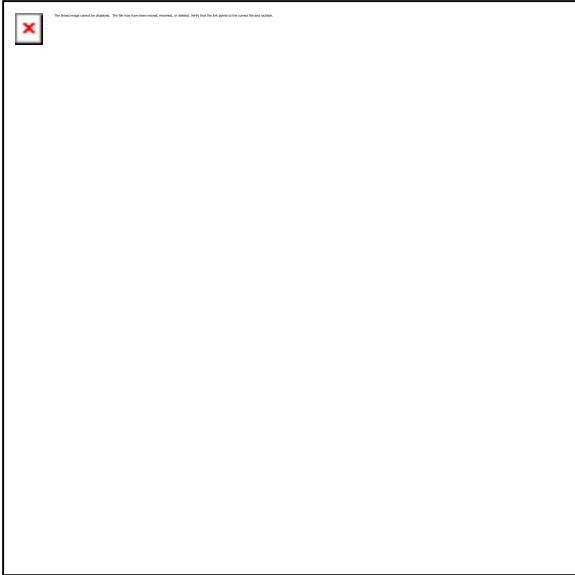


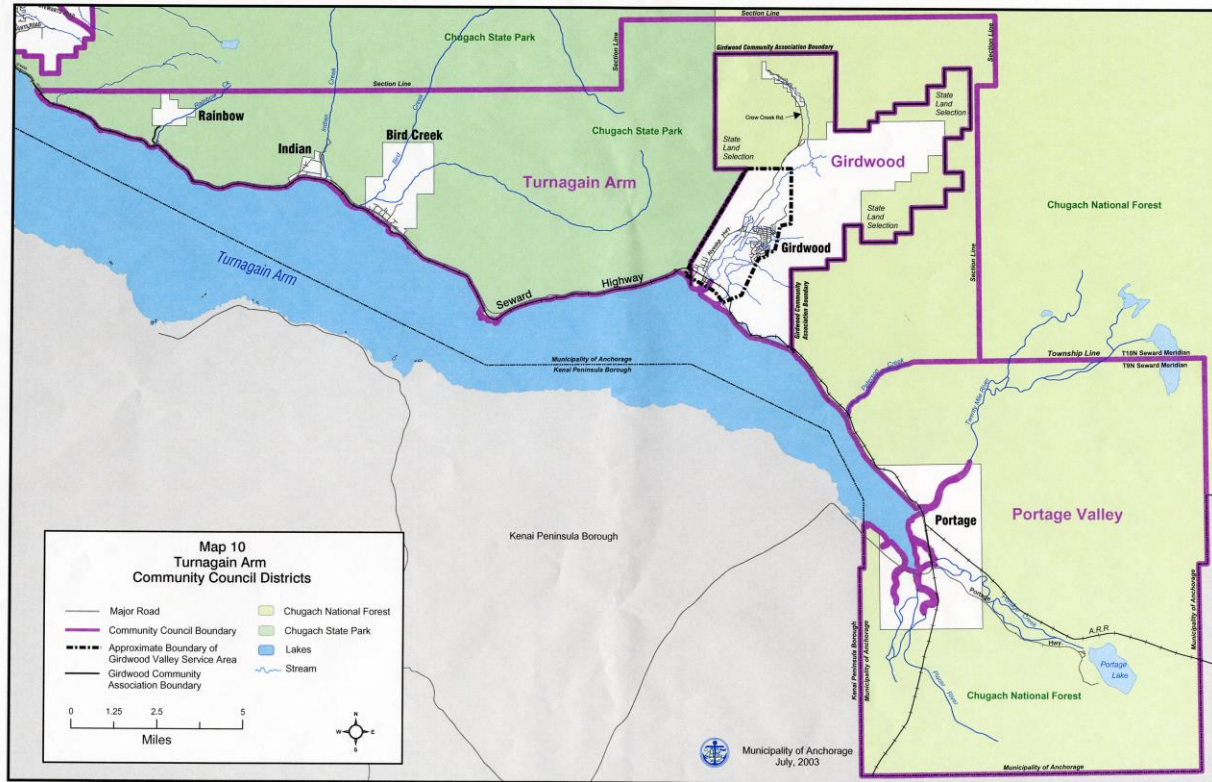
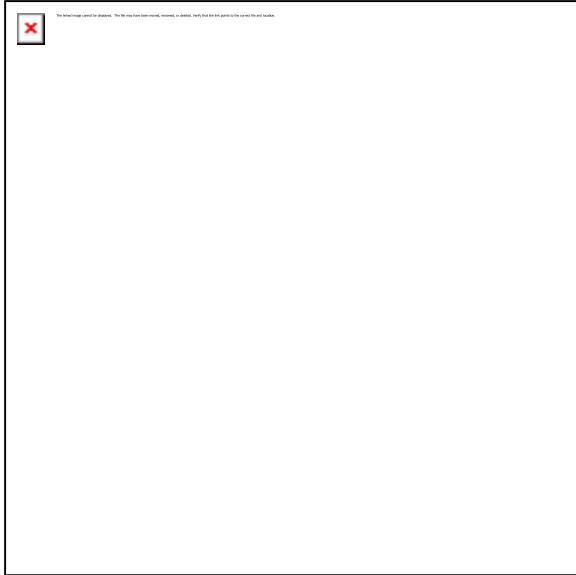
Map 7 — Sand Lake and Taku-Campbell



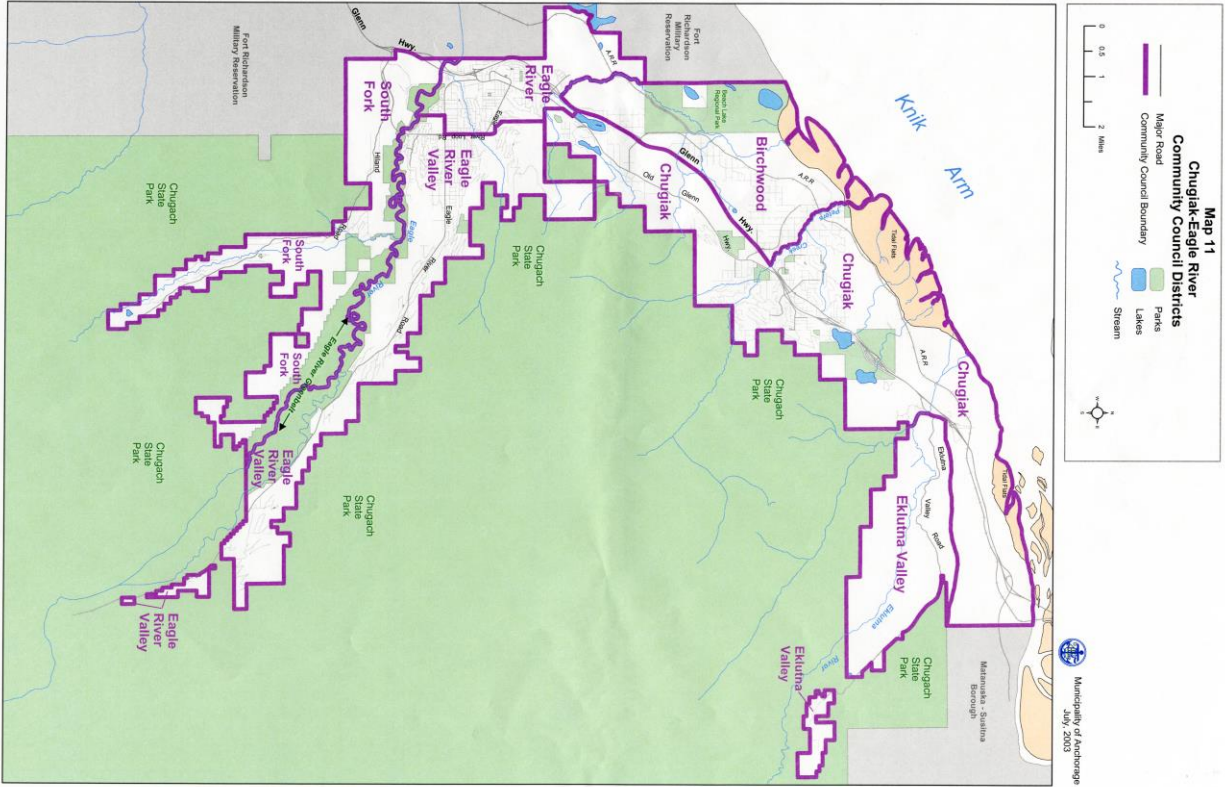
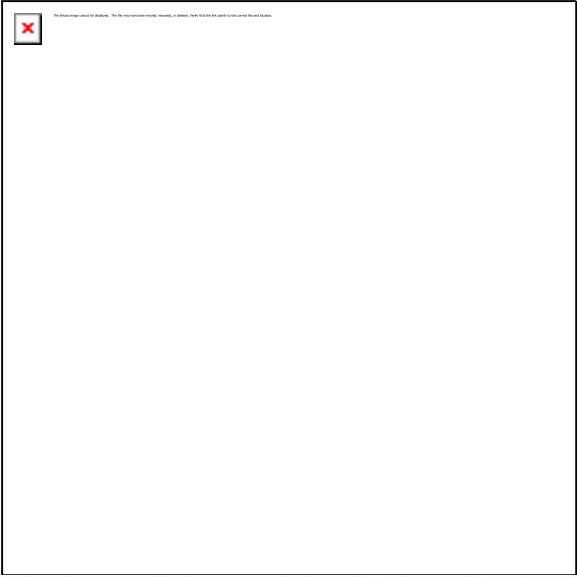
Map 8 — Southwest Anchorage Bowl







Map 10 — Turnagain Arm



Map 11 — Chugiak-Eagle River

