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CHAPTER 21.02: BOARDS, COMMISSIONS, AND MUNICIPAL ADMINISTRATION

21.02.010 PURPOSE

This chapter sets out the powers and duties of land use boards and commissions, the role of the assembly, and the responsibilities of municipal staff in the administration of this title.

21.02.020 TABLE OF DECISION AND REVIEW AUTHORITY

- A. Table 21.02-1 summarizes the major review and decision-making responsibilities of the assembly, the municipal staff, and the other entities that have roles in the procedures set forth in chapter 21.03, *Review and Approval Procedures*. Such other entities are referred to as the “land use boards and commissions” and include: the planning and zoning commission, the platting board; the zoning board of examiners and appeals; the board of adjustment, the urban design commission; and the geotechnical advisory commission.
- B. Table 21.02-1 is a summary tool and includes many, but not all, duties of these entities. Other duties and responsibilities are set forth in subsequent sections of this chapter and this title and other parts of the municipal code. Some other duties and responsibilities not listed in the table may require public hearings.
- C. The referenced notes are set forth immediately below the table.
- D. Even though not referenced in this chapter, the applicant, boards, commissions, or municipal administration may request that other boards, commissions, government agencies, and non-governmental agencies review some applications, including, but not limited to, rezonings, site plans, and subdivisions. Title 21 matters referred to other agencies will follow the procedures established in chapter 21.03, *Review and Approval Procedures*.

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

Certificates of Zoning Compliance	21.03.060				A			D
Comprehensive Plan Amendments	21.03.070C.	D-H [1]	R-H [1]					R
Conditional Uses	21.03.080		D-H			A		R
Flood Hazard Permits	21.03.090				A			D
Land Use Permits	21.03.100			A [2]	A [2]			D
Master Plan, Institutional	21.03.110A.	D-H	R-H					R
Minor Modifications	21.03.120	D [3]	D [3]	D [3]	A			D [3]

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A = APPEAL = Authority to Hear and Decide Appeals
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Neighborhood or District Plans	21.03.130	D-H	R-H					R
Planned Unit Development (PUD)	21.03.140		D-H			A		R
Public Facility Site Selection (except schools)	21.03.150	A-H	D-H					R
School Site Selection	25.25	D-H	R-H					R
Rezoning (Map Amendments)	21.03.170	D-H	R-H					R
Sign Permits	21.03.180					A		D
Site Plan Review, Administrative	21.03.190B.		A					D
Site Plan Review, Major	21.03.190C.		D-H			A		R
Street and Trail Review	21.03.200		R [5]					R
Preliminary Plat	21.03.210C.5.		D-H [6]	D-H		A		R
Abbreviated Plat	21.03.210D.			A-H				D
Special Land Use Permit for Alcohol	21.03.050	D-H						R
Title 21, Text Amendments	21.03.220	D-H	R-H	R-H [7]				R
Vacation of Public and Private Interest in Land	21.03.240			D or A [8]		A [8]		R or D [8]
Variances [from most provisions of this title]	21.03.250				D-H			R
Variances [from the provisions of chapter 21.08, <i>Subdivision Standards</i>]	21.03.250				D-H	A		R
Variances [from the provisions of chapter 21.10, <i>Signs</i>]	21.11.110					A		R
Variances [from utility distribution and telecommunication facilities standards]	21.03.250 D.2.b.		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
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Verification of Nonconforming Status	21.03.260				A			D
NOTES:								
[1] Only substantive comprehensive plan amendments require a public hearing. See section 21.03.070, <i>Comprehensive Plan Amendments</i> .								
[2] The appeal body for subsection 21.03.110E., <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.								
[3] An applicant may request application of the minor modification process only once during the review process.								
[5] See section 21.03.200, <i>Street and Trail Review</i> .								
[6] The planning and zoning commission may act as the platting authority for conditional uses or major site plan reviews that create a subdivision.								
[7] 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.								
[8] See section 21.03.240, <i>Vacation of Public and Private Interest in Lands</i> .								
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				

21.02.030 PLANNING AND ZONING COMMISSION

A. Powers and Duties

The planning and zoning commission has the following responsibilities.

1. The planning and zoning commission shall make a recommendation to the assembly on the following:
 - a. Comprehensive plan amendments;
 - b. Institutional master plans;
 - c. Neighborhood or district plans;
 - d. School site selections;
 - e. Major site plan reviews;
 - f. Preliminary plats, when a major site plan review creates a subdivision or requires the vacation of a dedicated public area, and the commission directs in the major site plan approval that it shall act as the platting authority (21.03.180F.);

- g. Unified development plats, where the site plan includes a large commercial establishment;
 - h. Appeals from administrative site plan reviews;
 - i. Rezoning (zoning map amendments), to include overlay districts; and
 - j. Title 21 text amendments.
2. The planning and zoning commission has decision-making authority over the following:
- a. Conditional uses;
 - b. Planned unit developments;
 - c. Public facility site selections (except schools);
 - d. Variances from the provisions of subsection 21.05.040K., *Telecommunication Facilities*, and section 21.07.050, *Utility Distribution Facilities*; and
 - e. Preliminary plats, when a conditional use creates a subdivision or requires the vacation of a dedicated public area, and the commission directs in the conditional use approval that it shall act as the platting authority (21.03.080F.).
3. The planning and zoning commission shall:
- a. Make a recommendation to the appropriate agency on new construction and reconstruction of streets of collector class or greater in the *Official Streets and Highways Plan*, and on public trail projects involving all trails for which any portion utilizes publicly-owned land, easements, or rights-of-way that are over one-half mile in length (21.03.190B.).
 - b. Develop, review, and make recommendations to the assembly regarding policies, plans, and ordinances to implement the municipal function of planning for the economic, social, and land use needs of the community.
 - c. Review and make recommendations to the assembly and school board regarding the annual capital improvement program of the municipality and school district.
 - d. Review and make recommendations to the mayor regarding the annual work program of the department.
 - e. Promulgate regulations to implement or make specific the provisions of this title, except provisions of chapter 21.08, *Subdivision Standards*, which are reserved to the platting board.
 - f. Exercise such other powers, and perform such other duties, as are provided by law.

21.02.040 PLATTING BOARD

A. Powers and Duties

The platting board has the following responsibilities.

1. The platting board has decision-making authority over the following:
 - a. Preliminary plats (except in those situations where a different board or commission acts as the platting authority—see subsections 21.03.080F., *Platting for Conditional Uses*, and 21.03.180F., *Platting for Site Plans*);
 - b. Unified development plats, when not included in a large commercial establishment site plan review;
 - c. Vacations of public and private interest in lands, where the platting board is the platting authority (see subsection 21.03.230C.);
 - d. Variances from the provisions of chapter 21.08, *Subdivision Standards*;
 - e. Variances from the following provisions of chapter 21.07: [RESERVED];
 - f. Modification or removal of plat note(s);
 - g. Appeals of abbreviated plats;
 - h. Appeals of land use permits issued under subsection 21.03.100E, *Improvements Associated with Land Use Permits*; and
 - i. Appeals of record of survey maps.
2. The platting board shall:
 - a. Promulgate regulations to implement or make specific the provisions of chapter 21.08, *Subdivision Standards*.
 - b. Review and make recommendations to the planning and zoning commission regarding all proposed amendments to chapter 21.08, *Subdivision Standards*.
 - c. Authorize extensions of subdivision agreements as provided in section 21.08.060C., *Time Limit for Completion of Improvements*.
 - d. Exercise such other powers, and perform such other duties, as are provided by law.

21.02.050 ZONING BOARD OF EXAMINERS AND APPEALS

A. Powers and Duties

The zoning board of examiners and appeals has the following responsibilities.

1. The zoning board of examiners and appeals has decision-making authority over the following:
 - a. Appeals pursuant to subsection 21.03.040B.;
 - b. Variances from all provisions of this title except subsection 21.05.040K., *Telecommunication Facilities*; section 21.07.050, *Utility Distribution Facilities*; chapter 21.08, *Subdivision Standards*; and chapter 21.11, *Signs*;

- c. Appeals of the director's decision regarding subsection 21.12.060B., *Bringing Characteristics Into Compliance*;
 - d. Overcoming presumption of abandonment pursuant to subsection 21.12.030E.; and
 - e. Time extensions for amortized signs, pursuant to subsection 21.12.070G.
2. The zoning board of examiners and appeals shall:
 - a. Adopt general rules or make findings in specific cases regarding proposed changes of nonconforming uses, pursuant to section 21.12.030B., *Change of Use*.
 - b. Interpret or make specific the provisions of this title, except provisions of chapter 21.08, *Subdivision Standards*.
 - c. Exercise such other powers, and perform such other duties, as are provided by law.
 3. The zoning board of examiners and appeals has the right to subpoena witnesses and documents using a form provided by the municipal clerk and submitted to the clerk for issuance at least five working days before the date of the hearing.

21.02.060 BOARD OF ADJUSTMENT

A. Powers and Duties

The board of adjustment has the responsibilities set forth in subsection 21.03.040A.1.

B. Subpoenas

The board of adjustment has the right to subpoena witnesses and documents using a form provided by the municipal clerk and submitted to the clerk for issuance at least five working days before the date of the hearing.

21.02.070 URBAN DESIGN COMMISSION

[RESERVED]

21.02.080 GEOTECHNICAL ADVISORY COMMISSION

A. Powers and Duties

1. The geotechnical advisory commission shall serve as a technical advisory board in the municipality.
2. The commission shall act in an advisory capacity to the assembly, the mayor, boards, commissions, and heads of municipal departments and agencies, and shall have the following responsibilities:
 - a. To make recommendations and give advice on geotechnical engineering issues and natural hazards risk mitigation.

- b. To recommend and review special studies relating to geotechnical engineering and natural hazards risk mitigation issues.
- c. To act in an advisory capacity regarding proposed development located in high or moderate snow avalanche hazard zones, in areas designated with high or very high susceptibility to seismically induced ground failure, and in areas susceptible to other natural hazards.

21.02.090 ASSEMBLY

A. Decision-Making Authority

The assembly has the following decision-making authority under this title:

- 1. Special land use permit for alcohol—for beverage dispensary and package store liquor licenses;
- 2. Comprehensive plan amendments;
- 3. Institutional master plans;
- 4. Neighborhood or district plans;
- 5. School site selections;
- 6. Rezoning (zoning map amendments), to include overlay districts;
- 7. Title 21 text amendments;
- 8. Appeals on public facility site selections; and
- 9. Any other action not delegated to the planning and zoning commission, platting board, zoning board of examiners and appeals, board of adjustment, urban design commission, or municipal staff, as the assembly may deem desirable and necessary to implement the provisions of this title.

B. Land Use Procedure

- 1. The land use review and approval procedures specified in chapter 21.03, *Review and Approval Procedures*, supplement the assembly's procedures under title 2.
- 2. Where a board or commission has authority under this title to review and comment on a land use matter, the assembly shall not take final action on the matter until it has received and taken notice of the review comments and recommendations of the board or commission.

21.02.100 MUNICIPAL STAFF

Municipal departments shall have the review and decision-making responsibilities set forth in this chapter, to be carried out in accordance with the terms of this title. The departments also shall have such additional powers and duties as may be set forth in other ordinances, rules, and operating procedures of the municipality.