

Municipality of Anchorage

MEMORANDUM

DATE: December 1, 2021

TO: Federation of Community Councils

FROM: Municipality of Anchorage, Planning Department

SUBJECT: Proposed Ordinance of the Anchorage Assembly Amending Anchorage Municipal Code of Regulations to modify existing fees, eliminate fees, and include new fees for entitlements within Title 21 but not accounted for within the current fee schedule.

BACKGROUND:

This ordinance proposes amendments to the Anchorage Municipal Code of Regulations to modify, eliminate, and include fees based on changing needs and code amendments. Certain new entitlements within current Title 21 are not accounted for along with the elimination of some entitlements no longer used or included in current code. This will clarify the fee structure for applicants and eliminate confusion.

DESCRIPTION OF TEXT AMENDMENTS:

Through this ordinance, Planning proposes a restructure of existing fees and the addition of new fees for entitlements not included within the current fee schedule. The current fee schedule was developed under "old" Title 21, and since the adaptation of "new" Title 21, we have new entitlements and planning tools available that are not assigned a specific fee. These additions include fees for Minor Modification, Alternative Equivalent Compliance, and Document Recording. Institution of updated fees for Comprehensive Plan Amendments (to include Neighborhood or District Plan Amendment), Context Sensitive Solution (CSS) Transportation Project (total for all three phases), Master Plan - Institutional and Small Area Implementation Plan, Neighborhood or District Plans, and Public Facility Site Selection. Demand for these items have increased significantly and each item requires research, coordination, and follow-up by staff.

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Planning Department
For reading:

ANCHORAGE, ALASKA
AO No. 2021-__

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE OF REGULATIONS TO MODIFY EXISTING FEES, ELIMINATE FEES, AND INCLUDE NEW FEES FOR ENTITLEMENTS WITHIN TITLE 21 BUT NOT ACCOUNTED FOR WITHIN THE CURRENT FEE SCHEDULE

WHEREAS, the current fee schedule was developed under “old” Title 21 and does not include various new entitlements and planning tools within current Title 21; and

WHEREAS, the various fees set forth in this ordinance have not reflected actual costs incurred by the department and division; and

WHEREAS, the various fees set forth in this ordinance are no longer used by the department and divisions within; and

WHEREAS, various fees set forth in this ordinance reflect and identify the associated cost to the Municipality, and this ordinance authorizes the establishment of fees notwithstanding such limitations; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code of Regulations section 21.20.002 is amended as follows:

21.20.002 Schedule of fees – Zoning.

The following fees shall be paid for the services described:

1.	Pre-application meeting for any land use entitlement application, including but not limited to, rezoning, platting, conditional use, [AND] major site plan review applications, <u>and alternative equivalent compliance.</u>	\$130.00
2.	a. Rezoning contiguous parcels or any single parcel with a gross site area greater than 1.75 acres.	Base fee of \$9,960.00 plus \$1,130.00 per acre for over 5 acres, with total charges not to exceed \$33,960.00

	b. Rezoning any single parcel with a gross site area of 1.75 acres or less.	\$2,830.00
	c. Rezoning of parcels with rural designations per subsection 21.85.020 C. and comprised of less than 5 acres.	\$2,830.00
3.	Area master plan, development master plan, conditional use or major amendments to conditional use where the gross site area is:	
	a. Less than 1.75 acres	\$4,720.00
	b. 1.76 to 5.00 acres	\$7,080.00
	c. 5.01 to 40.00 acres	\$10,385.00
	d. 40.01 acres or more	\$16,520.00
	e. For a single residentially zoned parcel with a gross site area of less than 1.75 acres, a rezone from one residential classification to another residential classification.	\$1,770.00
	f. <u>Special Land Use Permit [CONDITIONAL USE]</u> involving sale of alcoholic beverages, other than restaurant or eating place alcoholic beverage license use: Base fee of \$1,180.00 for each conditional use application, plus the following amount per square foot (sf) not to exceed \$4,720.00:	
	i. Original beverage dispensary license	\$3.00/sf
	ii. Duplicate beverage dispensary license fee for an existing premise with no additional square footage	Base \$1,180.00 fee only
	iii. Duplicate beverage dispensary license for an existing premise adding 500 square feet or less or a seasonal outdoor deck or similar outdoor use	Base \$1,180.00 fee plus \$295.00
	iv. Any other duplicate beverage dispensary license for a new and/or additional premise (i.e. addition to an existing premise) greater than 500 square feet	\$3.00/sf
	v. Club license	\$1.40/sf
	vi. Package store license	\$1.80/sf
	vii. Recreational site or pub license	\$0.95/sf
	viii. Brewpub license	\$0.60/sf
	g. For a golf course license, without regard to gross site area or square footage	\$3,540 flat fee
4.	Applications for a public hearing before the assembly on a rezoning with an unfavorable recommendation of the planning and zoning commission.	\$1,130.00
5.	Appeal or change of land use heard by the zoning board of examiners and appeals.	\$1,130.00
6.	Applications for variances:	

	a. Administrative variance (minor dimensional variance)	\$710.00
	b. Single family style residential development	\$710.00
	c. Sign permit variance	\$1,370.00
	d. Parking space variance	\$1,370.00
	e. Fence variance	\$1,260.00
	f. All other types of variances	\$3,965.00
7.	Minor amendments to previously approved conditional uses, area master plans, development master plans, variances, and site plans, including time extensions changes. If the applicable board or commission determines that an issue is a major amendment, this fee shall be applied toward the higher application fee required for a major amendment.	\$1,130.00
8.	Any other matter requiring a public hearing before the planning and zoning commission	\$3,965.00
9.	Site plan review (other than administrative):	
	a. Mailed notice and hearing required	\$5,665.00
	b. Mailed notice only required	\$4,530.00
	c. Mailed notice not required	\$3,965.00
<u>10.</u>	<u>Comprehensive Plan Amendments (to include Neighborhood or District Plan Amendment)</u>	<u>\$3,965.00</u>
<u>11.</u>	<u>Context Sensitive Solutions (CSS) Transportation Project (total for all three phases)</u>	<u>\$5,665.00</u> <u>[\$3,965]</u>
<u>12.</u>	<u>Master Plan – Institutional and Small Area Implementation Plan</u>	<u>\$5,665.00</u> <u>[\$3,965]</u>
<u>13.</u>	<u>Neighborhood or District Plans</u>	<u>\$5,665.00</u> <u>[\$3,965]</u>
<u>14.</u>	<u>Public Facility Site Selection</u>	<u>\$5,665.00</u> <u>[\$3,965]</u>
<u>15.</u> <u>[10]</u>	Administrative site plan reviews	
	a. Notice not required	\$1,850.00
	b. All other administrative site plan reviews	\$3,965.00
<u>16.</u> <u>[11]</u>	Appeal to the planning and zoning commission from a bed and breakfast administrative site plan review, a church administrative site plan review, or an antenna tower site plan review.	\$1,415.00
<u>17.</u> <u>[12]</u>	Appeal to the planning and zoning commission sitting as the board of adjustment.	\$1,415.00
<u>18.</u> <u>[13]</u>	Certificate of nonconforming encroachment	\$415.00
<u>19.</u> <u>[14]</u>	Registration of nonconforming lots of record	\$415.00
<u>20.</u> <u>[15]</u>	Restaurant or eating place alcoholic beverage license use— Administrative site plan review	\$1,180.00 plus \$0.70/

		sf, not to exceed \$4,720.00 total
<u>21.</u> [16]	Administrative variance from occupancy limits for residential care/assisted living facilities	No fee
<u>22.</u> [17]	Conditional use for a habilitative care facility for up to 8 residents	Notwithstanding 3. above, no fee
<u>23.</u> [18]	Special Land Use Permit for Marijuana (all license types)	
<u>24.</u> [19]	Modification to an approved Special Land Use Permit for Marijuana, considered by the assembly in accordance with AMC (new code) subsection 21.03.105C.9.a. or AMC (old code) subsection 21.15.030G.4.	\$850.00
<u>25.</u> [20]	Modification to an approved Special Land Use Permit for Marijuana, considered by the planning director in accordance with AMC (new code) subsection 21.03.105C.9.b. or AMC (old code) subsection 21.15.030G.4.	\$425.00
<u>26.</u> [21]	Modification to an approved Special Land Use Permit for Marijuana, considered by the assembly after denial by the planning director	\$425.00
<u>27.</u> [22]	Initial inspection of the licensed premises following the approval of a Special Land Use Permit for Marijuana (all types) conducted during normal business hours	No fee
<u>28.</u> [23]	Inspection of the licensed premises following a modification to a previously approved Special land Use Permit for Marijuana (All types) conducted during normal business hours.	\$135.00 per hour
<u>29.</u> [24]	Re-inspections conducted during normal business hours which are necessary because at the time of the previous required inspection:	\$205.00 per hour (minimum charge one hour)
	a. The work to be inspected was not completed;	
	b. Previously required corrections were not completed;	
	c. Access to the licensed premises was denied; or	
	d. The work deviated from the approved plans.	

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82-49; AR No. 83-96; AR No. 83-289(S); AR No. 86-63; AR No. 86-99; AR No. 86-263; AR No. 90-151; AO No. 2001-116, § 1, 7-10-01; AO No. 2001-145(S-1), § 23, 12-11-01; AO No. 2003-152S, § 20, 1-1-04; AO No. 2004-23, § 1, 1-1-04; AO No. 2004-151, § 13, 1-1-05; AO No. 2005-18, § 1, 2-15-05; AO No. 2006-35, § 2, 3-14-06; AR. No. 2006-112, § 1, 5-16-06; AO No. 2007-119, § 1, 11-13-07; AO No. 2007-121(S-1), § 16, 10-23-07; AR No. 2008-134, § 1, 7-29-08; AO No. 2010-81(S-1), § 40, 12-7-10, eff. 1-1-11; AO No. 2013-100, § 11, 1-1-14; AO 2015-45, §1, 5-14-15; AO No. 2016-25, 3-8-16; AO; AO No.2016-161, 1-10-17; AO 2017-175(S), 2-13-18; AO 2018-100(S), 12-4-2018)

Authority—Anchorage Municipal Code 3.40, 21.20.050; AO 77-407.

Section 2. Anchorage Municipal Code of Regulations section 21.20.002 is amended as follows:

21.20.003 Schedule of fees – Platting.

The following fees shall be paid for the services described:

A.	Preliminary plat:	
	1. Abbreviated plat (short plat)	\$2,830.00
	2. Abbreviated plat that only eliminates an interior lot line.	\$1,415.00
	3. All other preliminary plats except those with commercial fragmented lots.	\$4,530.00 plus \$165.00 per lot or tract
	4. Preliminary plats with commercial fragmented lots.	\$4,530.00 plus \$905.00 per commercial fragmented lot.
B.	Vacation:	
	1. With preliminary plat	\$945.00
	2. Without preliminary plat Administrative Review (i.e., Utility Easement)	\$1,415.00
	3 [2]. Without preliminary plat	\$4,155.00
	4 [3]. Vacation fees are applicable whether a project requires one or multiple vacations. For example, a preliminary plat with two vacations is charged the same fee as a preliminary plat with one vacation.	
C.	Variance	
	1. With preliminary plat	\$945.00
	2 Without preliminary plat	\$2,830.00

	3 Vacation fees are applicable whether a project requires one or multiple vacations. For example, a preliminary plat with two vacations is charged the same fee as a preliminary plat with one vacation.	
D.	Final plat:	
	1. Administrative—All final plats except an abbreviated plat that only eliminates an interior lot line.	\$2,645.00
	2 An abbreviated plat that only eliminates an interior lot line.	\$755.00
	3 Re-filing previously recorded final plan.	\$590.00
	4 Plat checking—No subdivision agreement:	
	a. Abbreviated plat with survey waiver	\$415.00
	b. Abbreviated plat with survey	\$710.00
	c. Record of survey	\$415.00
	d. Commercial tract	\$710.00
	e. Other plats	\$710.00
E.	Modification or removal of plat note	\$1,415.00
F.	Minor amendments to previously approved preliminary plats, including time extensions. If found to be a major amendment by the platting board, the fee will be applied toward the applicable preliminary plat fee as provided in this section.	\$945.00
G.	Appeal of abbreviated plat to the platting board.	\$1,130.00
H.	Any other matter requiring a public hearing before the Platting Board.	\$3,965.00

(GAAB 21.05.090; AO No. 77-407; AR No. 78-12; AR No. 79-55; AO No. 82-49; AR No. 83-96; AR No. 83-289(S); AR No. 86-63; AR No. 91-64; AO No. 2001-145(S-1), § 23, 12-11-01; AO No. 2003-152S, § 21, 1-1-04; AO No. 2004-151, § 14, 1-1-05; AO No. 2010-81(S-1), § 41, 12-7-10, eff. 1-1-11; AO No. 2013-100, § 12, 1-1-14; AO 2018-100(S), 12-4-18)

Authority—Anchorage Municipal Code 3.40, 21.20.050; AO 77-407.

Section 3. Anchorage Municipal Code of Regulations section 21.20.002 is amended as follows:

21.20.007 Schedule of fees – Miscellaneous fees.

The following fees shall be paid for the services described:

A.	Rescheduling of a public hearing at the request of the petitioner	\$885.00
B.	Certified zoning map verifying zoning status of a particular property parcel. See AMCR 3.90.002 for	\$90.00/sheet

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	fee schedule for regular, non-certified map copies.	
C.	Assignment of a street address	\$90.00/address
D.	Application for a street name change	\$945.00
E.	Wetlands permit:	
	1. For an area 16,500 square feet or less	\$180.00
	2. For an area greater than 16,500 square feet	\$560.00
F.	Central business district bonus <u>height and floor area calculation</u> [POINT CALCULATIONS]	\$414.00
G.	Site landscaping review	\$135.00/hour
H.	New and revised parking layouts:	
	1. Site plan review only	\$415.00
	2. Complete site plan review:	
	a. 0 – 10 spaces	\$415.00 plus \$16.50 per space
	b. 11 – 50 spaces	\$515.00 plus \$12.50 per space
	c. 51 – 200 spaces	\$620.00 plus \$8.25 per space
	d. 200 – 1,000 spaces	\$1,035.00 plus \$2.05 per space
	e. 1,001 + spaces	\$1,240.00 plus \$1.05 per space
	Parking and access agreements	\$235.00 per agreement
	<u>Alternative Snow Management Agreement</u>	<u>\$135.00</u>
I.	Sign Permits	
	1. Plan review for signs outside the building safety service area with a maximum sign view area greater than six square feet.	
	a. Nonelectric	\$90.00
	b. Electric	\$180.00
	2. Sign permit inspection	\$70.00
	3. Temporary sign removal cash bond (Banners, balloons, pennants, ribbons, and streamers are exempt)	\$590.00
J.	Private enforcement fee (reimbursable if complaint is sustained)	\$145.00
K.	Land use administrative permits:	
	1. Permit for premises where minors are not allowed	\$1,180.00
	2. [SNOW DISPOSAL SITE]	[\$1,180.00]

2.[3.] <u>Administrative Telecommunications Antenna Permit [ANTENNA ATTACHMENTS TO A TOWER (PER ANTENNA ATTACHMENT)]</u>	\$280.00
3.[4.] <u>Unlicensed nightclub</u>	\$590.00
4.[5.] <u>Bed and breakfast permit, [BIENNIAL]</u>	
a. <u>Annual</u>	\$145.00
b. <u>Biennial</u>	\$290.00
5.[6.] <u>Rooming house permit, [BIENNIAL]</u>	
a. <u>Annual</u>	\$145.00
b. <u>Biennial</u>	\$290.00
6.[7.] <u>Certification of zoning status, including nonconforming rights (grandfather rights), per hour, one-hour minimum</u>	\$135.00
7.[8.] <u>Underground utility variance application:</u>	
a. <u>Temporary</u>	\$1,980.00
b. <u>Permanent</u>	\$3,965.00
8.[9.] <u>Miscellaneous planning publications</u>	Per copy cost
9.[10.] <u>Accessory dwelling unit processing fee</u>	\$120.00
10. <u>Alternative Equivalent Compliance</u>	\$710.00
11. <u>Minor Modification</u>	\$135.00
12. <u>Recording fee for Nonconforming Rights Determination</u>	\$50.00
13. <u>Optional Recording fee for Notice of Zoning Action</u>	\$50.00
14. <u>Release of Recorded Document</u>	\$120.00

(GAAB 21.05.090; AO No. 77-407; AR No. 78-12; AR No. 79-55; AO No. 82-49; AR No. 83-96; AR No. 83-289(S); AR No. 86-63; AR No. 86-263; AR No. 87-315; AO No. 87-154(S); AR No. 90-151; AR No. 93- 327(S), § 1, 2-22-94; AO No. 2001-145(S-1), § 23, 12-11-01; AO No. 2003-97, § 3, 9-30-03; AO No. 2003-152S, § 25, 1-1-04; AO No. 2004-1, § 4, 1-1-03; AR No. 2006-137, § 1, 6-6-06; AR No. 2008-134, § 4, 7-29-08; AO No. 2013-100, § 16, 1-1-14; AO 2018-100(S), 12-4-18)

Authority—Anchorage Municipal Code 3.40, 21.20.050; AO No. 77-407.

Section 4. The Assembly finds the fee increases approved in this ordinance either reflect an identifiable cost associated with the increase, as iterated in the Assembly Memorandum and attachments, and are therefore not subject to the limitation of AMC section 3.99.020, or that where a fee, fine, or penalty is increase by an amount that exceeds the limitation of AMC section 3.99.020, it is hereby authorized notwithstanding that limitation.

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Section 5. This ordinance shall be effective on January 1, 2022.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2021.

Chair of the Assembly

ATTEST:

Municipal Clerk