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**ANCHORAGE MUNICIPAL CODE  
TITLE 21 LAND USE PLANNING  
Chapter 21.05 Comprehensive Plan**

**21.05.115 Implementation--Anchorage Wetlands Management Plan.**

A. Municipal programs. The following municipal programs and activities shall be undertaken in conformity with the Anchorage Wetlands Management Plan:

1. Municipal capital facility programming as expressed in the capital improvement plan.
2. Municipal management and disposal of the state lands selected under AS 29.18.210 -29.18.213.

B. Municipal zoning and platting actions.

1. Municipal zoning and platting actions taken under this title shall be consistent with the Anchorage Wetlands Management Plan. It is the intent of the municipality that wetlands designated "A" in Table 2 will be protected as indicated in that table and in Chapter 4 of the Anchorage Wetlands Management Plan.
2. The provisions of AMC 21.80.100-110 may be applied to plats showing development of wetlands designated "A" under the plan where fee simple acquisition is required by the plan. If at the end of the 15-month period for acquisition provided by AMC 21.80.110, the "A" wetlands have not been acquired, by mutual agreement of the property owner and the municipality, the reserve tract designation may be extended, in consideration of which agreement the municipality shall pay an amount equal to the taxes accumulated on the property for the period of reservation. If the municipality and the property owner do not agree on an extension of the reserve tract designation, the property owner must obtain a Section 404 permit required by the Federal Clean Water Act of 1972, as amended, before submitting a plat for that property. In conducting the Section 404 review, the "A" Wetlands-Management Guidelines and Implications found in Section II.B. of the Wetlands Management Plan shall be applied.
3. Any development of a "A" wetland allowed by the platting authority after a developer has acquired a Section 404 permit shall be conditioned on use of the recommended mitigation techniques to the maximum extent practicable.
4. In order to maximize protection of wetlands designated "B," in addition to the criteria normally considered in subdivision and conditional use applications, the platting authority or the planning and zoning commission must, prior to approval, make explicit findings that:
  - a. The proposed design and placement of roadways, utility lines and structures will not interfere with the natural drainage function indicated in the required hydrologic studies or that such interference can be adequately mitigated to maintain the natural drainage function.

- b. The soils in the area proposed for development will adequately support roadways and structures, or that properly designed roads and foundations will be provided.
- c. Habitat areas identified in the required habitat studies will be adequately protected.

Maintenance of open space in its natural state shall be required where the platting authority or the planning and zoning commission determines that such maintenance is necessary to protect the hydrologic and habitat values of wetlands on the property being developed or on adjacent property. Areas where open space is to be preserved in its natural state shall be indicated on the plat or approved site plan. The platting authority and planning and zoning commission may require such land development techniques and such additional conditions as may be appropriate to carry out the intent of the wetlands plan, taking into consideration information required by Section 21.15.110.C or 21.15.030.C.3 and such other wetlands studies as may be relevant.

- 5. Whenever practicable, the platting authority or the planning and zoning commission shall include the recommended construction mitigation techniques and conditions and enforceable policies in Table 2 when approving plats or conditional use permits in wetlands designated "C" under the plan.

C. Application of plan to approved projects.

- 1. Conditional uses and preliminary plats approved prior to April 1995, the date of adoption of the revised Anchorage Wetlands Management Plan, shall not have additional conditions imposed upon them as a result of requirements of the plan except as follows:
  - a. The "A" designation shall apply regardless of prior approvals;
  - b. Approved plats or conditional uses in wetlands which are returned to the platting authority or planning and zoning commission for major amendment may be examined for conformity with plan goals and enforceable policies.

**(AO No. 82-33(S); AO No. 85-165; AO No. 95-129, § 3, 3-12-96)**

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