

Municipality of Anchorage  
Planning Department  
P.O. Box 196650  
Anchorage, Alaska 99519

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COMMUNITY PLANNING  
AND DEVELOPMENT

RE: Title 21 Rewrite Public Review Draft #1

I would like to comment on the "Title 21 Rewrite Public Review Draft #1". I provided comments earlier to "Module 3" but since one of the troublesome parts I found in that module still exist in the current draft, I must raise my objections again. To put my comments in perspective, I am one who will be greatly affected by this title. I have an R-10SL lot on the South Fork of the Eagle River where I am planning to build a home.

In general I would like to comment on the drafts general tenor. It seeks to set aesthetic standards that impose entirely too much on the freedom of choice of the individual. I believe that "Title 21" should concern itself solely making the city work for its citizens through health and safety, transportation, and economic improvements. Aesthetic sensibilities should not be used as a means to control what a land owner can and cannot do with his or her land. The municipality should only be concerned with the broader issues of making the municipality work in a healthy and safe manner and stay out of the homeowner's back yard otherwise.

The sections I wish to comment on specifically are 21.07.020C, steep slope development and the old section 21.07.020D, avalanche areas (happily removed from this draft but still appears to be a problem). Subparagraph 21.07.020C(3)(a) calls for a prohibition on building on slope greater than 30 percent ( 17 degree incline). This is unreasonable as practice proves that houses can be built on slopes much steeper than 17 degrees without harm to the slope or neighboring properties. I have attached photographs and diagrams of houses build on steep terrain to demonstrate my point. These houses show that steep slopes can successfully support homes without environmental or safety problems.

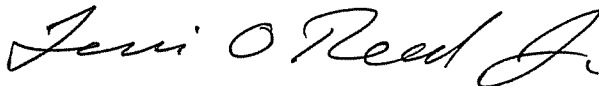
Another point about this restriction is that it takes away flexibility and does not make the best use of the talent we have in the Public Works Department. These professionals along with the architects and engineers working in the municipality are fully capable of designing and building homes on any site in the area without harming anyone or the land; don't tie their hands with this slope restriction. In addition, the amount of land in the municipality available for homes is shrinking. The 30% grade limit will make it shrink even faster. For those of us who own slope lots this limit threatens to take away years of work, investment, and dreams of a home.

The second topic I wish to comment upon is avalanches. While 21.07.020D, avalanche areas was removed (my many thanks) the footnotes lead me to believe that the philosophy that lead to that section is still present. I would like, therefore, to restate my argument against it should it attempt to creep back into the regulation. My primary concern is with requirements listed under the "Moderate Avalanche Zone". If this classification has the same meaning as the current blue (moderate) zone then I believe the prohibitions are excessive. A municipal memo indicates that the Mears study

“Anchorage Snow Avalanche Zoning Analysis” indicates a blue zone is an “area affected by both rare avalanche events and by events with reduced destructive forces. Buildings may be designed and constructed to withstand avalanches in the blue zone and risk to persons outside of buildings is small<sup>1</sup>.” Additionally the Mears study indicates that a moderate hazard (blue zone) puts the probability of an avalanche occurring within it at less than 10% in any given year. In a later publication, Mr. Mears specifies that the impact pressure from an avalanche in a moderate zone would be less than 630lb/Sq Ft<sup>2</sup>. If adhere to this definition of a moderate avalanche zone then the easily mitigated conditions given above do not justify the draconian restrictions of the old section 21.07.020D(4) and (5). We do not need stringent avalanche regulations; we need faith in our architects, engineers and municipal public works professionals.

The subsection dealing with development on steep slopes, as well as the old subsection D on avalanches should it resurface, puts property owners and land use planners in a straight-jacket. It does not allow for addressing the vastly differing conditions present on the hundreds if not thousands of lots that have slopes greater than 17 degrees or are affected by avalanche zones as laid out in the Mears study. Again I say that the architects and engineers and public works officials of the municipality are perfectly capable of dealing with steep slopes and avalanche hazards. We do not need a paternalistic approach to public policy. I believe that practical guidance and general principles are what is needed, not a lock box.

Sincerely,



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<sup>1</sup>Undated memo from Michael J Meehan, Municipality of Anchorage, “User Guide for Avalanche Hazard Information”  
<sup>2</sup>Snow-Avalanche Hazard Analysis for Land-Use Planning and Engineering” 1992, A.I. Mears

The grade cutoff for development, 30%, called for in 21.07.020(C)(3)(a) is illustrated below. Given the attached examples of houses built on much steeper lots, this proposed limit appears to be excessively limiting. Grade limitations should be eliminated entirely and the judgment of the Land Use Officers, Architects and Engineers of the municipality should be relied upon to determine how steep slopes are developed.

