

# Memo

March 10, 2006

**From: Tom E. Looney, P.E. (Arctic Sun Engineering)**

**To: MOA Planning Department, Debbie Ossiander**

**Comments on Draft 2 of the Anchorage Title 21 Rewrite:**

## **General:**

1. I do not agree with the general intent of many provisions that give the municipality control over aesthetic design choices on private property. Specifically many of the provisions in 21.07.

## **Chapter 21.03 Review and approval Procedures**

2. 21.03.120.A.B.2, : b&C would require a land use permit for excavation, fill or grading of 50 cubic yards. This is a small amount. I would suggest increasing the amount to at least 200 cubic yards.

## **Chapter 21.04 Zoning Districts**

3. 21.04.020 : I would suggest that a cemetery be included in the list of non-residential uses allowed in RM-1, RM-2, RM-3, RM-4, RL-2, RL-3, and RL-4 districts.
4. 21.04.060.B.1: I would suggest that a cemetery be included in the list of non-residential uses allowed in RL-1 districts.
5. 21.04.060.B.2.iii : I would suggest further discussion on this provision. Requiring a fence or screening for repair work on one car is pretty onerous. Perhaps it can be defined what the threshold is: one car, two cars or more? Replacing a headlamp is considered repair, can I do that in my driveway without building a fence? Change the tires?
6. 21.04.060.B.2.v : I would suggest further discussion on this provision. Again the question is how long does the vehicle need to be inoperative to fall under this provision. Can a property owner have one vehicle without being subject to this provision?

## **Chapter 21.05 Use Regulations**

7. Table 21.05-1 : Add a Row under Public/Institutional Uses "Cemetery". Allow as a permitted or Administrative Site Plan Review use for : RM-1, RM-2, RM-3, RM-4, RL-2, RL-3, RL-4, and RL-1 districts.

8. Table 21.05-2 : Under Group Living, Correctional community residential center, change permitted use to conditional use.
9. Table 21.05-2 : Under Transportation Facility, there are several small airstrips such as the one in Peters Creek near the Sampson estates subdivision. These how would these be permitted? I would suggest allowing adding RC zoning districts to the list of conditional use areas.
10. Table 21.05-2 : Under Waste or Salvage. Hilltop recycling on the Old Glenn Hwy would not be allowed (assuming that it would be zoned for RC). I would suggest allowing Junkyards/Salvage yards in RC districts as a conditional use.
11. 21.05.030.B.1.b.(E) : This section limits the level of offenders that may be housed in Correctional Community Residential Centers. I would suggest adding the RC district to this list.
12. 21.05.040.C.1.b.vi : This section would require that Cemeteries have direct access to a street designated as a collector or greater capacity. I would suggest that this be reworded to allow Cemeteries without direct access to a collector or greater if a traffic study is performed and indicates minimal impact.
13. Table 21.05-4 : A Dormitory is allowed in RL1 districts. This seems to be a pretty high density use on a one acre lot.
14. 21.050.070.D.19.b : This provision would make it illegal to park a boat or snow machine trailer (or etc.) inside a fence on a side or rear setback. In most of Eagle River and Anchorage even with ¼ acre lots the there is only about 12 feet from the side of homes to the property line. Many people have built privacy fences with gates that allow their “toys” to be stored along side the house. This would usually place the equipment within the side setback. Consider revising this section to allow parking in side or rear setback if screening is provided.
15. 21.050.070.D.21.b.iii : I would suggest further discussion on this provision. Requiring a fence or screening for repair work on one car is pretty onerous. Perhaps it can be defined what the threshold is: one car, two cars or more? Replacing a headlamp is considered repair, can I do that in my driveway without building a fence? Change the tires?
16. 21.050.070.E: Consider noting that RL-1 and RC districts have separate provisions. This is an issue because several of these sections start with “In all zoning districts”.
17. 21.050.080.C.1: Why are Cloth Garages totally prohibited? Consider at a maximum limiting their use instead of totally prohibiting them.

## **Chapter 21.06 Dimensional Standards and Measurements**

18. Table 21:06-1 : RL-1: If the intent of providing this RL-1 district is to provide relief for existing mobile home property owners in Chugiak and Peters Creek, the lot size is too big. Many mobile homes are on 40,000 sqft lots (just barely under an acre). I suggest changing the single family, or one manufactured mobile home minimum area to 32,760 (three quarters of an acre)

## **Chapter 21.07 Development and Design Standards**

19. Table 21.07-2 : Shouldn't the RC district be listed on this table?
20. 21.07.080.H.5.B: This provision requires screening of utility service equipment. In many cases this is in conflict with national and local codes and utility design standards.
21. 21.07.100 : Residential Design Standards, This section does not include any grandfather rights for existing structures or developments.
22. 21.07.100 : Residential Design Standards, I do not believe that the MOA or any other government should dictate aesthetic design issues to private property owners. This whole section should be eliminated.
23. 21.07.110 : Commercial Design Standards, This section does not include any grandfather rights for existing structures or developments.
24. 21.07.110 : Commercial Design Standards, I do not believe that the MOA or any other government should dictate aesthetic design issues to private property owners. This whole section should be eliminated.
25. 21.07.130 : Exterior Lighting, This section indicates the model ordinance will be available in early 2006. The Illuminating Engineers Society of North America website indicates they will only have a first draft by mid 2006. We need to review and develop these standards prior to adoption of the revised Title 21. Consider other options for this part of the code.

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