

From: [Linda Kovac](#)
To: 'Bobbi Wells'
Cc: tkinney@mtaonline.net ; 'Paula Caywood'
Sent: Friday, March 02, 2007 12:46 PM
Subject: CBERRRSA Transition Issue?

Bobbi,

This is an issue that we might want to address in the "Transition Issues" part of the upcoming 03/07/07 Consortium meeting:

Existing AMC 21.87.025 **D** deals with the payment of costs of required improvements for arterial and collector streets for ARDSA only.

Existing AMC 21.87.025 **E** loosely defines who is responsible for paying for street improvements within CBERRRSA. This code states that the subdivider is 100 percent responsible for the cost of subdivision streets and all other roads whose construction may be required by the platting authority. So within CBERRRSA, developers are responsible for building and paying for collectors. Also, existing AMC 27.30.215 describes CBERRRSA's functions and how road and drainage capital improvements are reviewed and prioritized by its board and submitted in an annual budget.

The distinction of roads within ARDSA and outside of ARDSA is going away with the Title 21 Rewrite. If the Title 21 Rewrite gets adopted as proposed, then CBERRRSA's tax payers would have to share in the cost of collector development rather than requiring the developer to foot the entire bill as we operate now.

CBERRRSA has never paid for collector development including Oberg Road, Driftwood Bay Drive, Homestead Road, and the upgrade of Lake Hill Drive for Mirror Lake Middle School. *(Although, I don't know if the planned upgrade of Yosemite Drive is a CBERRRSA responsibility or an ASD responsibility.??)*

Since building and paying for collectors is not currently mandated in code nor has ever been performed by CBERRRSA, I believe it would constitute a different level of service if the new Title 21 Rewrite regulations were imposed upon C-ER. If this were to happen, the voters in CBERRRSA would have the right to vote on the change first according to the Municipal Service Areas state law (22nd Legislature HB13 signed by the governor on 05/24/01) which states that a "different level of service" for a service area must first be approved by a majority of the voters residing within that service area.

Perhaps at the 03/13/07 Assembly hearing on the Title 21 Rewrite, a Consortium spokesperson could recommend that the existing Title 21 regulations be applied to CBERRRSA until the separate C-ER chapter of land use regulations is adopted. Alternatively, the Consortium could recommend that the following code be added to the Title 21 Rewrite to preserve our existing road service area level of service and, thus, avoid the necessity of conducting an areawide vote...

"Other Streets Not Located within Anchorage Roads and Drainage Service Area
The subdivider shall pay 100 percent of the cost of all local streets within the boundaries of the subdivision. The subdivider shall additionally pay 100 percent of the cost of all collectors and arterials that are designated as such on the official streets and highways plan (OSHP). The subdivider shall additionally pay 100 percent of the cost of all peripheral streets and access roads whose construction may be required by the Municipal Engineer."

Thanks,
Linda

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