

Committee: Why say “the goals, recommendations, policies and maps of the Comprehensive Plan” here? Why not just say “the plan and all its elements”?

Planning: So the different areas can be treated accordingly.

Committee: Planning and Zoning does not always look at the Chugiak/Eagle River Comprehensive Plan and have even made decisions for our area using the 20/20 Plan.

Committee: This could be a problem. That is why I am pushing for a whole new section for Chugiak/Eagle River.

21.01.090 Transitional Provisions (Public Review Draft #2)

CHAPTER 21.02: BOARDS, COMMISSIONS, AND MUNICIPAL ADMINISTRATION

General comments

Pg. 15

Committee: Should we eliminate the UDC and maybe make the Planning and Zoning bigger? It is a major policy question.

Planning: Planning and Zoning can look at an issue or defer to the UDC.

Committee: The department has not required UDC approval before. I’m concerned that we are already using Title 21 before it’s adopted.

Public: Say I’m having a problem with parking. I need a variance and have to get a conditional use permit. I have to go to two separate entities.

Planning: They are different issues.

Public: Won’t one affect the other?

Planning: No

Committee: Why don’t we consider doing what we used to do? When you have two problems you only have to go to one board. I’d like to see this simplified. Planning & Zoning is an important central body.

Public: The poor citizen doesn’t want to have to get educated by Title 21.

Committee: You’ve added a lot of fees by this change.

21.02.010 Purpose (Public Review Draft #2)

21.02.020 Boards and Commissions Generally (Public Review Draft #2)

Pg. 19-23

Committee: The reference to AMC 4.05.035 is not complete. Much of this section is brand new stuff, including the language on qualification of members, conflict of interest, appointment and conduct.

Planning: These changes are recommended by ZEMA and some others. We already have requirements for qualification of members.

Committee: We should give the chair the authority to reduce time given for testimony.

DDD March 1, 2006

Pg. 18-19, Table 21.02.1

Public: I question some of the appeal process on this table.

Committee: These will be discussed further when up for adoption

Pg. 23 L27, Public Hearings

Committee: You have tape recording listed, is digital OK?

Planning: Good point. Yes

Pg. 24 L1-17

Committee: I question “cross examination” and “subpoena” use here. Is this what we really want to do?

Planning: It’s in the code of regulations, but is new to Title 21.

Committee: My preference is not to include it. I don’t think we want a court situation.

Planning: It’s important for the boards to be able to get the information they need.

Committee: Why not limit it to ZEBA?

Planning: The Bd. Of Adjustment needs it too.

21.02.030 Assembly (Public Review Draft #2)

Pg. 25 L35

Committee: Is super majority defined?

Planning: no

Committee: Pick a number, 8 or 9.

21.02.040 Planning and Zoning Commission (Public Review Draft #2)

Pg. 26 L23-25 D. Recommended Qualifications

Committee: Professional experience section does not include engineer.

Planning: This reflects public comment

21.02.050 Platting Board (Public Review Draft #2)

21.02.060 Zoning Board of Examiners and Appeals (Public Review Draft #2)

Pg. 28 L3-6 C Qualifications

Committee: These are required, not recommended qualifications. We should define planner.

21.02.070 Board of Adjustment (Public Review Draft #2)

21.02.080 Urban Design Commission (Public Review Draft #2)

Pg. 28 L25-27 Urban Design Commission B 1

Committee: “Northern setting design” and “winter city design”, what are they, do they differ?

Planning: So the UDC can advise the mayor on city design.

Committee: The UDC seems to recommend things that are very expensive.

Planning: This doesn’t give them any authority beyond advising.

Pg. 28 L 31-33 B 3

Committee: This section giving UDC the authority to determine eligibility, is this also for neighborhood and district plans? Why is it here?

Planning: No, this is for overlay plans because they are a subset of other plans.

Committee: It is the practical application I object to. If this is enacted UDC would be able to stop the creation of an overlay.

Pg. 28 L34-35

Committee: What do you mean “the UDC will implement the art funding requirements”?

Planning: You need to read this in relation to chapter 7.

Pg 29 L3-6

Committee: Shouldn't real estate experience be added to this commission?

Planning: Shouldn't that be true for all these boards and commissions?

Committee: I want someone to think about it for the UDC

21.02.090 Geotechnical Advisory Commission (Public Review Draft #2)

Pg 29 Geotechnical Advisory Commission

Committee: Who writes their standards?

Planning: Not sure. People rely heavily on this commission and trust it.

21.02.100 Municipal Staff (Public Review Draft #2)

CHAPTER 21.03: REVIEW AND APPROVAL PROCEDURES

21.03.010 Purpose and Structure of this Chapter (Public Review Draft #2)

21.03.020 Common Procedures (Public Review Draft #2)

Pg 34 B Pre-Application Conferences

Committee: How far does the pre-application conference go? What is needed to be submitted?

Planning: Municipality needs accurate information before it allows projects to proceed.

Staff goes through a check list. It is designed to be helpful to the applicant. We want to make sure all codes are met.

Pg 35, lines 8, 11

Committee: The percentage increase in size for exceptions to already approved applications has decreased from 25% to 15%. Why?

Planning: This lower figure is closer to current practice (10%). The larger figure was a recommendation from the consultant.

Pg 36, L 11

Committee: Is it the staff's responsibility to list possible modifications or alternatives to submittals? Why?

Planning: If you see a project that may not fly, here are ideas you might consider.

Pg 36, L24-29

Committee: Is this timeline sufficient? It can take up to three months just to get financing. Projects involving wetlands need to go to many decision making bodies.

Public: We may not hear about financing for six months. We would also like to see more than one possible extension.

Planning: Code could change if the process takes too long. We believe the time is sufficient.

Committee: The process you're describing sounds advisory, but the wording doesn't appear to give much flexibility. Why not give the director some leniency to give more time?

Planning: This conference is advisory. It is a discussion. Often the director doesn't have the same depth of knowledge about a project as the counter person who has looked into a project in depth.

Pg 37, L4 Users Guide

Committee: When is the User's Guide coming out?

Planning: Before the public hearings at the end of August

Committee: Legal should check to see if it needs to be adopted by the Assembly as a separate document

Pg 37, L 31-32

Committee: If the application is mailed you should make the date dependent on date mailed, not received.

Planning: There needs to be a complete and timely response

Public: The application is sometimes difficult to complete. Many comments and requests come in after the initial review.

Pg. 38, L26-35 Applicability

Committee: Why not include new cell tower placement in the list requiring community meetings?

Planning: There is another section on cell towers. They are also allowed to be added on existing sites.

Pg. 39, L8-15 Timing and Number of Community Meetings

Committee: This has been changed from 14 to 21 days.

Planning: We were concerned that there wasn't enough time for the applicant and staff to prepare for the meeting.

Public: Two times now I have tried to have a public meeting and the community council said they weren't interested in putting the matter on their agenda.

Planning: The director can waive the requirement for a community meeting. Community council meetings are not always the correct format. We think this approach is more balanced; we'd like to avoid conflict in what the developer has already resolved.

Pg. 39, L 29-30 Attendance at Community Meetings

Committee: When does the applicant deem it necessary to retain an independent facilitator? What happens if they write a summary of the meeting that is not true?

Planning: Public comment should catch it.

Committee: It is too expensive to require staff to attend such meetings.

Pg. 39-40, Summary of Community Meetings

Committee: Is this the best way to get information to the regulatory body?

This section is new and important to discuss.

Public: It should be the applicant who writes the summary.

Pg.41, Table 21.03-1

Committee: What are minor modifications?

Planning: Director granted variances

Committee: This table has expanded. You have added new items.

Planning: Some, the parentheses here are supposed to be check marks.

Pg 43, L 1-6

Planning: The language about “maps delineating areas of service for branch facilities” comes from the community council enabling ordinance.

Pg. 43, L30-31

Committee: Why not say posted notices shall be removed after the public hearing?

Pg. 44, L1-8, Concurrent processing

Committee: This is not consolidated decision making. It is simultaneous processing.

Pg. 45, L14

Committee: You should omit the term “precise”; it will lead to debate.

Pg. 45, L39-40 New Application Required

Committee: What if the decision is not made within the year, but it was not the fault of the applicant?

21.03.030 Comprehensive Plan Amendments (Public Review Draft #2)

Pg. 47, Approval Criteria

Committee: Why try to limit the Assembly like this? What happens if the Assembly makes a new amendment?

Planning: There should be some criteria for decisions.

Pg. 48, L 17

Committee: What is the comprehensive plan map?

Planning: The land use map

Committee: Let’s call it that

21.03.040 Amendments to Text of Title 21 (Public Review Draft #2)

Pg. 49, L 42-45

Committee: I don’t think it will work to limit Title 21 amendments to twice a year. It is hard to see that as reality

Planning: We need to try.

Public: Amendments are hard on the building community. Regulatory changes have to be factored into decisions.

Committee: It is hard to write code in a manner that foretells all potential impacts and problems. When Title 21 rewrite is adopted there will have to be many changes as we grow more aware of impacts.

Pg. 51, L14-18 Successive applications

Committee: This appears problematic. The entire Assembly could change course. This limits the Mayor and the Assembly too much.

Public: This calls for three-fourths, do you mean 8?

DDD March 8, 2006

21.03.050 Rezoning (Zoning Map Amendments) (Public Review Draft #2)

Pg. 57 L 31-32 - Contents of Adopting Ordinance a. ii.

Committee: It seems burdensome to have to list all lots in an overlay district, especially if it is quite large

Planning: It needs to be done.

Pg. 58 L 17-22 - Establishment or Modification of Neighborhood Conservation Overlay Districts 5.

Committee: Why only this way? Can't these districts be initiated by other bodies?

Planning: Clarion proposed this because of concerns from neighborhoods. It's a design oriented overlay, so it seemed appropriate to have UDC involvement.

Committee: It seems like this one has to go through so many more hoops. Have we ever created one of these?

Planning: It seems like you have to do more.

Committee: It's harder to do since you have to go through UDC instead of a regular district that can come from multiple sources.

Planning: We'll look at that and try to meld.

21.03.060 Subdivisions and Plats (Public Review Draft #2)

Pg. 59 L 12-13 ii.

Public: In Chugiak/Eagle River we consider the abbreviated plat a big deal. We'd like to go back to the old definition of several years ago.

Committee: What was the old definition?

Planning: With the old definition you could divide one lot into three and you could do it twice. These kinds of lots were breezing through the Planning Board so we broadened it.

Public: It would be nice to have a hearing.

Planning: This is how it's been for awhile. Community councils are notified of abbreviated plats. The public can request a hearing.

Public: In C4, subdivision plats, there is a requirement for a community meeting and notice.

Committee: Is there anything new in the abbreviated plat section?

Planning: The abbreviated rules are from Pg. 58 B. 2. b. to Pg. 59 L 35.

It is the same as what we have now with a little different wording.

Generally the platting officer grants the request after going through the folder with not much trouble. It is still circulated through all departments.

Public: We've never gotten notice.

Planning: Councils are notified.

Pg. 61 L 7-18 Action on Preliminary Plat

Committee: I thought this was 60 days in the last draft.

Planning: It's 90 days now. Initially we had reduced it, but Platting strongly wants it to remain at 90 days to be able to get everything done.

Committee: It seems like building time frames could be over before it's granted.

Public: It can cause problems.

Planning: Notice takes 30 days of that period and it seems like most plats get on the Board's schedule the next month. The 90 days has been there since 1976.

Pg. 65 L 4-19 Procedure When Final Plat Differs from Preliminary Plat

Committee: I had a constituent who went before the Platting Board and fulfilled all the noted requirements. Later he got a letter and had to do more. Is this typical?

Planning: It depends on the circumstances.

Committee: So, this doesn't happen very often?

Planning: This section refers to an applicant changing plats, not new requirements being added.

Public: It can be a problem. If the board accepts the fulfilled requirements and has issued a permit, the work has been done, money expended and then there are new comments to be fulfilled. The Platting Board should have to approve additional changes.

Planning: It depends on how much the Platting Board knows. They don't get into the details. If there is a problem, the subdivider can just submit a new plat.

Committee: This seems to say that applications must be submitted 60 days before the platting board meeting and then the board issues a decision 90 days later.

Planning: When all the required materials are in the clock starts on the 60 days. The 60 and 90 day periods are concurrent.

Committee: I hadn't realized that.

Pg. 66 L 8

Committee: What are the criteria for "adequate and convenient open space", as well as "opportunities for light, recreation and air"? It sounds good but it's so subjective.

Planning: It's general standards for the Platting Board to go by.

Committee: You have to understand that fresh eyes are looking at this.

Planning: I believe this came from the original in 1972. It's pretty standard.

Pg. 67 L 38-45 e. Time Extensions

Public: Why only one time extension?

Committee: What is it now?

Planning: I believe it's zero.

Pg. 68 L 13 Commercial Tract Plats

Committee: Is this new?

Planning: Actually we put this back in. It was not in the earlier draft, but it exists now.

Public: Does this apply to Rural Commercial and Office Districts too?

Planning: We will need to address that.

Pg. 70 L 8, 4. b. Duration of Approval

Committee: This was 18 months and it's been changed to 60 months.

Planning: It was requested by the State because so many extensions for ROW acquisition had to be granted.

21.03.070 Conditional Uses (Public Review Draft #2)

21.03.080 Site Plan Review (Public Review Draft #2)

Pg. 74 L 13, f. Urban Design Commission's Review, Hearing & Decision

Committee: The UDC "shall" hold a public hearing... I need to be convinced. How about "may"?

Pg. 75 L 29-32 Original Procedure Applies for Most Amendments

Committee: This seems very cumbersome for people who want to, for example, run a day care for 8 kids and want to change their landscaping.

Planning: The UDC process works with the Planning & Zoning Board approval process.
Committee: We are having trouble getting people to serve on the Planning and Zoning Board and now we are proposing another critical board that needs to be filled too.
Planning: We've heard that people don't want to serve on PZ because of the work load. This should alleviate the problem.

21.03.090 Public Facility Site Selection (Public Review Draft #2)

Pg. 76-77 Applicability B. 1. a.

Committee: This went from 4,000 to 100,000 square feet and on Pg. 77 L 1 from 5 to 20 acres. Why?

Planning: This was a strong request from the State trying to address the needs and concerns of community development.

Community: It seems like the community would like to know where a fire station or library would go.

Public: A sports center still needs the notice.

Community: Do we care more about a sports center than a fire station?

Planning: There is a lot more vehicle traffic at a sports center than at a fire station.

21.03.100 Road and Trail Review (Public Review Draft #2)

Pg. 78 Road and Trail Review L 14-37 to Pg. 79 L 1-37

Committee: Is all this new?

Planning: It is more specific than it used to be. We are trying to get the Municipality and hopefully the State to submit road designs. The public gets into the process too late in the game and after it could make a difference.

Committee: My concern is what this will do to the time frame of road projects.

Planning: We are trying to bring this before the UDC once instead of twice.

Committee: So this is not necessarily new, just new in placement.

Does this include state highways?

Planning: Yes

Pg. 78 Applicability L 23-28

Committee: In my area boy scouts and volunteers put in Nordic skiing and dog mushing trails on park and school land. Are we going to make them go to Planning & Zoning?

Planning: If we wanted to connect the Chester Creek Trail with the Coastal Trail across town, wouldn't the public want to know?

Committee: I think we need to look at this. I don't want dog mushers and park volunteers to have to go before the PZ. A suggestion would be just to require notice for trails listed in the adopted trails plan.

21.03.110 Special Flood Hazard Permits (Public Review Draft #2)

21.03.120 Land Use Permits (Public Review Draft #2)

Pg. 85 L 9-11 Standards for Requiring Dedications and Improvements

Public: We would hope that in Chugiak/Eagle River if AWWU does a project, that they would install fire hydrants.

Committee: It is a problem. Outside of the AWWU area there is no clear mandate for fire hydrants. In some cases authority is with the state fire marshal, in other cases with the municipal fire marshal.

Pg. 86 L 1-10 Oversizing

Committee: This is another peculiar problem for Eagle River. What is the funding source for the reimbursement?

Planning: If the Assembly decides not to give the money, then it would come from bonds or the general fund. This is for sewer and major streets.

Committee: What happens outside of ARDSA?

Planning: The Road Board would have to pay.

Committee: Our Road Board doesn't bond.

Planning: Then the money would have to come from the general operating budget.

21.03.130 Certificate of Zoning Compliance (Public Review Draft #2)

Pg. 87 Certificate of Zoning Compliance

Committee: The mayor has regularly told the Assembly and the people in Chugiak/Eagle River that they won't have to get building permits. These certificates call for an inspection of the property prior to occupancy, which seems pretty close to a building permit inspection.

Planning: They'll do inspections.

Public: Maybe you could change the verbiage to indicate an as built submittal would be required.

Planning: When people go to transfer property, the lending institutions may require something to verify that they have complied.

Pg. 87 L 17-28

Committee: I don't understand how this relates to people living in their home as they are building. So they will have to get a conditional certificate of zoning compliance in areas outside the building service area?

Public: There are state codes that apply to residences under construction.

Committee: My concern is that when people in Chugiak/Eagle River read this, they'll think it is intrusive government.

21.03.140 Sign Permits (Public Review Draft #2)

21.03.150 Record of Survey Maps (Public Review Draft #2)

21.03.160 Vacation of Plats and Rights-of-Way (Public Review Draft #2)

Pg. 91 L 16-17 Title to Vacated Area E. 1.

Committee: What is a public square?

Planning: It's straight out of state law but I don't know the definition.

Committee: I'm thinking about maintenance. The costs will pass to the city.

Planning: Usually it would be right of way land that passes to the city if vacated. It could then be transferred or sold but there is no such place in Anchorage.

21.03.170 Verification of Nonconforming Status (Public Review Draft #2)

Pg. 91 L 30-34 Verification of Nonconforming Status

Committee: I'd like to get a sense of what it takes to get one of these and what it costs. I've heard it can cost \$115 an hour.

Planning: That is correct and it is usually done in an hour

Committee: We've already made minor modifications in the ordinance for horses to exempt payment of such fees for a year.

Public: The body doing the change should be responsible for providing the certificates.

Committee: There could potentially be multiple thousands of these needed with area wide rezoning. It could cost the city lots of money.

Public: When a street is built and all the ROW takes occur, property owners impacted should be given a verification of nonconforming status certificate.

DDD March 15, 2006

21.03.180 Minor Modifications (Public Review Draft #2)

Pg. 92 Minor Modifications

Committee: Committee: Does this include parking?

Planning: Yes

Pg. 92 L 29

Public: Is UDC included because of the new design standards?

Planning: Yes, plus it will help with the Planning and Zoning work load.

21.03.190 Variances (Public Review Draft #2)

Pg. 94 L 36 Variances

Committee: What does "containing the materials specified in the user's guide" mean?

Planning: It's saying that the materials needed will be listed in the user's guide.

Committee: The wording is unclear, maybe should say "listing".

Pg. 96 L 12-14 Approval Criteria

Committee: What is the definition of "applicant" here?

Planning: Applicant is defined as the land owner as well as the previous land owners.

We will be looking at this definition. We've been talking about loosening the definition.

21.03.200 Appeals (Public Review Draft #2)

Pg. 97 L 21-24 Appeals

Committee: B and C are redundant. We should also talk to the Bd. Of Adjustment to get some sense of their idea of jurisdictional responsibility.

Planning: Possibly so, I need to research why some things go to ZEBA and some go to the Planning and Zoning Board.

Pg. 98 L 13-14 A. 3. b.

Committee: Isn't this redundant?

Planning: It's a reference to what's been done.

Committee: It's not redundant. It's common after an appeal.

Pg. 101 L 5-8

Committee: I like the new wording. It makes sense to allow oral argument.

Planning: We ran it by legal and they approved it.

Pg. 103 L 5 Appeals to Zoning Board of Examiners and Appeals

Committee: Now for enforcement you can go to ZEBA but you can also go to Hearing Officer Middleton, right?

Planning: No, these types of issues go to ZEBA.

Committee: We might be split on that.

Pg. 103 L 18

Committee: So now folks outside the building service area who are denied these new certificates of zoning compliance, they appeal to ZEBA?

Planning: Yes. If we require a certain width of driveway in November, then they would be able to waive getting the certificate until the weather allowed for the construction.

Committee: Is this current practice inside the building service area?

Planning: It's not common.

Public: The existing code sends people to the Zoning Board.

Planning: That's only for denial of permit.

Committee: Last week we talked about the vast number of permits that would have to be looked at. Will this require inspectors to come look at structures?

Planning: No more than now.

Committee: The wording seems to indicate that they would be required to visit the site.

Pg. 103 L 20

Committee: What is "other appeals as provided by law"?

Planning: It's a catch all.

Committee: I think this needs to be clarified.

Pg. 103 L 28-31 Time Limit for Filing; Notice of Appeal; Appeal Fee

Committee: Wasn't the time limit different before?

Planning: It was 7 days for written appeals to be accepted. The 20 days is current language.

Pg. 103 L 30

Committee: There's a spelling error. Zppeals should be appeals.

21.03.210 Use Classification Requests (Public Review Draft #2)

Pg. 105 Use Classification Requests

Committee: We used to have a special section on hardship relief petitions. This was dropped and I'm not sure why. It seems to be a way we could avoid litigation costs.

Planning: I have some research about this that I will share.

Committee: This concept looks like it makes a lot of sense.

Planning: We checked with legal on this and then didn't pass it on.

Pg. 105 L 31 Standards for Review

Committee: Why is this not in the Use classification area?

Planning: It's a procedure.

Committee: Do you have to meet all 12 criteria?

Planning: No, they just have to be checked.

Pg. 106 L 26 C. 11.

Public: I think that the word "and" should be "or".

Committee: I disagree. I think it should stay and

21.03.220 Assembly Alcohol Approval (Public Review Draft #2)

Pg. 107 L 18 Assembly Alcohol Review

Committee: We have no taverns in Alaska

Planning: We have no brew pubs either.

Committee: Taverns serve beer only; they do not legally exist in this state.

Committee: What is a tearoom?

Public: There is one on 5th Avenue. I haven't been in it though.

Committee: They are also mentioned in Title 4, though I can't think of any.

Pg. 107 L 32-34 Application and Review Procedure

Committee: Titles 2, 10 and 21 have standards for conditional use. Why not incorporate them here.

Planning: Do you want to delete the sentence?

Committee: I think you just need to reference the other sections.

Pg. 108 L 32-34 Expiration

Committee: Do you define operation? You are setting yourselves up for problems if you word it this way. You need to be careful.

Planning: I'm not sure what you want us to say.

Committee: You are currently defining abandonment as the license leaving the premises. Go with the current standard but look at what's required in Title 4.

21.03.230 Administrative Permits (Public Review Draft #2)

Pg. 108 L 35 Administrative Permits

Committee: Is this under ZEBAs appeal?

21.03.240 Neighborhood or District Plans (Public Review Draft #2)

Pg. 109 Neighborhood or District Plans

Public: This is a way to zone out.

Committee: What do you mean by zone out?

Public: This language would allow neighborhoods to "zone out" certain kinds of development. We request language that prevents zone outs.

Planning: Limitations on types of development would be done with an overlay plan.

Committee: Don't district plans have to go before the Assembly? I view neighborhood plans as a statement of purpose.

Planning: We were concerned that neighborhood plans wouldn't be meeting the comprehensive plan, so we added language to stress that they must comply.

Committee: Any time you want to increase the density of housing in an area, the neighborhood will object. Is this current language?

Planning: Yes.

Pg. 110 L 38-43 Coordination of Plan Review

Committee: I like this section.

21.03.250 Master Planning (Public Review Draft #2)

Pg. 114 L 23 Master Planning

Committee: Is this language too generalized? Currently we allow planning with PUD or PC. Here is my property and I want to do blank so why not let me?

Planning: There will be master planning and then overlay districts.

Committee: Why make it so complicated when something is out of the norm. Why not allow it if it goes through the appropriate channels. Can you do it through the Planning and Zoning?

Planning: The master plan goes through the Assembly.

Committee: I'm concerned about how this works in Chugiak/Eagle River.

The specific phrasing is worrisome. This is just another reason we are pushing for a separate plan for our area.

Pg. 116 L 13-28 xiii

Committee: Is it possible to provide the information required in (B)?

Planning: We asked if this is what we do now and we were told that it is.

Committee: There's such a difference of opinion as to what is appropriate information. I wonder if we could allow more flexibility.

Public: If you are working with ADEC then subsurface means below 30 feet.

Committee: Why is it different for different agencies?

Planning: I think this is what's done now, but I need to do more research.

Pg. 116 L 29-34 Director Review, Report, and Recommendation

Committee: Is there a timeline for this?

Planning: We're concerned because there are so many unknowns at this point and there are so many issues that are out of our control. A time deadline would be difficult.

Committee: I think that the public would like to know generally how long this takes.

Planning: We could put it in very generally.

Committee: You could provide for a private review if things get backed up.

Pg. 117 L 27-28 Approval Criteria

Committee: I'm not sure what C means. What is "substantial adverse impact"? There should be discussion if there's a development that requires a new school or a new road.

Planning: Unless there's a school or a road required on the master plan.

Committee: Depending on how you interpret this, it could have adverse fiscal effects. Does the last developer take the brunt of this? What if the first developer caused the impact too?

Public: In some cases that happens.

Committee: There should be an analysis of the community benefits and costs.

Pg. 119 L 27-37 Development Master Plan

Committee: How is this different from Area Master Plan?

Planning: It is more specific.

Pg. 122 L 24 Institutional Master Planning

Committee: Should we have a U Med district instead of a zone?

Pg. 125 L 19-25 v.

Committee: Having been on the school board I can tell you that there is no way they are willing or able to look out 20 years.

Planning: Other institutions do. We have been in contact with UAA on this.

Committee: Have you contacted APU or Providence?

Planning: We have not.

Committee: You're sure that high schools are not under this?

Planning: They are not required to be.

Pg. 126 L 12-19 Open Space and Pedestrian Circulation Element

Public: What are the guidelines for pedestrian circulation?

Planning: It depends on the mission of the institution.

Public: UAA and Providence do a great job of this.

Pg. 126 L 30-34 (E)

Committee: What does "adverse impacts" mean in this section?

Planning: It could be traffic or noise. It really depends on the development.

Committee: If you say it will protect neighborhoods, it could provide false hopes. Some areas are changing and are destined to be very different from now on.

DDD March 22, 2006

CHAPTER 21.04: ZONING DISTRICTS

21.04.010 General Provisions (Public Review Draft #2)

Pg. 133 General Provisions Table 21.04-1

Committee: How do you translate these zoning districts into areas already established?

It is difficult to see how this fits without matching the proposed zones to specific areas for comparison. It seems like some areas could be dramatically impacted.

Planning: These are proposed zoning areas. Some have boundaries we can match now and some do not. Chapter 5 has further clarification.

21.04.020 Residential Districts (Public Review Draft #2)

Pg. 134 Residential Districts

Committee: After some discussion with the community, it seems like you had put in rural and urban descriptions and now you've taken them out.

Planning: We tried to describe these areas more specifically and differently because these terms, especially "rural" have confused people.

Pg. 135 L 1, 2.

Committee: What is a reserve area, why not say "designate areas"?

Planning: That may be clearer.

Pg. 135 L 30

Committee: You should call RS2 the almost half acre district.

Pg. 136-137

Public: You are putting R7 & R8 into RL4. Are you decreasing lot size? R8 was specifically created for areas with sensitive environmental concerns. If you make it smaller you can create problems.

Planning: Clarion recommended we eliminate R8 because there is so little of it.

Committee: I've heard complaints about this decreasing lot size. Why are you changing it?

Planning: The current system is confusing to the public. Current code says one half of the area of an abutting dedicated right of way is included in lot size calculation. But that one half of a dedicated street does not belong to the individual. That area is public domain.

Public: It does confuse the general public. I have seen people defend street right of ways with force.

Planning: We have changed the lot size requirements for zones to reflect the more accurate approach.

Committee: (mixed response) I believe this will cause public outcry. You can't write law based on people's misperception of the law.

Committee: The Large Domestic Animal Ordinance was recently written to link certain rights to 40,000 square foot lots. If lot sizes change why won't that change people's rights?

Planning: There will be no impact. This is only in relation to zoning. People have never gotten a piece of paper that says they could use part of the ROW as part of their lot.

Committee: Doesn't this include a utility ROW?

Planning: This is only for street ROW.

Committee: What's wrong with a range of permitted residential lot sizes in a zone?

Planning: These are minimum lot sizes in an area. Larger lots would be legal.

Committee: Won't we be making non-conforming lots?

Planning: I don't think there will be too many nonconformities. I don't think putting in a maximum size is appropriate.

Pg. 136 L 30-32, District Specific Standards

Public: We would like to see consistency. Here you list the limit of the number of units. Other places different information is listed.

Planning: There's a minimum listed of 3 in order to have a multi family unit. No maximum is listed.

Public: You mean that you can stack 1 million people on a 6,000 sq. ft. lot?

Planning: Yes, (laughter) but it has to be viable.

Pg. 136 L 33

Public: In RM3 and RM4 do you allow site condos?

Planning: That's addressed in Chapter 5.

Pg. 136 L 40-44, RM-4: Residential Mixed-Use District

Committee: I'm confused with Residential & Commercial Mixed-Use Districts. There seem to be at least seven different types of mixed use zones. This is a vast sea change difference in how we deal with zoning in Anchorage.

Planning: They are differentiated more clearly in later chapters. RM4 is not really a true mixed use zone. It is residential.

Committee: But you are allowing non-residential uses in these areas.

Planning: But only in a limited sense.

Pg. 137 L 1 and L 24-38

Committee: Consistency in language would be helpful between this document and in the 20/20 Plan. City center should be defined.

Planning: There are several different kinds of centers.

Committee: Town center or city center or employment center – just be consistent. You are using terms that haven't been defined before and it could cause problems.

Pg. 137 L 9-23

Committee: These size restrictions are so specific that they will cause us problems. For example it could prohibit a health club in an apartment building, if the size wasn't exactly correct. Is it the larger of 3,000 sq ft. or the 20% that is the control?

Planning: We are trying to limit commercial in residential areas. We have been asked by the development community to provide specific limits.

Pg. 138 L 27-31, f.

Public: If you put in a house pad and a driveway, it will increase the drainage. It is unavoidable.

Planning: This is current language.

Committee: To say this and follow it, means you won't be able to build.

Public: You could delete the last sentence.

Committee: Check to see how the departments handle this now and put that standard in the User's Guide. This section is wasted words. When you pave, you increase drainage.

Public: I think there's a push for drainage ponds in subdivisions.

Pg. 139 Table 21.04-2

Committee: Are we requiring lot sizes to have to be bigger?

Planning: Steep slopes are more fragile. The intent is that a bigger lot will have less impact.

Committee: On a lot that has both a steep slope area and flat ground, is there a way to put in language where just the buildable area concept is used?

Planning: This is looking at the average slope of the whole area being subdivided.

Committee: But it says the "average slope of the lot".

Planning: So it does.

Public: The problem is that when you go to zone an area they don't look at the actual ground. There's a formula to determine this for the overall area.

Planning: This table is more for subdividing. We haven't changed how we figure lot area.

Committee: Won't this exclude people from building on certain lots, especially in R10? There are lots of steep, but terraced lots on Hiland.

Pg. 139 L 2-8

Committee: I understand that the bedrock is shallow on the hillside and in parts of Eagle River. The second sentence there is new, isn't it?

Planning: Yes, but the general approach follows what we do now.

Committee: It means if you don't have 16 feet of material over the bedrock then you go up to the next lot size category.

Public: It's to make sure there is adequate provision for water and septic.

21.04.030 Commercial and Office Districts (Public Review Draft #2)

Pg. 139-147 Commercial and Office Districts

Committee: Do any of these commercial districts apply to rural areas?

Planning: We looked at this and know they won't be appropriate everywhere.

Pg. 140 L10, NC: Neighborhood Commercial District

Committee: I think it may be impossible to use that size limitation for the neighborhood commercial district consistently.

Pg. 140 L 30-35, Gross Floor Area Limitations

Committee: Have you talked to a grocer about how many sq ft he needs here?

Planning: We calculated this using the City Market's square footage.

Committee: Is everyone else (all other businesses) limited to 3,000 sq. ft?

Planning: Yes

Committee: I don't like how prescriptive you are here. We need to have commercial PUD's (planned unit development). When you are transitioning to a new code you should be less specific and allow for what will happen.

You could say that it should be primarily residential but could have something else.

Planning: What we heard from the development community is that they wanted to have the specific language. They didn't want things to be open ended.

Committee: Could we add the language that if they were willing to do a major site plan review that their project might be considered? We can't hypothesize as to what might happen here.

Pg. 141 L 4, AC: Auto Commercial Corridor District

Committee: All I could think of here, is this Peter's Creek? What area of town are you describing?

Planning: The plans call for creating some pedestrian friendly community areas. We realize some commercial strips aren't going to change and don't fit into one plan. We are trying to provide for the stripped areas of town like International Airport and the Old Seward.

Committee: What about Northern Lights, Benson and Tudor?

Planning: Those are mixed use transit corridors, as are Arctic, Fireweed and Spenard.

Committee: What are we trying to do?

Planning: We are trying to create areas that have complimentary uses. In an employment center you would have higher buildings. In other areas you need places for car lots and lumber yards.

Pg. 144

Committee: We will skip the section on the downtown zone, because there is a group working on language for this in conjunction with the downtown planning effort. I am putting in a plea though for more points for bathrooms.

Pg. 147 L 9-11, OC: Office Commercial District

Committee: You need to define overnight lodging. We have hostels, motels and hostels.

Planning: Maybe we should change it to visitor accommodations.

Pg. 147 L 14-21, District-Specific Standards

Committee: Does this prohibit hot dog vendors?

Planning: I wrote no, but I think the answer should be yes.

21.04.040 Mixed-Use Districts (Public Review Draft #2)

Pg. 148 L 31, NMU: Neighborhood Mixed-Use District

Committee: I'm thinking about the 4 – 30 acres and how to overlay that in a workable way in rural areas.

Pg. 149 L 1

Committee: What's a nodal center?

Pg. 149 L 4-7, District-Specific Standards

Committee: The reference to 21.04F is used over and over. It's redundant. Why say it 5 times in 3 pages?

Pg. 151 L 12, F. 2. b.

Committee: What is one gross acre? Isn't an acre an acre?

Planning: It's saying you can count the road right of way.

Pg. 151 L 11-19, Public Focus Areas

Committee: We've got mixed use development that's 1 ½ acres and may accommodate 2 stores. Will they have to do a town square? It seems like an awfully small development to have to develop a plaza.

Planning: That might be the wrong term but we are trying to provide public space.

General Discussion about Mixed Use

Committee: We are trying to understand what you want to accomplish with mixed use districts. We have 8 mixed use areas in the document now. This is such a new approach for Anchorage. Why not approach it a little differently, with fewer zones and more flexibility. Why not allow the alternative in all these districts of using a PUD (planned unit development) approach or of allowing the option of going for a major site plan review if the standard is exceeded?

Planning: There is a growing demand for infill development in the Bowl. We are running out of vacant land. We need to plan for a city that has livable, workable and walkable neighborhoods. Separating commercial and residential in the old manner cuts us off from the way modern cities grow. We need to have mixed use districts, but with clear standards. We also need to make distinctions in these mixed use zones. Development should occur where it makes sense and benefits people. We are trying to describe the way we want our city to grow. We recognize that we want to see residential development but when, where and how do we encourage compatible commercial development. It's a real issue in this town.

General consensus reached that as we look more closely at the different mixed use zones, we will examine where we really need to differentiate zones and what specifics need to be listed.

DDD March 29, 2006

Pg. 149

Public: You make two references to the Anchorage Bowl 20/20 Plan, and not the other area plans. Is that intended to stay?

Planning: Yes, but we're not trying to say it can only be in this area.

Public: I just thought it was better as a note.

Pg. 151 L 11-19, Public Focus Areas

Committee: Are we going to require a public square or plaza for every acre that is developed for mixed use? That seems excessive. Could a bench be enough to make a public focus area?

Planning: Line 18 shows that 1% of the development is enough.

Pg. 151 L 25-34, Incentive for Additional Residential Development

Committee: Why is there a difference in the FAR (floor area ratio) numbers?

Planning: The .07 should be .05.

Committee: That means you can build a bigger building. Why do we care?

Planning: On line 30 the .02 should be 1. We are trying to control the scale in mixed use. We want things smaller in residential mixed use neighborhoods and larger in commercial ones.

Pg. 151 L 38, Building Placement and Orientation

Committee: This could be a problem for rural placement. It seems like you could only walk in certain areas. Parking will not be convenient.

Planning: That's why we added rural commercial areas.

Pg. 152 L 1-11, Building Placement & Street Setbacks & Building Entrances

Committee: I'm concern for the rural commercial owners. The costs of adding an entrance could be huge.

Planning: It only requires one on a street and it would be easier to do when the building is constructed.

Public: It could be hard to get someone new at the counter to understand this.

Planning: If you have suggestions on how to rewrite this, we would appreciate the help.

There has to be an entrance that pedestrians can get to without crossing a parking lot.

Committee: I'm not sure why you are making the requirement for all mixed use. Are you trying to make buildings more accessible by pedestrians?

This could add to the cost of running a business.

Public: It's for public safety also.

Public: I can see a problem with class 3 streets where there is no vehicle access.

Committee: People walk and we are encouraging that. It requires a shift in thinking.

Pg. 152 L 23-34

Committee: This seems excessive in some cases. This section calling for public art costing at least 1% of the construction value could cost a lot of money. Can you have an awning over the sidewalk? Why not add covered sidewalks?

Planning: You'd have to get an encroachment permit from the state.

Public: It happens in the CBD.

21.04.050 Industrial Districts (Public Review Draft #2)

21.04.060 Chugiak-Eagle River Districts (Public Review Draft #2)

Pg. 155 L 5-20, Accessory Uses

Committee: I can think of two places where people store a couple of airplanes. Is this allowable?

Planning: That's a subordinate thing to an aircraft subdivision.

Committee: The way I read this, you are trying to limit accessory uses to 9%

Planning: Yes, for carports and garages

Committee: In cases where workshops are attached to the garage it could be larger than 9%, why is that a problem?

Planning: This concept comes from the approach we took in Girdwood.

Committee: The bigger problem here is creating pockets of non-conformity if you make it retroactive.

Committee: Why can't I have a bigger building than 5800 square feet on six acres?

Planning: In residential neighborhoods some people have built accessory buildings right up to the neighbor's property lines.

Committee: I would prefer setbacks.

Planning: You could have several buildings but not one that's bigger than 9%.

Committee: This is a policy question. How do you create an area of residential development when there is already other development there?

You're trying to create all these areas but we don't know what's there now.

Pg. 155 L 21, Home Occupation

Committee: Just to let you know, we have a group of people looking at Home Occupation standards.

Pg. 155 L 35-37

Committee: How do we define traffic and deliveries in greater than normal volume? How does it work for assisted living situations?

Planning: We handle that, Bed & Breakfasts and daycare each separately.

Committee: We are finding more and more of these and not just in residential areas anymore. We need to recognize that gradients are necessary.

Pg. 156 L 9-11, Use of an Intermodal Shipping Container

Committee: I don't mind the Connex so much but I want to see it screened. Maybe we could limit the number and create setbacks.

Public: Could you side and roof it to look like a shed?

Planning: We need to be careful. What's acceptable siding?

Committee: You might want to look at this.

Public: You could say that accessory buildings need to look like the residence.

Committee: How can you allow Connexs and not Quonset huts?

Planning: Quonset huts were disallowed in the 60's and nobody has asked for them to come back.

21.04.070 Other Districts (Public Review Draft #2)

Pg. 157 L 17-18, District-Specific Standards

Committee: I have received but not read Senator Ted Stevens comments on this.

Planning: We have a long standing disagreement between the city and the state. They don't want us to zone them.

Committee: We don't have the right to govern the state. It would be nice to have the airport buffered from the city. You could say that the airport is governed by the Airport Master Plan.

Pg. 157 L 24, DR: Development Reserve District

Committee: Is the DR a substitute for T?

Planning: It's a transition.

Committee: I was just curious if we needed it and I see we do.

Pg. 158 L 8-13, Purpose

Committee: Shouldn't this say public "open" lands?

Planning: An area that is dedicated as a park can be taken over by the Park Dept. Areas not dedicated could be transferred to another entity.

Committee: What do you lose by leaving it as it is? There's a Master Plan for parks that we'll be looking at April 18th. There's no need to have it listed in the table.

Planning: There has been a misperception that undeveloped lots are parks and when they get developed people get mad.

Committee: Why don't we dedicate these areas now then and solve that problem in a clearer manner?

Planning: Originally we didn't include the Parks section. This makes it easier for people to visualize.

Committee: This is going to create problems. We have a parks plan driver for uses. I'd hate to find out that we've prohibited a use in here that's permitted in the park plan. I don't really see a need for this zone.

Pg. 158 L 17, RUC: Railroad Utility Corridor

Committee: Why not leave the railroad as ROW?

Planning: There could be uses that they could establish that we'd end up being responsible for. We're proposing to establish what the use of rail land is. We realize that their uses are out of our control but if they are leased to a 3rd party then the use comes under city control.

Pg. 158 L 32, TA: Turnagain Arm District

Committee: Was this R-11?

Planning: Yes

Committee: We have a conditional use process here. It's more expensive. Why not use a major site plan review instead?

Planning: Under the current proposal there is no public sewer or water. You can apply for almost anything as a conditional use. It's sort of like a rezone.

Pg. 159 L 20-22

Committee: There isn't any institutional use reference for a conditional use permit. What if we want to put in a school?

Planning: That's different and has its own requirements. This section applies to uses over 4,000 sq. feet.

21.04.080 Overlay Zoning Districts (Public Review Draft #2)

Pg. 159 Overlay Zoning Districts

Committee: Can an overlay district cover two districts?

Planning: Yes. When you do a neighborhood or town center overlay you may use less restrictive standards.

Pg. 160 L 9, AHO: Airport Height Overlay District

Committee: Why do we need this? You could say follow the federal rules and save three pages.

Pg.160 AHO Airport Height Overlay district

Committee: One suggestion is to start with the organization's own master plan and then go forward. Our part of the plan should focus on what impacts neighborhoods around the airport. Can the city put a decibel level limit? In other words can we regulate noise from the airport?

Planning: If they are going to have large parking lots, they should be regulated in other areas too.

Pg. 162 L 2-10, Purpose

Committee: Why do you need to be so prescriptive with what the districts may or may not want to do? As long as a building is compatible with the existing character it should be allowed.

Planning: There are neighborhoods that share similar buildings, setbacks, etc. There may be reasons to preserve these older types of homes.

Committee: Maybe I misunderstood. What are the differences between the neighborhood Overlay and the District Plan?

Planning: The neighborhood conservation overlay is a valuable subset of a district plan. There may be a question on the details of how we create and implement this.

Pg. 163 L 39-44, Property Owners' Approval

Public: There is the potential to zone out areas or specific uses if you have to keep up with the homeowner's association approach.

Committee: We might want a super majority requirement from the neighborhood for these. I have a problem with the 51% I wrote 60% to fly.

We should wait to make sure butting heads doesn't happen.

Pg. 164 L 39-44, Development Standards

Committee: Is enforcement of this similar to existing covenant enforcement or would it be a city responsibility?

Planning: All adopted plans are enforceable by the city.

Committee: So there are significant costs involved.

Pg. 165 L 17-23, RTR: Railroad Terminal Reserve Overlay District

Committee: Why do we have this here?

Planning: We are trying to strike a middle ground with the railroad. We acknowledge their master plan and zone their land accordingly. The railroad also owns property off their track corridor.

Pg. 165 L 24, FHO: Flood Hazard Overlay District

Committee: This is the same as before and there are problems.

Planning: Not really.

Committee: The flood hazard maps done by ZEBA are inaccurate and there is limited enforcement. I've seen some that are more than 5 years old.

Planning: They may have been looked at and no reason was seen to update.

Committee: In Peters Creek we have problems with boulders and ice threatening houses.

DDD April 5, 2006

CHAPTER 21.05: USE REGULATIONS

21.05.010 Tables of Allowed Uses (Public Review Draft #2)

Pg. 182 L 18-19

Public: This language on specific allowed uses seems very limiting and tends to put things into a blind alley.

Committee: We are trying to find a balance and trying to make things clearer.

Public: And might need to be changed to 'or' approved under the appropriate process.

Committee: We don't define "change of use" and it will create problems.
Does any retail use at all constitute the same use?
Planning: We should define it more clearly.

Pg. 183 Table 21.05-1 Household Living

Committee: I'm trying to get the definitions clear in my head. Dwelling Mixed Use means a dwelling above commercial right? What is dwelling single family attached?

Planning: It's a zero lot line.

Committee: These are no longer allowed, but they still exist?

Public: The problem with zero lot lines before was that they weren't maintained with a Home Owners Association. One side might maintain their portion of the structure but the other side would not.

Planning: This allows them to legally exist.

Public: As long as zero lot lines have a strong Home Owners Association assigned to them they'll be maintained. Enforcement was the problem in the 1980's.

Committee: Is there language to accommodate that?

Planning: Page 200 L 30-35 has a communal party wall agreement.

Committee: Maybe we should add a requirement for maintenance of structures and other improvements.

Planning: Public: On page 201 L 11-21 (townhouses), you don't have the same standards. Possibly the language should also be added here.

Committee: There's a real need for lower income housing. Why not allow manufactured homes? Why not allow mobile homes outside of Eagle River?

Planning: Look at the definition of mobile home-- a portable building built to code in a HUD approved factory.

Committee: Why not just call manufactured home community a trailer park?

Planning: They prefer to be called a mobile home park and they are manufactured.

Committee: Why create a manufactured home area? You need to distinguish between manufactured home, regular home and trailer. What constitutes a mobile home community? What's the concern you are trying to address?

Planning: People don't want trailers in their neighborhoods. We have trailer parks. We are looking at Manufactured homes as affordable housing.

Committee: The difference is a temporary vs. permanent foundation. I don't think we want permanent foundations in mobile home parks.

Planning: Correct.

Public: Why not allow buildings built to city codes as well as HUD codes?

Planning: If it's built to HUD codes then it meets city codes.

Committee: Why aren't we being more flexible in allowing affordable housing in certain areas?

Planning: Manufactured home communities do not follow the same regulations as other neighborhoods. They don't have the same setbacks and not actually a subdivision. It's created to be more affordable.

Committee: Mobile homes lease the ground they sit on. There's no foundation. It's good for people to own their own property, but smaller lot developments need oversight.

Public: We're proposing the city allow a minimum of 10 and maximum of 20 units subject to platting board approval for acre lots. You'd have to have a Home Owners Association, but wouldn't need a conditional use permit.

They could be in RM 1, 2, 3 or 4. You can have mobile homes on 1 acre in RL1, but if there's public water and sewer we are requesting up to 20 units.

Now if you have a trailer, you have to go to Peter's Creek or the Valley.

Planning: If you meet the design standards and the mobile home is newer than 1985 then you can put it on RL 1.

Committee: I think that proposal has some merit. Are you proposing this for stick built homes?

Public: We're proposing an area like the one off Independence Drive and then Colony Drive. It's called cottage housing.

Committee: It's good to have alternative forms of housing.

Pg. 183 Group Living

Committee: Did we figure out if hostel was a rooming house?

Planning: It was broken out to visitor accommodations on page 185

Committee: Is a motel that allows extended stays a rooming house?

Planning: Not really since they don't have shared dining areas.

Committee: Why is residential care of over 9 allowed in RL 1?

Planning: We haven't looked at this closely because of the assisted living ordinance you're working on.

Committee: I think it should be conditional.

Pg. 183 Public / Institutional Uses

Planning: Adult care is day care or drop off for adults.

Committee: Maybe we should move adult care & child care to commercial.

Planning: That might work.

Committee: Does the child care follow our ordinance?

Planning: It was passed after this draft was written but it will be checked.

Pg. 184 Table 21.05-1

Committee: What happens if an elementary school is inside a church?

Planning: We deliberately said a school is not an accessory use to a church, so that would have to go through the appropriate review process.

Committee: It's more challenging to define a school now. There are charter schools and some that aren't regulated. I don't necessarily want to require a major site plan review for a 1 room school.

Planning: In another section we added a threshold of a certain number of students for this.

Committee: What about a preschool?

Planning: Preschool is under day care.

Committee: This needs work. There should be differentiations for numbers of students.

Public: Is there a difference between public and private schools?

Committee: There has been. In creating public schools you're under lots of scrutiny but private schools have much more freedom.

Public: It's a point of clarity.

Committee: Does staff have the authority to bump up an administrative review to a major site plan review?

Planning: No

Pg. 184 Parks and Open Spaces

Committee: What will the new Park Plan do to parks and open spaces?

Planning: Haven't read it

Pg. 184 Telecommunication Facilities

Committee: Does this follow code?

Planning: Other staff have worked on this section and should be able to answer your questions.

Pg. 185 Visitor Accommodation

Committee: Do we need to add B & B here?

Planning: It's in residential accessory use because you have to live in it.

Committee: What about a hostel?

Planning: There has been a request for hostel use to be considered similar to a B & B. A general discussion followed on the impact of hostels in residential neighborhoods.

Pg. 186 Table 21.05-2 Commercial

Committee: Why aren't duplexes allowed in mixed use?

Planning: This is mostly commercial and we want higher density.

Committee: Are townhouses allowed in RC?

Planning: No, because we heard concerns about density in this district.

Pg. 187 Table 21.05-2

Committee: Why are there two categories for Adult Care when their allowed use area are substantially the same?

Public: Homeless and transient shelters should be allowed in mixed use because that is where the need frequently exists.

Pg. 188 Table 21.05-2

Committee: Why aren't schools allowed in mixed use.

Planning: We want more activity use in higher density areas like mid town.

Pg. 189 Public Safety Facility

Committee: Why can't you have a police substation in OC?

Planning: I can't answer that.

Pg. 189 Utility Facility

Committee: What is a utility facility?

Planning: It's a facility that has employees while a substation usually doesn't.

Committee: Why is it a conditional use in IC 1 and 2? It seems an appropriate industrial use. I don't want it permitted by right in downtown Eagle River though. Please make it conditional.

Public: A substation will have the same impact on rural (RC). It should be S.

Pg. 190 Table 21.05-2 Telecommunication Facilities

Committee: It's common building standard to put towers on top of buildings, but how can you do a site plan review up there?

Pg. 190 Agricultural Uses

Committee: I'm concerned with the animal husbandry. Where should people who raise chickens, rabbits or sell fresh eggs fit in here?

Planning: This is more for people who raise larger animals like goats.

Committee: So you can raise smaller animals in RL 1, 2 & 3.

DDD April 12, 2006

Pg. 191 Table 21.05-2 Entertainment, Indoor

Committee: Why can't you have a theatre in AC? I'm thinking of the Fireweed and Century theatres.

Planning: They are in a Mixed Use area.

Committee: Is the difference between P (permitted) and M (major site plan) size?

Planning: Yes, if the building will be 25,000 sq. ft. or larger it will trigger a major site plan review.

Committee: It's always been triggered by size then.

Planning: An office building wouldn't trigger this. It's the large retail that will currently trigger the big box standards. You need to look at use specific standards further in the chapter.

Committee: We might want to talk about making the 25,000 sq. ft. criteria change to 30,000 sq. ft. when we get to that section.

Public: Why can't you have a restaurant in PLI?

Planning: You usually don't have a restaurant in PLI, because you typically don't want to encourage retail in that district. O'Malley on the Green has a restaurant because of the golf course.

Public: Why can't you have a restaurant in OC?

Committee: How do you determine the whether something is permitted or needs a major site plan review?

Planning: Look on Pg. 199, line 23-32.

Committee: So the trigger is 25,000 sq. ft. What are the consequences of triggering at this point?

Public: There is much more impact if a building has 25,000 sq. ft. on one level than if it has the same square footage on more than one level.

Committee: There may be more discussion on the 25,000 sq. ft. criteria and the steps to better define when it is needed.

Pg. 192 Table 21.0521 Food and Beverage Service

Committee: Why does a food kiosk in mixed use area need a site plan review when it's permitted by right in other areas?

Planning: We want it to be right for the area, mixed use will have strong pedestrian component.

Committee: The kiosks don't have to meet restaurant codes even though they are frequently doing the same things as in a restaurant.

Pg. 194 Table 21.05-2 Visitor Accommodations

Committee: Are we going to deal with hostels?

Planning: Yes

Public: We propose that hostels be permitted in the same way that hotels and inns are allowed in Commercial and mixed use areas.

Committee: That makes sense.

Pg. 195 Table 21.05-2 Visitor Accommodations

Committee: What's the difference between a hotel and motel?

Planning: If you look on pages 246-47 in Chapter 5 you will see that a hotel has interior access with 20 or more rooms while a motel has outdoor access with 16 to 19 guest rooms.

Committee: There are no parking lots allowed in CBD?

Planning: Clarion tried to carry forward with current law. This may change as we go forward with the downtown plan.

Industrial Uses

Committee: What is general industrial service?

Planning: Look on page 248, lines 26-37

Committee: Cross referencing would be handy.

Planning: We talked about putting this in alpha order so all commercial for example would be in one section.

Public: It would make it a lot harder to compare say, hostels and hotels though.

Pg. 196 Table 21.05-2

Manufacturing and Production

Committee: I'm not fond of the idea that you are allowing placer mining in RC. Why is this?

Planning: I'm not sure.

Committee: It's in Girdwood, but let's not do it in Chugiak-Eagle River.

Marine Facility

Committee: Why is aquaculture not allowed in rural areas? Will this be a conflict with our stream rebuilding efforts and stocking of local lakes?

You might want to talk with Wigglesworth to make sure we're going in the right direction.

Planning: We're talking about doing this on Chester Creek.

Committee: Why have the section for "Facility for combined marine and general construction" with no permitted use?

Planning: We're combining 750 uses to 150 uses. We may take this out.

Warehouse and Storage

Committee: We need storage in residential areas. Everyone has an RV, boat, snow machine or 4 wheeler to store. It is a particular problem in cluster housing developments.

Pg. 197 Waste and Salvage

Committee: Why allow an incinerator in RC?

Planning: You need one.

Public: The rural community talked about this new area and we don't want it - especially in our commercial area.

Pg. 197 Recycling

Public: Wouldn't there be an advantage to having a recycling plant?

Committee: It's the same as solid waste.

Public: Not necessarily

Committee: Some people are proposing smaller recycling centers to be in more residential areas. Where would you put it?

Public: You could create an eco industrial use. The nation is moving in that direction.

Committee: Are you advocating for the creation of a new zone to do this?

Public: We want to support that concept in Chugiak/Eagle River and at least make it a permitted or conditional use.

Committee: We do need to think about recycling.

Pg. 197 Land reclamation

Public: Why not have reclamation in PR (park districts)?

Planning: We don't want dumping there.

Committee: Look on page 266 for land reclamation definitions and standards. Sometimes it is necessary.

Planning: I'm not an expert, but we now require a reclamation plan for all such activities. This is an ongoing effort.

Public: The city has a proven poor record on location of gravel pits.

Committee: Why not allow reclamation in Watershed districts, under a conditional use permit?

Planning: The only watershed area I know of is in Chugach State Park.

21.05.020 Generally Applicable Use Standards (Public Review Draft #2)

Pg. 198 L 20-21, Purpose

Committee: I think that this is wrong. I don't think that kids can go into strip clubs, even if the parents are so inclined.

Pg. 199 L 22-32, Large Commercial Uses

Committee: Here's the trigger. Clarion recommended more square feet.

It's something to look at. We might think about stepping that up a bit.

21.05.030 Residential Uses: Definitions and Use-Specific Standards (Public Review Draft #2)

Pg. 199 L 38, Household Living

Committee: Household is not defined. We should look at that.

Pg. 200 L 1-11, Dwelling, Mixed-Use

Committee: Are multiple residential dwellings allowed over multiple commercial units?

Planning: Yes

Pg. 200 L 30-37, Common Party Wall Agreement

Committee: You need to add words requiring maintenance of the structure and other improvements. Wouldn't we be better leaving color to the Home Owners Assoc.?

Pg. 200 L 38-40

Committee: Why no stacking?

Planning: This section is for single family residences, not apartments

Pg. 201 L 11, Dwelling, Townhouse

Committee: We need to add maintenance requirements in for developing townhouses.

Pg. 202 Mobile Home Community

Committee: Where does this new language stand with current code?

Planning: Minimum size lot has increased to 500 sq. ft.

Committee: Why are we increasing lot size if we're trying to add density?

Planning: If we wanted to increase density we would increase the number allowed per acre, but there are problems with that.

Committee: We are seeing trailer parks going away. We're making it more difficult for people to live in the existing ones out there.

Planning: We've talked about incorporating the fee simple program the Office of Economic Development proposed. Parks that are already now conforming will be grandfathered.

Pg. 203 L 20-22, Street Surface

Committee: What's a street width requirement now?

Planning: 50 feet

Committee: Why is it 34 feet in a mobile home park?

Public: Currently it's only 28 feet in that situation.

Pg. 203 L 24, Right-of-Way Width

Committee: What's a major street? Because any street that serves 100 spaces becomes one.

Planning: It's the way it's written.

Public: It's common term that is used several places in code.

Planning: A regular street outside of a mobile home park is 60 feet wide.

Committee: This section is for mobile homes only and it's existing municipal code.

Pg. 204 L24-44, Additions to Mobile Homes, etc.

Committee: Why are they restricted to additions of 120 sq. ft.? Wouldn't it be wise to adopt floor area ratios instead? There may be no problem if someone with a tiny mobile home wants to add a larger addition.

Committee: I'd prefer that the number and location of exits be left up to the fire marshal.

Pg. 205 Animals in Mobile Home Communities

Committee: This prohibition against keeping animals should be deleted.

Planning: It is defined as keeping an animal restrained outside without a person.

Pg. 207 L 14-41, Use Specific Standards

Committee: Does the state have standards here and are we duplicating?

Pg. 208 L 5

Committee: Is habilitative care in the new assisted living code?

Planning: Yes

Pg. 208 L 11-18

Public: Hostels are sometimes used as rooming houses in the winter. Rooming houses are allowed in residential districts, but hostels are not.

Committee: So they are one step up from the shelters. Is that the current definition?

Planning: It's a shortened version of current code.

Pg. 208 L 19

Public: Health Inspections should not be required if not serving meals.

DDD April 19, 2006

21.05.040 Public/Institutional Uses: Definitions and Use-Specific Standards (Public Review Draft #2)

Pg. 210 L 1-3, Traffic Access

Committee: Having a cemetery only on a collector road could be a problem in the future for Chugiak/Eagle River.

Planning: If the area is not acting as a cemetery now then it's not considered a cemetery.

Public: What about plots on private property?

Planning: It's not allowed.

Public: There's a cemetery at St. John's Church on Monastery Road in Eagle River. Will that be allowed?

Committee: It will probably be non-compliant because it's not on a collector road.

Pg. 211 L 11, Crematorium Definition

Committee: Do we have the ability to have a crematorium as an accessory use?

Planning: No

Committee: What about the one on 8th and E Streets?

Planning: It would be non-conforming or move to an allowed use area.

Pg. 211 L 25-31, Use-Specific Standards

Committee: This should be consistent with the rest of the text at 25,000 sq. ft. or "stepped", meaning that it would trigger some overview application process between conditional use permit and administrative review, as we suggested last week.

Planning: You want more increments?

Committee: Yes

Pg. 212 L 12-13, Religious Assembly Definition

Committee: I would urge you to exclude Sunday School here.

Planning: That wouldn't meet the school definition. Maybe I'll substitute the term "full time academic institution".

Committee: What about a preschool?

Planning: That falls under day care.

Pg. 212 L 26-29, Maximum Height

Committee: Can a steeple be higher than 10 feet?

Planning: 30 feet references the height of the building, exclusive of the steeple.

Committee: Many churches in rural areas will be non compliant since they aren't on collector roads.

Planning: Look at Pg. 211 lines 1-6.

Pg. 214 L 23-32, Minimum Lot Dimensions and Setbacks

Committee: ASD is looking at this language?

Planning: ADS has standards now. These are lower than their standards so they'll be fine.

Committee: Denali Elementary doesn't meet these setback standards.

Planning: It's not in a residential district.

Pg. 214 L 33-37, Vehicle and Pedestrian Access

Committee: Do charter, private and religious schools fit in here?

Planning: This is referencing the traffic impact that larger schools have on communities.

Public: Polaris School has no frontage access, so it would be noncompliant.

Planning: Polaris doesn't have a big impact on the surrounding neighborhoods.

Pg. 215 L 6, (A)

Committee: "To the maximum extent" worries me because so many relocatable classrooms are located in the front of schools.

Planning: Traffic wants no relays in required parking areas.

Committee: It's not possible. We've put them in hockey rinks, parking lots, anywhere there is room.

Public: Now you'll have to put them in accessory parking areas.

Pg. 215 L 10-12, (B)

Public: Are we going to change Chapter 23 where six months is listed for temporary use?

Planning: I'll look at that.

Committee: A construction use is different. It's exempt.

Planning: I'll look at rewording.

Pg. 215 L 35-37, Use-Specific Standard

Committee: I still don't understand why a trade school isn't allowed on the ground floor.

Planning: We want vibrant businesses in this district.

Committee: A beauty school can draw foot traffic.

Pg. 216 L 1-4, Health Care Facility and Health Services (Reserved)

Committee: Prohibiting health care facilities on the ground floor was not discussed with recent assembly action.

Planning: The last I heard from other staff, hospitals should be on the ground floor with doctor's offices above.

Committee: This should be clarified with designations for specific zones.

We didn't talk standards and the services part is missing.

Pg. 217 L 15 and 24, Fire Station Definition and Airport Definition

Committee: You might want to get rid of the a's since there is no b. (formatting problem)

Pg. 219 L 4, Telecommunication Facilities

Committee: There are a lot of changes in this section from the last draft.

Planning: We're actually going back to the original wording.

Committee: Have we heard from all the companies involved?

Planning: Other staff have been working on this section.

Committee: There are lots of places available to put these towers in commercial areas.

It's the residential neighborhoods that don't want them.

Some administrative change may be helpful.

Pg. 220 L 7-18, (A) (B) (C)

Public: All the towers have the same setback, but the guy wires have different standards. I don't understand the rationale. If a guy wire snaps it's going to fly and there will be more impact from thicker wires.

Planning: We have been told that when a tower comes down it comes straight down because there's no weight to it. Let's come back to this issue after further discussions with staff working on this topic.

Pg. 222 L 30-36, Tower Color

Public: When you paint a tower it becomes more apparent.

Pg. 226 L 11-34, Factors Considered in Granting Conditional Use Permits

Committee: I've heard numerous concerns from people about the visual impact of a tower against the skyline and I see no language to address that.

Planning: I understand what you're saying.

Committee: There should be some kind of recognition that the public doesn't want a beautiful view blemished by a tower. I'm thinking of the large community concern I heard when towers were constructed on the approach to Mt. Baldy.

21.05.050 Commercial Uses: Definitions and Use-Specific Standards (Public Review Draft #2)

Pg. 229 L 17-23, Use-Specific Standards

Planning: We don't think that that farming agriculture exists in the Anchorage Bowl.

Committee: If it is deleted, will you get in trouble if you sell sled dogs? Is that animal husbandry?

Public: There's a chicken raising farm off Dowling and a guy who raised and sold pigs off Huffman. There are also alpacas on the Hillside.

Planning: These are OK as accessory uses but not as primary uses.

Committee: So it's not a primary use if someone is living on the property?

Planning: Are there any places in Anchorage where animals are being raised as a principal use? We've also been thinking about potentially deleting animal husbandry.

Committee: You can't do it in the Bowl commercially because the land is too expensive. It is just not realistic economically.

Public: You can define farm though. In New Jersey it's defined as a minimum of 5 acres with \$500 sales per year.

Pg. 229 L 33-36, Animal Sales, Service, and Care

Committee: The line seems so bleary here. If you keep beagles and sell 3 litters a year, is it a commercial use?

Planning: That would be an accessory use. We took the Large Animal ordinance to be accessory use in a residential area so we don't see the need to change this.

Pg. 230 L 6, Use-Specific Standards

Committee: Why do vet clinics have to be in a sound proof building?

Planning: These are being allowed in areas where neighbors might be bothered. (You can probably come up with something better here.)

Committee: These are stricter standards than for an auto mechanic in the same area or where blasting is allowed. It seems like overkill and would sure add cost to the veterinarian's practice.

Pg. 230 L 9-16, Additional Standards in the I-1 and PLI District

Committee: Are dog runs only allowed in I-1 or PLI?

Planning: Yes

Committee: I think there's something about odor in Chapter 17 already. I don't think Clarion likes pet owners. This is way too restrictive.

Pg. 230 L 36, Retail and Pet Services

Committee: Pet stores are treated so differently than other stores. Where are they permitted? I don't believe they create problems.

Planning: Look on page 190.

Committee: What about Friends of Pets?

Planning: That's not a commercial use, but their headquarters would be commercial.

Pg. 231 L 5-7, Use-Specific Standards

Committee: A vet clinic with space for 4-5 animals inside is very different from the Animal Control Shelter which could house 100 or more animals.

Planning: That's a good point.

Committee: It should be determined by how many animals could be housed on premises.

Pg. 232 L 15, Fitness and Recreational Sports Center

Committee: What about a condo association that has a fitness club on site that sells memberships to the public?

Planning: It would probably not be allowed.

Pg. 232 Nightclub, Licensed and Pg. 233 Nightclub, Unlicensed L 1

Committee: Why repeat everything in these two paragraphs. They are identical except for allowed alcohol in the licensed club.

Planning: This is structured for specific uses. When we wanted to include alcohol we had to create the use that allowed it. We know it's awkward.

Committee: It's just organizational. The licensing can be distinguished but the impacts are the same. When you file for a liquor license you get a permit. If you change the operational use you must come back for a conditional use permit.

Planning: It's the predictability of the use.

Pg. 233 L 31, Minimum Distance from Certain Uses

Committee: There's a reference to 300 feet here. The Assembly will be talking about this within the month.

Planning: This is current language. What are you working on?

Committee: We are talking about expanding the distance between schools, churches and alcohol establishments, partially in response to the Calypso Bar.

Pg. 233 Use Specific Standards

Committee: What about changing this section to address the problems we experience? The three that come to mind are underage clubs, when use changes from a restaurant to a bar and when environmental concerns impact the neighborhood.

Pg. 234 L 5, Theatre Company or Dinner Theatre Definition

Committee: The 4th Avenue Theatre is bigger than 3,000 sq. ft.

Planning: This use was intended for smaller establishments.

Pg. 236 L 24-25, Use-Specific Standards

Committee: The shooting Range near Potter Marsh is less than 20 acres. At least the part devoted to shooting is.

Planning: I'll check on that

Public: Will there be confusion when the range is on more than one lot?

Pg. 237 L 31-32, Use-Specific Standards b.

Committee: Why are banks limited to 3,000 sq. ft.?

Planning: We don't want them to dominate the mixed use district.

Pg. 238 L 5-9, Bar Definition

Committee: We need to check with the State Title 4 to make sure that this definition corresponds.

Pg. 238 Food and Beverage Kiosk Definition

Committee: I'm concerned with health codes. There are different standards between McDonalds and a food and beverage kiosks when making milk shakes. The kiosks shouldn't be allowed to do food prep. I want to check the health codes.

Pg. 241 Convenience Store L 1 and Fueling Station L 20

Committee: Why not allow a convenience store at a gas station?

Planning: That's just two separate uses.

Committee: This requires they be less than 5,000 sq. ft. Is that realistic?

Planning: I'll check.

Committee: You might want to limit in some residential mixed use areas.

Pg. 242 L 35, Heavy Equipment Sales and Rental Definition

Committee: I'm not sure about the 12,000 lbs used to define heavy equipment. I am hearing the correct weight difference is 20,000 pounds.

Planning: All my research shows it works.

Pg. 243 L 16, (A)

Committee: If this goes through as proposed we are going to see more parking facilities with residential on top. We ought not to be so prescriptive here; 25 foot depth might not work with all structures. It would be better to have a site plan review, list what you want to achieve and have them follow the considerations. Talk to other departments about this.

Pg. 244 L 28-31, Use-Specific Standard

Committee: I'm still concerned about the restrictions on vehicle repairs.

Planning: There may be times when you'd do one use or the other and we do have three uses allowed in different situations.

Pg. 244 L 38, Use-Specific Standards

Committee: b. i. The prohibition on repair work should be deleted.

Pg. 245 L 1-18, Vehicle-Small, Sales and Rental

Committee: Why not allow the sale and repair of motorcycles or snow mobiles at the same location. You should combine 8 & 9 into one use category.

Planning: It's two uses at one place.

Committee: Why prohibit and limit it to one use?

Pg. 245 L 29-32, Use-Specific Standards

Committee: I get my car washed based on the length of the line. When the line is in the back you have to drive in to see the line. It is not convenient.

Planning: Stacking in back is better, because it does not impact street traffic.

Public: You want the exit to face the largest area.

Committee: Who cares? Let the owner decide which way the doors face.

Planning: There are traffic issues here.

Committee: Then you could require a site plan review. Every situation is different.

DDD April 26, 2006

Pg. 246 L 7, Camper Park

Committee: We have several small places for people to park campers in Chugiak/Eagle River. Do they have to be on a collector street?

Planning: It's uncommon to have only 4 or 5 spaces in a camper park. They usually require more access.

21.05.060 Industrial Uses: Definitions and Use-Specific Standards (Public Review Draft #2)

Pg. 249 L 1-8, Research Laboratory

Committee: With this definition you could prohibit a small geotechnical outfit or drug testing lab, which had no impact on its neighbors, from locating in a business district.

Planning: Look at the tables. It's possible to put them into office commercial and industrial districts.

Committee: Is this just because it's scientific or technical?

Planning: A building that is 80% office space and 20% laboratory has much less impact than a building that has 80% laboratory and 20% office space. It is dependent on a case by case basis.

Public: The scientific buildings vary by size and kind. An outfit that only tests water samples is much different from one that has dryers, sorters and sifters. There is noise to consider.

Committee: It's not clearly industrial however.

Pg. 249 L 20, Cottage Crafts

Committee: Why does an art studio need to be in industrial zoning?

Planning: Go back to the table on page 195. It allows for limited industrial use in a commercial area. Many art studios also produce the art. They have kilns, material storage and deliveries. Things change as uses change.

Committee: Art studios are a draw in a commercial district.

Pg. 249 L 45, Commercial Food Production

Committee: We have a restaurant that also does catering. Where does that fit?

Public: Catering and food production is different from the restaurant business. There are problems from the producer's side. They may see themselves as a small family business with little impact, but like La Roma Bakery they can become manufacturing businesses.

Committee: We should make the distinction then by size.

Pg. 253 L 30, Self-Storage Facility

Committee: Does the self storage area reflect our 2004 Ordinance?

Planning: I need to go back and check.

Pg. 254 L 35-37, Outside Storage of Vehicles or Equipment

Committee: This is too restrictive.

Pg. 255 L 1-13

Committee: The prohibition of any servicing contradicts the Assembly ordinance

Pg. 255 Fencing and Landscaping

Committee: This section also contradicts the ordinance.

Pg. 256 Containerized Storage Units in Conjunction with Self Storage

Committee: It is not reasonable to totally prohibit Connexs. If there is real concern with their appearance, require them to be screened.

Planning: They are not built to be permanent structures and that is what they often become.

Pg. 256 L 30-38, Existing Self Storage and Vehicle Storage Operations

Committee: This is the only place in the entire document that I have seen grandfathering protections like this.

Planning: We believe that is from the ordinance.

Pg. 259 L 32, (B)

Committee: What's the differentiation between a governmental facility and government service? Apparently junkyards need to be separated from one and not the other.

Planning: It's in reference to the definitions on page 248 L 38. Maybe they should be clarified a bit more.

Pg. 260 L 12, Warehouse

Committee: I see SBS as a warehouse because there is a large storage area behind the retail business. This is apparently permitted in RC, but no where else. Why?

Planning: Warehouses have a large impact on smaller commercial and residential neighborhoods.

Committee: You differentiate between retail and wholesale in the language here. There is a really blurred or non-existent distinction between them now.

Public: The SBS on Lois Drive bought out some of the residential neighborhood behind them, tore out the houses and expanded their business. They encroached on the neighborhood.

Committee: I like the convenience of having a lumber yard in the neighborhood. Maybe restrictions should be based on the size of the yard.

Planning: Look on page 240 under retail. The building material store described would fit Lowe's and Home Depot.

Pg. 260 L 26, Waste and Salvage

Committee: Have you thought any more about neighborhood recycling?

How could we allow small recycling facilities in residential districts?

Are we allowing RAP (recycled asphalt paving) facilities?

Public: AS&G is a RAP facility.

Planning: It's heavy manufacturing and allowed in industrial zones.

Pg. 260 L 34, Composting Facility

Committee: These restrictions may preclude neighborhood recycling.

Planning: Take a trip to Pt. Woronzof. It's stinky.

Pg. 261 L 10, Incinerator or Thermal Desorption Unit

Committee: Is this the same as current language?

Planning: If you read this closely, it doesn't make sense. We're working on changing it.

Pg. 268 L 23, Snow Disposal Site

Committee: How are we doing with snow removal sites? We are facing real shortages of good sites.

Planning: Not well. There's a problem with melting snow on existing sites.

Committee: Are the standards we're imposing now going to restrict the opportunity to have more sites in the future?

Public: There's a real problem with the ones that exist. You need to have a sediment pond for run off.

Committee: Do we still have snow storage on site allowed for only 21 days? Are you saying that people have to haul it off their property?

Planning: It is still in there.

Public: We'd like to suggest putting back into code that commercial business has to provide an area for its own snow storage on site.

Committee: Do we treat storm drain water before it goes back into the Inlet?

Public: Yes

Pg. 270 L 1-5, Location of Site

Committee: Here's the same problem with the terms "government facility or service". It's unclear.

21.05.070 Accessory Uses and Structures (Public Review Draft #2)

Pg. 270 L 24-25, Purpose

Committee: Why is "incidental and customarily subordinate" in quotes?

Planning: I'm not sure.

Pg. 271 L 19, Location of Accessory Structures

Committee: The Large Animal Ordinance has specific language about accessory structures. How are corrals treated here?

Planning: A fenced area is not a structure. A covered paddock would be.

Pg. 272 Table 21.05-4

Public: An ADU is allowed in the RM3 district on the table but not in the text.

Planning: Good catch.

Public: The Bed & Breakfast Assoc. says that to have a site plan review for a 4-5 room B & B will add \$3,000 to start up costs.

Committee: That seems like a huge amount.

Planning: This is all very new. We are establishing the new codes and will have to go back and revisit the costs involved.

Pg. 278 L 3-14, (2)

Committee: I would like to see more flexibility for ADU's on large lots in rural districts.

Planning: We are changing one thing here and that is to allow an ADU in a B & B on lines 21-24.

Pg. 279 L 47, Additional Requirements for Detached ADU's

Committee: Why would an ADU have to be 10 feet behind a building and not beside it? It seems silly and why do we care?

Planning: The intention is not to have it in front.

Pg. 281 L 23-24, Adult Care

Committee: Adult Day Care wasn't covered thoroughly in the assisted living ordinance.

Planning: Is there a definition?

Committee: It was by size and allowed in two zoning districts.

Planning: Shouldn't we approach it similarly to the child care regulations?

Committee: The whole Assembly may not like that but I do.

Pg. 283 L 11-18, Computer-Aided Learning Center

Committee: We should look at deleting this section and putting them with another category.

Pg. 285 L 12-27, Garage or Carport, Private Residential

Committee: This size limitation on garages is not going to work in large lot, rural districts.

Planning: We are thinking about making two separate standards, one for rural and another for urban.

Pg. 285 L 34-39, Use-Specific Standards

Committee: Why prohibit any retail use of a home greenhouse? Why should the city care if a neighbor wants to sell his tomatoes to his neighbors?

Planning: We're trying to protect the residential integrity of neighborhoods.

Pg. 286 L 30-39, vii.

Committee: Why is it a problem to park a utility van with a business logo in a residential neighborhood?

Planning: Neighbors don't like to see them. They block views and can create walls. If you have a small business in your home, you can't park a vehicle bigger than a 9 passenger van in front of your house.

Pg. 287 L 9-11, ix.

Committee: I don't like that the hours of operation for a home based business are from 8 am to 8 pm.

Planning: They are being changed back to 7 am to 10 pm.

Pg. 287 L 12-14, x.

Committee: Is this new?

Planning: Yes

Pg. 287 L 34-38, (B)

Committee: These setbacks will need to be changed to comply with the new Large Animal Ordinance.

Pg. 288 L 33-34, v.

Committee: I thought that the fire department wanted tanks with flammable liquids or gases to be stored above ground? Here we say they must be stored underground.

Pg. 288 L 35-36, vi.

Committee: I'm thinking of businesses with seasonal plant sales that temporarily use part of their lots. This prohibits that practice?

Planning: That area is called a display.

Committee: So this prohibition is only when it's in a parking lot?

Planning: Yes

Committee: Are we prohibiting businesses from fencing off part of their parking lot to put in garden supplies?

Planning: Yes, but we may need to clarify this. It is only being prohibited in required parking areas.

Committee: Maybe you could say “areas actively intended for vehicle and pedestrian use”.

Planning: That’s what it says for display areas at the top of page 288 lines 2-3. Maybe we should say it like that for storage areas too.

Pg. 289 L 2-4, Use-Specific Standards

Committee: This is a general concern in my rural area. We are prohibiting private residential storage on sections of private property. I don’t understand why we care, especially if it’s screened from the neighbors.

Planning: RV’s parked in driveways are a major concern in populated areas. Neighbors don’t like to see that wall out of their windows.

Pg. 289 L 10-11, Vehicle Repair/Rebuilding, Outdoor, Hobby

Committee: This is another concern for my rural area. Only one vehicle can be repaired at a time and only in certain parts of the yard.

Planning: We’ve been talking about differentiating for urban and rural districts.

Public: This is still a problem on the hillside and we are considered rural.

Committee: You could use an asterisk for areas where you are differentiating.

Pg. 289 L 17-21, iii.

Committee: My area will have the same concerns with this section.

Planning: This language came from the public.

Committee: There are problems with the language. It’s absurd to have to build a 6 foot solid fence or screen from all sides, plus limit repairs to only the area in back of the house.

Pg. 289 L 23-28, Use of an Intermodal Shipping Container (Connex) Trailer

Committee: The Sullivan Arena has 8 of these in use. Lots of businesses use these for the stuff they don’t want to bring inside yet.

Planning: Our biggest concern is in residential areas.

Committee: They are allowed in commercial areas today.

Planning: The dilemma is their appearance.

Committee: They are ideal storage and so much better built than those kits.

Planning: They are designed to be pulled, not parked.

Committee: I’m suggesting that they be screened.

Pg. 289 L 35-39, Use of Mobile Home, Recreational Vehicle, or Travel Trailer as Residence

Committee: I want an exception for use of these vehicles when building is occurring. 5th wheels should also be added.

Planning: The fire department is concerned with safety. They don’t meet the same safety codes.

Pg. 290 L 9, Commercial Motor Vehicle Repair

Committee: I circled one here. I would like to see the limits on inoperable vehicles increased to three.

Public: My neighbor has triplet 17 year old boys. If they all decided to rebuild their cars at once, and the parents were still trying to find room to park their cars it would look like a repair shop.

Pg. 290 Parking of Business Vehicles, Outdoor

Committee: If you put this in won't you be prohibiting police cars from being parked at residences also? It's problematic.

Planning: The real problems are a (line 15) and c (line 17).

Committee: What about a horse van? Maybe you could differentiate for lot size and impact and get rid of c.

Planning: OK

21.05.080 Temporary Uses and Structures (Public Review Draft #2)

Pg. 290 L 36, Uses Allowed

Committee: What is this saying? "Anything that is allowed on a permanent basis is allowed on a temporary basis and anything not allowed on a permanent basis is not allowed on a temporary basis."

Committee: It's not very artfully worded.

Pg. 291 L 32-36, Cloth Garages

Committee: Why prohibit cloth garages? This will be a problem for many people. I don't see why this is necessary.

Public: This would be for those flimsy tents that are made for fair or carnival use. One of my neighbors stores junk in his and it is a mess.

Pg. 292 L 1, 1.

Committee: How do you define "substantial" adverse of noise impacts?

Planning: I'm not sure.

Pg. 292 L 8-9, 1.

Public: This is contradicted by other parts of the code. Temporary use is defined as six weeks elsewhere.

DDD May 3, 2006

CHAPTER 21.06: DIMENSIONAL STANDARDS AND MEASUREMENTS

21.06.010 Dimensional Standards Tables (Public Review Draft #2)

Pg. 297 Table 21.06-1

Planning: Last time at this point you asked for a comparison of dimensional standards between what's current and what's in draft #2. We have done that and have copies available.

Committee: Under RS-1 what is "all other uses"?

Planning: That would be churches, schools, anything else that might be in a residential neighborhood.

Committee: This table would be easier to read if the headings were on each page.

Planning: That was a mistake and will be corrected.

Pg. 299 Table 21.06-1

Committee: under RM-4 it says, "10, except that the fourth story, and an" is this sentence finished?

Planning: It should say any and then continues to next page.

Committee: Why can "no portion of a structure within 50 feet of any other residential zoning district exceed the height limitations of that district?"

Planning: The height limitations for different districts are different. We wanted a height gradation between them.

Committee: I always think of zoning districts as being separated by streets. Are you saying that abutting lots can be in different zoning districts?

Planning: Yes

Public: AHBA noted that there is no maximum density for multi family.

Planning: That district, RM-4, has the largest density.

Pg. 303 Table 21.06-3

Committee: What's the rationale for the front setbacks in NMU?

Planning: We want the street scape to be pedestrian friendly.

Committee: Why limit it to 30% of the front building façade?

Planning: We want to prevent the space between the street and the building from being all parking lots. It creates a strong street environment.

Committee: I'm trying to understand what or where the CCMU is.

Planning: We don't want to put zoning labels on the land use map. People will get confused. We did put in language that says if buildings don't meet the maximum setback then they will not be considered non-conforming.

Committee: It seems like we are trying to impose standards on areas that can't or won't be able to change.

Public: The Dimond-Old Seward area could be very walkable but there is only one sidewalk.

Planning: We are trying to craft a code that allows expansion or remodel to come towards conformity.

Committee: How are you going to handle frag lots? Most buildings have parking lots in the front now.

Planning: We are trying to recognize that.

Committee: How do people get to the RCMU's? They usually drive. Some new construction is creating a pedestrian friendly area inside the parameters of the building.

Planning: We're not trying to change what is already there. Other cities are making great strides in creating streetscapes that are user friendly with flexible setbacks.

Committee: How do you handle an area the size and scope of the Dimond Center. I don't see that something like this could ever happen there. You have to be flexible and minimize the impact on current business.

Planning: Someday that area will want to change. A street presence could be provided with liner buildings. These would be right on the street with the parking inside and on the back.

Committee: How does landscaping play into this plan?

Planning: It would be less than the 8 feet required for a parking lot.

Committee: It seems like in RCMU there's an interior flow which is different from the neighborhoods.

Planning: That is actually a good arrangement for Regional Mixed Use. We are not requiring mandatory change; we are just working towards the goal.

Committee: I think it's great to encourage people-oriented places rather than car-oriented places.

Public: You still have 15% requirement for open space. Allow the developer to use this at his discretion. That's the function of landscaping.

Public: I'm thinking long term and how Seattle has been able to get people walking. It's important to move our city in that direction.

Committee: I'm worried about how the community is going to look at this. The emphasis will be on businesses that don't meet the standards even though you say they won't be non-conforming. It's threatening with no language for a different approach. I urge you to think about that.

Committee: If people want to walk it still seems like you would want deeper setbacks.

Planning: It makes a longer walk to the stores.

Committee: It's the demand for walkability I'm taking about. When the opportunity to make it work exists, then great, but where it doesn't work -- why impose it on business?

Committee: We are trying to put sidewalks on Spenard right now and the neighborhoods are worried that it is cutting into their right of way.

Planning: We looked at what exists and it's surprising how many places already meet these standards.

Committee: Can we talk about FARS?

Planning: 1 to 1 gross floor area means that if you have a 10,000 sq. ft. lot then you can have a 10,000 sq. ft. building.

Committee: Does footnote 3 allow café tables?

Planning: It doesn't prohibit them.

Pg. 304 Table 21.06-4

Committee: Why is the airport in our code when it's federally controlled?

Planning: There are some things in the airport district that we can control.

Public: For continuity in the Antenna Farm District the 87,120 sq ft area should read 2 acres.

Planning: Thanks

Committee: Is the Turnagain Arm District information current?

Planning: Yes

Committee: Since we determined that the only watershed is in Chugach State Park, why is there a maximum height limit of 50 ft?

Planning: I'll check.

21.06.020 Measurements and Exceptions (Public Review Draft #2)

Pg. 305 L 27-31, Unroofed Landings, Decks, and Stairs

Committee: Is this only when you put a deck in a setback?

Planning: Yes

Public: You can't build a roof over it though.

Pg. 306 L 21, ii.

Committee: Please check the 48 inches for ramp width.

Pg. 306 L 28-29, Construction on Adjoining Lots

Committee: It is unnecessary to add "provided further that the building complies with building code requirements".

Pg. 307 L4, b.

Committee: Do people call and ask the utilities if they want to put in a flowerbed?

Public: They should request a locate and that would let the utilities know their plans.

Planning: It's current code.

Pg. 307 L 30-37, Minimum Setback

Committee: I'm leery of having OSHP and the neighborhood plans listed. We should delete line 36-37.

Planning: The setback is from the projected centerline rather than the actual.

Committee: We have areas that are old BLM lots. There have been roads built outside of ROWs and it will be a huge mess.

Planning: We are proposing taking out where it says "existing".

Public: If you have a road with 40 ft. of right of way on one side and 30 feet on the other, then 35 feet will be the projected center line.

Planning: The roads can exist but we are measuring from where the road should be.

Public: It's impossible to take out the word existing. I'm thinking about the DeArmond Stage 2 project. There needs to be a mechanism to make things equal. They could be grandfathered until it's ready to do correctly.

Committee: There are so many roads that were built for topographical reasons. Maybe we could leave them both in so there won't be so many fireworks.

Planning: We could also use the word or.

Pg. 308 L 7, iii.

Committee: Please check to see what kiosks means here. Are these coffee carts?

Pg. 308 L 9-11, v.

Committee: When would you need a temporary retaining wall?

Public: For construction areas temporary would already be 6 months with a 6 month extension

Planning: We'll check on this.

Pg. 309 L 21, ii.

Public: Trees are required to be trimmed in the right of way.

Committee: I think this is common.

Planning: The way the new system works, very few home owners will have to trim trees.

Committee: Our road service areas are concerned with this cost.

Planning: It has to be done in the sight triangle.

Pg. 310

Committee: Does a crawl space apply to FARS?

Planning: Yes

Committee: Why include basements – in the grand scheme of things that has little or no impact on the building size?

Pg. 311 L 31-34, b.

Committee: Can you have an antenna in a neighborhood as high as you want?

Planning: Yes

Public: The problem is with microwave dishes. They are going in on top of cell towers and to my knowledge they are not being regulated.

Committee: This is news to me.

Pg. 313 Setbacks

Public: #6 footnote is the wrong citation.

Committee: #11 footnote doesn't end.

Planning: We will check on that.

DDD May 10, 2006

CHAPTER 21.07: DEVELOPMENT AND DESIGN STANDARDS

21.07.010 General Provisions (Public Review Draft #2)

Pg. 321 L 35, Alternative Equivalent Compliance

Committee: I thought that this language could have been a little more positive.

Committee: An earlier draft had a time line for review. Why was that taken out?

Planning: It just said "in a timely manner". It's hard to put in a time when there are different permits.

Committee: I would like to see "in a timely manner" put back in.

Public: We would like to see 30 days for review in there.

21.07.020 Natural Resource Protection (Public Review Draft #2)

Pg. 323 L 6-13, A. Purpose

Public: The natural amenities in 21.07.020 could still be taking away lake views.

Pg. 324 L 12-21, Buffer-Setback Requirements

Committee: Is this stricter than federal guidelines? I thought there was some type of federal 50 ft. setback.

Planning: I'm not sure.

Committee: It's 25 feet in everything but R10 now.

Planning: We need 100 feet in R10 because of the steep slope banks.

Committee: Did RL4 used to be 50 feet?

Planning: RL4 is now R10 and it needs 100 feet.

Committee: Where is RC?

Planning: In section iii, with other zoning districts.

Committee: Does the setback include utilities?

Planning: The utilities have indicated that they don't want to be in the setback but they can if need be.

Pg. 325

Committee: Where is the section for avalanche areas?

Planning: Ten to fifteen years ago there were a lot of maps created. They weren't all accurate. The Muni does have a policy that you can't create a lot in a wholly high hazard area.

Committee: So the previous language wasn't about buffer setbacks?

Planning: I don't think so.

Public: There's a conflict with setbacks in D. on page 331 and the buffers on page 325.

Pg. 325 L 11, Water Bodies

Committee: I'm concerned for the people who live on Fire Lake. This could have an economic impact on them.

Planning: We've talked about allowing some clearing and cutting of trees but not grubbing the land.

Committee: I live close to Peters Creek. Many of my neighbors have decks.

It's nicer to see the stream rather than the trees. You are going to hear about it if you don't allow it. People want to enjoy their property.

Public: In south Anchorage there are houses right up to the stream, horses and manure piles right on stream banks and people who have taken out all the vegetation. A 25 foot buffer is not enough.

Committee: Stewardship of property goes along with ownership of the property.

Public: You could cut the tops of trees or cut up into them to thin them without damaging the root system.

Pg. 326 L 9-10, Unmapped Wetlands

Committee: When you have an unmapped wetland are questions between the Corps and the developer, vs. the Muni and the developer?

Planning: I'll check but I think so.

Public: It's the Muni who issues the permit so they are involved. Maps would have to be redone when wetland boundaries change.

Pg. 326 L 15, Prohibited Activities

Committee: It's been suggested that where it says no "person" that we should add "organization".

Planning: The definition of person includes that.

Committee: Thank you for the reassurance.

Pg. 327 L 1, Recreation, Education, or Scientific Activities

Committee: I've had a request to know how you'd identify one of these areas and who does the identifying. My experience is that people will make up their own definitions.

Pg. 327 L 6, Preservation and Restoration of Vegetation

Committee: I have a similar comment here. Who plants, who maintains, and what are the consequences if you don't?

Planning: The property owner is responsible.

Committee: How are you going to do this if you can't remove the fill?

Planning: You can add fill.

Committee: You call for specific species of vegetation. Is this common knowledge?

Planning: It is available on the web.

Committee: And what if you don't do it.

Planning: You could be cited. It's in the community's best interest to have healthy streams.

Public: Maintenance goes back to fire danger. On Furrow Creek there was a tree that fell over the creek. It eventually diverted the creek onto private property.

Committee: So the property owner would be the determiner but the Muni could come back and dispute the action and cite to correct the problem. Is that correct?

Planning: Yes

Committee: I think that you are going to hear about that one.

Pg. 329 L 3-4, d.

Committee: What is "visually significant"?

Planning: This is a policy statement. The purpose is to maintain the natural environmental highlights.

Public: So what if someone at the counter says what you thought was visually significant isn't?

Planning: If it meets the standards on L 18 then it meets code.

Pg. 329 L 21-24, Slopes Greater than 30 Percent

Committee: What about places that have different slopes over the property? There could be slopes and then plateaus.

Planning: The way slope is calculated includes plateaus. So if you have a property that has an average slope of over 30% but you have a plateau, then you build there and leave the steep slopes untouched.

Public: This doesn't always work. You could have a 120 acre property that has 10 acres of 20% slope say and then 100 acres of plateau and then another 10 acres of slope. You submit the plat and then wait to get approval. We have a short construction season.

Committee: Couldn't you submit this as 3 tracts?

Public: It would have to be established, recorded and then platted. You can do it but it takes time.

Committee: What is the solution?

Planning: There has to be a process to protect sensitive areas.

Committee: I would like to identify the areas where it hasn't worked.

Pg. 329 L 37-40, Raising or Lowering of Natural Grade

Committee: This seems to prohibit development on a significant number of sites. Why not just meet and coordinate with an engineer?

Planning: We recognize the issues with development. We ran this by the engineers in our department and they thought it was adequate to handle this situation.

Committee: Is there is possibility of an alternative?

Public: The city has built retaining walls higher than 4 feet all over the city. An example is the wall at Lake Otis and Tudor. This is a double standard. An individual in Eagle River can build a retaining wall of 6 feet but the city can go up to 25 feet.

Committee: Does this language prohibit the construction of the Lake Otis and Tudor retaining wall?

Planning: I'm not sure how that works.

Public: These retaining walls can be very important. They can impact people downstream.

Committee: I suggest you check with traffic to see what impacts are. I'm thinking about Hiland Road. The first several miles are very steep and we would like to change the gradient. If this prohibits that then it is problematic.

Pg. 331 L 42, Wildlife Conflict Prevention Areas

Public: This section doesn't do what it says it will do. It deals with bears but no other dangerous wildlife such as moose. It doesn't list all the creeks or have enough small critical habitats for other species. They should all be included on the sensitivity maps. People like our wildlife. It's what makes Anchorage a great place to live. I would like to rewrite section E.

Committee: This has certainly caused a diversity of opinion.

Pg. 331 L 44, Applicability

Public: This prohibits a lot of property use 200 feet on each side of many streams.

Planning: The guidelines are voluntary.

Committee: We are raising issues here not debating them.

Pg 332 L9-13

Committee: This prohibits campgrounds by these streams. Eagle River Campground would become noncompliant. The Eagle River LRTP is looking into additional road crossings of Peters Creek to improve connectivity, this appears to prohibit that.

Planning: The campground would not be forced to close. Stream crossings would still be allowed if done correctly.

Committee: My neighbor wants to put in an additional driveway to the back of his garage. He lives right on Peters Creek. Would this be prohibited?

Planning: We would have to look and see.

Pg. 332 L 14-16, d.

Committee: What are the standards for bridges?

Planning: You'd have to talk to resource agencies.

Committee: Who would I ask?

Planning: Fish and Game or Fish and Wildlife.

Public: You might force new development to find alternative ways to access their property.

Planning: These are all voluntary.

Pg. 332 L 30-31, h.

Public: Electric fences can be dangerous for people with pace makers or small children. There's the potential for municipal liability here.

21.07.030 Open Space (Public Review Draft #2)

Pg. 333 Infill and Redevelopment Areas – In-lieu Option L 19-20

Committee: Where are the designated infill and redevelopment areas?

Planning: We're working on this section.

Committee: People are very interested in this.

Planning: Peach Plaza won't work here with open space because they will only have rooftop gardens.

Pg. 333 L 23

Committee: Does the comparable economic value of the amenities require an appraisal?

Planning: Possibly.

Pg. 333 L 26, b.

Committee: I question the suitability of fountains in our winter city.

Pg. 334 L 27-30, Design Criteria

Public: We would like to allow useable yard requirements to match the private open space areas.

Planning: We took away the useable yard and put it into private open space.

Pg. 334 L 36, Fee In-Lieu Prohibited

Committee: I would like to see any fees collected be used in the area collected.

Planning: There is a legal nexus that requires it to stay in the area collected. But there are problems requiring a fee like this.

21.07.040 Drainage, Stormwater Runoff, Erosion Control (Public Review Draft #2)

Pg. 335 L 1, Drainage, Stormwater Runoff

Committee: When will this section be available?

Planning: When the new draft comes out at the end of the month. It is a couple of pages and is similar to 21.67.

21.07.050 Utility Distribution Facilities (Public Review Draft #2)

Pg. 335 L 14, 1.

Committee: What are the Class B improvements?

Planning: They are on page 452.

Pg. 335 L 25-32, 3.

Committee: I had a suggestion that we change lines buried in 12 months to when the ground allows.

Planning: The Assembly passed this and we are trying not to change it.

Pg. 336 L 13-15, 2.

Committee: How long does a temporary variance last?

Planning: It's two years, shown on lines 22-23.

Pg. 339 L 30-37, 3.

Committee: Who pays for the relocation outside of ARDSA?

Planning: This is for nonconforming lines, I believe.

Committee: There is no funding source for this outside of ARDSA.

Planning: The money might come from a grant.

Committee: Our Road Board commonly does work on drainage, road widening, paving or ditching that could impact utilities. This could cause a problem. I'd like to see language that says this applies inside ARDSA.

Planning: Utility lines are only non-conforming if they are overhead.

Committee: Can we check to see?

21.07.060 Transportation and Connectivity (Public Review Draft #2)

Pg. 340 L 14, Traffic Impact Analysis Required

Committee: TIA's are sometimes submitted right before the meeting.

Planning: This is covered in Chapter 3. We addressed that problem.

Committee: You can have 5 small projects in an area. Individually they don't cause any traffic problems but collectively they do. Sometimes this is caught inside ARDSA but not very often outside it.

Public: The developer has to supply a TIA to traffic.

Committee: How do we trigger it for small development?

Public: There is no code requirement but it can be recommended.

Public: We would like to see good standards for TIA's and the requirements.

Pg. 340 L 24-25, a.

Public: Policy changes with the director. These standards should be codified. The Muni should set the policy.

Committee: Are we getting good information from TIAs?

Public: The engineer or person doing the TIA can be bought by the developer.

Committee: We should consider doing this in house. If they cost \$30,000 to do one, then we could hire one person to do them all.

Pg. 341 L 14, Streets and On-Site Vehicular Circulation

Committee: When we are talking about requirements for connectivity I hope we will take the topographic features into consideration.

Planning: Look at page 342 iii. Lines 6-10.

Committee: People are not catching this.

Pg. 342 L 11-18, iv.

Committee: If a path is wide enough people will drive on it. If it's wider than a plow then maintenance will cost more because it will require two swipes.

Planning: Not necessarily, bollards work well.

Committee: I still think they shouldn't be so wide.

Public: It's impossible to keep 4 wheelers off paths unless you reduce the width.

Pg. 343 L 3-6, iii.

Committee: The cost for implementation and maintenance on this is way overboard.

Why put a sign at the end of every road?

Planning: We want the public to know there will be a road someday.

Public: It gives people a better sense of what the future holds.

Committee: There's a difference of opinion on this topic.

Public: Who will put in the signs?

Planning: I'd say the developer will have to put the signs in but I don't know who will responsible once they are shot up.

Pg. 343 L 7-13, Vehicular Access to Public Streets

Committee: In some cases 4 access roads will be too much. Two seems closer to what's needed, esp. in rural or steep slope areas.

Committee: For larger projects like the Sand Lake gravel pit development more access is just what's needed.

Pg. 343 L 14-23, Connections to Vacant Land

Committee: I'm looking at this section for Chugiak/Eagle River. It seems a lot to ask to have streets and bike paths built that go nowhere, especially when we know that the next phase of development won't be for another 20 years.

Planning: If they aren't put in now, there is a real probability they will never be put in.

Committee: For consistency bike paths should read sidewalks, walkways and trails

Planning: I need to standardize.

Pg. 344 L 1, b.

Committee: This is a rural comment. You need some flexibility in this section. We don't need sidewalks on both sides of streets.

Public: This will be a problem for the Hillside.

Committee: This is just another difference of opinion, not something we will debate now.

Public: It does provide some safety. It's been a challenge to find standards and it won't get done later.

Committee: This says BOTH sides of all streets.

Pg. 344 L 19-32, On-site Pedestrian Connections

Committee: There's a lack of clarity between on-site pedestrian walkway requirements and parking requirements. It seems like this will create bigger parking lots.

Planning: We've reduced the parking requirements so there shouldn't be a problem. We're making it safer for pedestrians.

Committee: Aren't we saying create more pedestrian walkways and thus bigger parking lots?

Planning: I can't prove that yet.

Committee: I have concerns about how this will work. Site plans must show all trails within a mile of the project to all schools, parks, etc.

Planning: This is to link schools, bus stops, parks, etc. It does need some work.

Committee: Clarity would help.

Pg. 344 L 33, Through-Block Connections

Committee: In an earlier draft there was a 10 ft width. Here it is 5 feet.

Planning: The right of way was 10 feet and the trail 5 feet.

Public: It's taken care of in the tables.

Pg. 345 L 1-2, a.

Committee: People want trails in visible areas.

Planning: There could be a need or want for trails in areas that aren't visible.

Committee: I've been given general guidance to say visible, particularly for safety.

Public: Some of us like solitude and seclusion when we go for a walk.

Pg. 345 L 7, Use and Maintenance of Sidewalks, Walkways and Trails

Committee: Are traffic signal boxes allowed in the sidewalk?

Planning: They are some.

Committee: I thought there were many in the sidewalk area.

Planning: They would have to be amortized.

Committee: What about trees?

Planning: There has to be a minimum clear width.

Public: There isn't much more than 2 feet in front of Penny's.

Committee: It might help if you put in a clear minimum width.

DDD May 17, 2006

21.07.070 Neighborhood Protection Standards (Public Review Draft #2)

Pg. 345 L40, Standard

Committee: Does the 30-degree daylight plane include higher density housing?

Planning: It's calculated with a different method. For RM2 and 3 zones it is shown on page 299. We missed RM4. We might put it in the same chapter. We're trying to make it more thorough and consistent.

Committee: How and when is the 30-degree plane measured? Is it above the horizon in January or June?

Planning: It's the equinox at noon. We attempted to define it on page 513 but it needs illustration.

Public: Why not just say "when standing at a certain point at a certain time the degree of the structure shall not cast a shadow of a certain number of degrees on a neighboring building"?

Committee: That makes sense.

Public: How does this affect a church in a residential neighborhood?

Planning: The steeple is exempted from the height restrictions, but the building would have to meet the code.

Committee: I hadn't realized that this related to transitions between uses as in line 22. I thought the city was more concerned with transitions between districts or zones.

Planning: No, it is zones but it's also neighboring uses. It's not very clear.

Committee: You might check Alaska Law to see if this is legal.

Planning: We're design testing this.

Committee: This isn't very clear for mixed use districts.

Public: Is this part of a concept of Northern City Design?

Planning: This is pretty common.

Pg. 346 L 18-31, Non-Residential Devel. Adj. to Existing Residential Use

Committee: It should be "or" instead of "and" at the end of the line 30

Planning: Thank you.

Committee: Are we looking at aesthetics or health safety issues here?

Planning: There is some concern for both.

Committee: Numbers 1-6 and 10-11 are current but 7-9 are new. If this section and the height restrictions are adopted it will create huge nonconformities.

21.07.080 Landscaping, Screening, and Fences (Public Review Draft #2)

Pg. 347

Committee: There are three types of landscaping, correct?

Planning: There is site perimeter, site enhancement, and parking lot landscaping. There is also a tree requirement.

Committee: You're trying to cover it all at once. I appreciate the changes you have made and the meetings with the landscape architects who were part of the real estate task force. You've taken many of their suggestions.

Pg. 347 L 39, 2.

Committee: You've gone from 5 lots with 5 dwellings to 2 lots with 2 dwellings.

Planning: This will make it more comprehensive.

Public: Tri-Plexes and above are pretty common.

Pg. 350 Table 21.07-1

Committee: You haven't included landscaping block planters or retaining walls. Can you have boulders that are 3' wide instead of 3' high?

Pg. 351 Table 21.07-2

Committee: I'm assuming that you will include RC at some point. There are also a lot of small lots in the Government Hill area where the buffering will be very hard.

Planning: This would not necessarily be used there.

Public: It says between two parcels in intensely developed areas.

Planning: It's not very clear but it's trying to explain how to separate potentially incompatible zones.

Committee: You should make the cell that says "District of Proposed Development" white so that it shows the proposed development.

Planning: That might make it clearer. We are still looking through all this.

Pg. 352 Table 21.07-2

Public: From RM-3, RM-4 to RS-2, RL-1 L4 landscaping requires 30 feet for commercial it is only 15 feet.

Committee: That's a legitimate concern.

Planning: We will look at that.

Committee: We have 4 landscaping zones and 32 uses. You might want to expand this table.

Planning: Good point.

Pg. 353 Table 21.07-3

Committee: I have a request for the L2 buffer to be reduced to 6 ft. instead of 8 ft. Would that be a problem?

Planning: We are trying to provide more site flexibility. We proposed that the minimum width be closer to average in part because of the landscape buffer in the perimeter. Too much flexibility could reduce the buffer.

Committee: The buffer between what? Doesn't it depend on the uses you are trying to separate?

Planning: We are trying to provide buffers for street frontage and zoning districts.

Committee: I'd hate to see you get too inflexible for the aesthetics of a view that you will see only when driving by it.

Public: If you allow a reduction in L4, you should do the same in other areas.

Pg. 355 L40-44, iii. Minimum Stocking Requirements

Committee: The landscaping has increased from the last draft.

Planning: We talked to some professionals and .03 units are not enough for where we want to go.

Committee: When you add these new requirements you are reducing parking and adding a burden for snow removal.

Planning: .03 wasn't enough.

Committee: Most of what I've heard about this section has been positive. The new standards seem practical.

Committee: Because of snow removal requirements, landscaping should be linear rather than circular. I want that option available.

Public: I'd prefer that interior parking area be for pedestrian walkways rather than landscaping. It would increase the perimeter of lots and make snow removal easier.

Public: Because of the points assigned to landscaping, we are likely to see every parking lot with evergreen trees, but spruce trees will die with no shade ---- especially when they are young.

Pg. 358 L 43

Committee: Some of this seems too specific to be in code; couldn't you place mulch requirements in regulations?

Pg. 361 L 15-25, b. Surety

Committee: Is this a change from current code?

Planning: I believe it is. It looks like it's been shortened.

Committee: It looks OK. The deed of trust was eliminated.

Pg. 361 L 35-45, 6. a. Maintenance

Committee: How do we enforce landscape maintenance requirements?

Public: It's not happening.

Planning: We tried to write this to address that problem.

Committee: It's great that you have the waiver for irrigation. That should help plants survive.

Pg. 362 L 16-21, 2. Refuse Collection

Committee: Have you talked to Waste Management to make sure that what we are requiring is appropriate?

Planning: We are talking to them. There may be places that we need to use smaller waste vehicles for maintenance.

Public: Waste Management told me they would not pick up dumpsters located in the alley behind my property. They told me the dumpsters had to be in the front.

Pg. 362 L 22-24, a. Residential Dwellings

Public: Why are we not allowing dumpsters at these sites?

Pg. 363 L 5-16, iii. Screening Enclosure

Committee: Why do you have to have a solid fence if the dumpster is completely obscured by landscaping?

Public: Change line 20 on page 362 so the line reads receptacles should be adequately screened OR located in unobtrusive yet convenient locations.

Public: Why a 6 or 8 foot fence when dumpsters are only about 4 feet tall?

Public: This doesn't work in alleys. Sometimes the dumpsters are shared between buildings. It would be hard to know who would do the screening.

Pg. 363 L33-37, b. Standard

Committee: This requires loading areas to be screened by a 6-8 foot fence, unless they are located in an alley. What about situations like the Fred Meyer in Eagle River where the loading area is at the base of a natural bluff? This doesn't seem realistic.

Pg. 363 L 42-47, b. Standard

Committee: I've heard that there can be problems with snow removal when you have to screen HVAC equipment.

Public: If it's done correctly then it is fine.

Pg. 364 L 11-23, B. Standard

Committee: Why do you have to have a 6" extrusion screened?

Planning: We have to set the standard somewhere.

Committee: It's seems a pretty little extrusion to require screening.

Pg. 364 L 42-45, 1. Applicability

Committee: I don't see how people will figure out if their fence will fall into this category. Maybe a table would help.

Pg. 365 L 9-25, 3. Maximum Height

Committee: There is no mention of RC here. The Government Hill CC doesn't want any fences in the side and rear yards to be higher than 6 ft.

(L21-22) Why are rock walls prohibited?

Planning: This is referring to a wall made of material like glass bottles. A rock wall is fine.

Public: In regards to non-sight obscuring fences, chain link fences will frost in the winter and then you can't see through them. (L 18-19)

DDD May 25, 2006

21.07.090 Off-Street Parking and Loading (Public Review Draft #2)

Pg. 367, 4. Local Improvement Assessments and Parking

Committee: Do we have these parking assessment areas now?

Public: It's in the central business district.

Planning: This is current code.

Public: How do account for required parking?

Planning: You can count road parking as required parking.

Public: Do different parts of town have different parking standards?

Planning: I guess that you could look at it that way. There are different requirements in different zones and for different uses. The downtown area has no required parking.

Pg. 369 Table 21.07-4

Committee: For "All other Group Living uses" I thought that there was no extra parking required.

Planning: We haven't had a chance to modify this, per the recent ordinance.

Committee: You are requiring 1 parking spot per 6 seats in an auditorium at a middle school. Many middle schools now have a combination auditorium/cafeteria called a "cafetorium", without fixed seating. What do you do in this case?

Planning: This is current code. It used to be 3 spaces for every 42 Sq. Ft. or 1 space for every employee whichever was greater.

Committee: You might want to check that this is working.

Planning: This is the way it's done now. Have you heard about any problems?

Committee: Not unless count the calls I've had about parking at local high schools.

Pg. 370 Table 21.07-4

Committee: Hasn't there been confusion between the government office and government service definitions?

Planning: One is talked about on Page 248 and the other on page 211. I'll check to make sure it's correct.

Public: Is the parking for a heliport for a rooftop one or one at the airport?

Planning: I'm not sure.

Pg. 371 Table 21.07-4

Committee: Under Entertainment Indoor, fitness and recreation sports center, is this which ever is greater?

Planning: It looks like it could be either/or.

Pg. 374 Table 21.07-4

Committee: Under Hotel, What is "plus any supplemental uses"?

Planning: It would be like a restaurant. You'd add spaces for that.

Pg. 375 Table 21.07-5

Committee: For Residential, is this an expansion or reduction?

Planning: It's unclear so I'll check.

Pg. 375 L 8, 3. Schedule C

Committee: Who's the building official?

Planning: It's the Developmental Services director, but we should define it.

Committee: It should be defined so people know that it's not the guy behind the counter.

Public: Whether it's the director or building official it states that it can also be his designee, so it could be the guy behind the counter.

Pg. 376 L 23-25, b. Maximum Number of Spaces

Committee: Why are these exempt?

Planning: We had a great reason but I can't remember it now. I'll have to check my notes.

Public: What about parks? The ball fields only require 20 spaces.

Pg. 376 Table 21.07-6

Committee: In note #1, why is it 200%?

Planning: There's been a problem with restaurant parking. This would allow well established and popular restaurants to have additional parking.

Public: In note #3, interior parking doesn't make sense. The landscaping just dies.

Committee: We like it.

Planning: We are trying to make it work better so that the things that are planted have a better chance of survival.

Pg. 378 L 1-3, a. Location

Committee: What's 1,320 feet?

Planning: It's one quarter mile and that's what we think should be the maximum walking distance from your car to an entrance.

Pg. 378 L 7-18, c. Shared Parking Study

Committee: How does this compare with the ordinance that Mr. Coffey is working on?

Planning: I haven't seen that ordinance, but we are working for shared parking.

Committee: How can you demonstrate that there won't be overspill?

Public: You show how an office building has working hours of say 8 AM to 5 PM and that the bar sharing the parking opens at say 6 PM and closes at 2 AM.

Pg. 378 L 19-32, d. Agreement for Shared Parking

Committee: I have a note about prior to the building permit or prior to the occupancy permit?

Planning: It is prior to the building permit. We don't want to have a building built and then discover that the parking wouldn't work.

Pg. 380 L 30-32, c.

Public: It says here that you can use part of the alley for screening a loading berth. This seems like a conflict with other parts where you can't use an alley to screen for dumpsters.

Committee: I thought that you didn't have to screen in an alley.

Planning: That's right.

Committee: Then I don't see the conflict.

Pg. 381 Table 21.07-7

Public: Under "All commercial establishments not otherwise specified" I've heard that for a 7,000 sq. ft business a loading berth isn't necessary. It should be changed to 12,000 or 14,000 sq. ft.

Planning: I hadn't heard that, but I'll talk to traffic about it.

Pg. 382 Table 21.07-7

Public: Have we heard from experts on this?

Planning: It's pretty standard and current and I haven't heard any problems about it.

Pg. 384 Table 21.07-8

Committee: I understand that traffic doesn't want compact car spaces, but you have them listed for employees?

Planning: Employee spaces can be no more than 10% of the total spaces.

You can reduce the employee spaces to 8.5 ft.

Committee: Wasn't there talk about extended parking spaces?

Planning: We've always heard about Alaskans and their big trucks.

Committee: Was there a determination not to account for bigger vehicles?

Planning: Nationally, especially with high gas prices, there is a trend for smaller cars.

Pg. 386 L 10-12, a. General Standard

Committee: I heard that after "parking area" we should add "maneuvering isle".

Planning: I got that.

Pg. 386 L 13, b. Commercial Developments in the NC, AC, IC, I-1 and I-2 Districts

Committee: I assume that you will add RC in here.

Planning: We'll add it if there isn't a separate section. We are thinking that RC will have its own place.

Pg. 387 L 1-4

Committee: As long as there is an agreement between business and owners why can't they share parking?

Planning: We are talking about that. We want to change it to be more consistent.

Pg. 389 L 35-36, i.

Public: Can we allow snow storage on a low vegetation area?

Planning: The site perimeter is for larger trees. You can store snow in areas that are just ground cover.

Pg. 390 L 31-36, 8. Maximum Grade

Public: How does this work for two parking lots on different levels; sometimes you need a steeper slope to connect two lots.

Planning: It might just be nonconforming.

Public: But 15% is the same as an accessory road.

Planning: It's a safety issue.

Committee: We should have some flexibility for unique situations.

Pg. 391 Table 21.07-10

Committee: I've heard some concern that the minimum stacking spaces required for bank teller lines are too long.

21.07.100 Residential Design Standards (Public Review Draft #2)

Pg. 396 L 11-12, iv. Siding Material

Public: Why not allow vertically corrugated siding?

Planning: Manufactured homes can be placed anywhere a stick home is built. We are trying to apply some standards so that these homes look more like stick built.

Public: There are homes at L Street and 15th and also in Prominence Point that have very attractive vertical corrugated siding.

Pg. 396 L 13-17, v. Roof Design

Public: Why do you have to ask to have a flat roof?

Planning: People don't want mobile homes in their neighborhoods.

Public: Why not just say so?

Planning: We can't do that legally.

Pg. 396 L 18-26, vi. Paved Driveways

Public: I'd like to see permeable paving since it's so much better for drainage.

Planning: Habitat for Humanity is using that in its new development in Spenard. We'll see how that goes.

Committee: What about a large rural lot? Is there an exemption or do we have to pave the first 25 ft.?

Planning: The idea is not to track rocks onto paved roads.

Committee: We have RAP (recycled asphalt paving) in our area. Does that count?

Planning: Yes

Pg. 397

Committee: Why haven't we talked about arctic entries?

Planning: We have tried to make as few requirements as possible.

Pg. 398 L 1-23

Committee: Why not simplify this by saying that a garage can't stand out more than 4 feet?

Planning: It depends on if you want the garage or the family oriented part of the house to be dominant.

Pg. 400 L 16-23, i.

Committee: Is there more space between buildings required now?

Planning: Twenty feet is the length of a parking space. This is an increase, but it's a fire safety issue.

Pg. 401 L 29-32, 6. Facades and Detail Elements

Committee: Is this where AK Sand and Gravel made a compelling argument for more flexible standards for CMU?

Planning: This section hasn't changed.

Public: You are eliminating a really pretty way for commercial buildings to go. They add extra rock to concrete and then grind it smooth.

Pg. 402 L 6-7, b. Windows

Public: That much window exposure on a collector or access road might be too much.

Committee: I also wouldn't want to look into my neighbor's window 20 feet away.

Pg. 403 L 10-14, i. Attached or Detached Garages.

Committee: We have that term "to the maximum extent possible" here.

Planning: It's hard to enforce but we are trying to keep garages out of view.

Committee: You can't help but see them.

Planning: We're trying to make them internal.

Committee: You can still see them.

21.07.110 Public/ Institutional and Commercial Design Standards (Public Review Draft #2)

Pg. 404 L 29-32, 2. Shared Credit Among Menu Choices
Committee: Someone suggested having rain gardens in the menu choices.
Planning: We thought that should be in drainage.
Committee: If there isn't a choice you might not get something artistic.

Pg. 407 L 41-44, i. Façade Surface Articulation
Public: Why is façade articulation a concern after 50 ft.?
Planning: This came from Matt Henshaw, a prior consultant. The concept was Clarion's.

Pg. 411 L 1-10, iii.
Committee: I had a note that there was a conflict with the table.
Public: There are instances where the reflection from a building can blind a driver. I've seen people almost hit because drivers can't see them.
Planning: It can happen. We had no reflective material in here but we took it out because people said it was too restrictive.
Committee: Maybe you could put in "unless it's a safety issue".

21.07.120 Large Commercial Establishments (Public Review Draft #2)

Pg. 415 L 10
Committee: Have people complained about neon tubing?
Planning: It's the outline feature that's outlawed.

21.07.130 Exterior Lighting (Public Review Draft #2)

Pg. 417 L 16
Committee: This is a spot where rural parts of the community may like to opt out.

21.07.140 Operational Standards (Public Review Draft #2)

(end of weekly Assembly Title 21 Committee Meetings) Irk



DDD January 25, 2006

(start Jan 25, 2006; coming from Jan 18 summary of changes) Irk

CHAPTER 21.08: SUBDIVISION STANDARDS

21.08.010 Purpose (Public Review Draft #2)
No comments.

21.08.020 Applicability (Public Review Draft #2)

Pg. 421 L 31

Certificate of Zoning Compliance same as current Certificate of Occupancy, but also applies with Land Use Permit.

21.08.030 Design Standards (Public Review Draft #2)

Pg. 422 L 1-3

Public: There is more than 1 Comprehensive Plan and they are not always consistent within themselves. Standards should be law, not a Comprehensive Plan.

Committee: I'm concerned how this will apply to Eagle River.

Planning: You take the more specific plan as the guiding document. If a Comprehensive Plan conflicts with Title 21 then Title 21 overrides.

Public: On L 3 the word "relevant" should go between the words "the" and "comprehensive".

Committee: Maybe more comprehensive language could be put back in to clarify this.

Pg. 422 L 17-21

Planning: This language was added based on engineers recommendations, because the current language doesn't adequately address the issue.

Committee: How can you develop property and not change existing drainage?

Public: We have a problem with the words "every effort" in the second sentence. Maybe removing the word "every" would make it OK.

Pg. 423 L 16-17

Public: Is the icing potential evaluated strictly for roadways or does it include the whole subdivision?

Planning: We will clarify.

Pg. 424 L 12-13

Committee: What does this mean?

Public: There could be a conflict of design between wind mitigation and drainage requirements.

Committee: Maybe it could be clarified.

Pg. 424 L19-33

Committee: I've been hearing concerns with this. People like cul-de-sacs. Is the radius and length listed here the current standard?

Planning: I think so.

Committee: I understand that connectivity is paramount but I'd hate to be forced in areas like Peters Creek to build multiple bridges over waterways. They would be hard to maintain and expensive. We need to use discretion. Why be so strict when we know that there will be exceptions?

Planning: Some flexibility is part of the platting process. It's current practice. There's a standard but you can ask for a variance.

Public: Going to the Municipal Engineer might be a better way to go. The variance experience is time consuming. Cul-de-sacs are popular. This document doesn't take into account topographical features or lot size. It is way too proscriptive. All subdivisions will end up looking the same. I foresee firm standards and enactment by the various boards when this document gets put into place. There is real concern that there will no diverting from the document and no variances allowed for at least awhile.

Committee: Maybe if we had someone else to go to listed in the document it might make it easier.

Pg. 425 L 9-10

Committee: What about BLM lots here? Some of them aren't platted. The ROW may not be dedicated. They still need addresses.

Planning: No, ROW is reserved then. We should deal with that.

Public: You could delete the word "permanent" in L9, addresses change. On L10 you could delete the word "only".

Planning: We will work on that.

Pg. 425 Slope Table

Committee: Are the slopes existing language?

Planning: It's current practice. We have been trying to make it clearer.

Committee: It would be helpful to have the table clearer. Where's R11?

Planning: R11 is steep slope, so is governed differently.

Public: Why not do the slope restrictions by individual lot. Some large lots are steep but have a nice flat building pad on them.

Committee: Why not take into account topography, lot size and slopes for large lots and not make it so strict? This averaging, is this an issue you've heard about from the public?

Public: It makes a lot of land undevelopable. What about zone maps?

When the land changes by 5% you move to a new slope assessment map.

Planning: Topographic maps are too difficult to use.

Public: It would help if you had a ground (instead of an aerial) survey done.

Committee: If this was a tool to use instead of such strict guidelines, it would be better.

Pg. 426 L2-5

Committee: Is this new language?

Planning: Avalanche zones have not been in code before, but avalanche restrictions have been department policy. In some cases we require mitigation, like a ditch or berm to hold the snow. We brought the 1982 Avalanche Maps for the committee to see.

Public: It says the "red zone" but doesn't specifically reference these maps.

Committee: We are required to put long standing policy into code.

Pg. 426 L26-28

Public: We've asked repeatedly to increase 200 to 300 feet and 100 to 150 feet for flag lots. [Discussion followed about appropriate length]

Committee: There are some length concerns here, especially for fire access.

Pg. 427 L13

Committee: In #4 why is the driveway restricted to 40%?

Planning: That's to allow for snow storage. [There was general discussion about 40% vs. 15-20 feet.]

Pg. 427 L26

Public: #6 You could need multiple flag lots on a rural sloped area.

Planning: We'll talk to Platting about that.

Pg. 427 L 38

Committee: What's the impact of this?

Public: It shows a total disregard of cost. There should be an alternative when you have multiple utility easements. [General discussion about allowing planting in utility easements.]

Pg. 428 L5

Public: The Utility Corridor Plan takes into account utility easement widths and alignment, but under L6 pg. 431 it says the easements shall be adopted to utility company standards. That's a conflict.

Committee: I'd rather see utility easement size regulated by the Muni, instead of by the utilities.

Pg. 428 [M] L3-7

Public: This should be combined with Pg. 431 L1-10.

21.08.040 Dedication (Public Review Draft #2)

Pg. 428 L 29-38

Committee: Should vacating and dedicating half streets and alleys standardized?

Pg. 429

Committee: What is the difference between a walkway and a sidewalk?

Planning: A sidewalk is on a road. A walkway is a pedestrian access from a cul-de-sac, typically to a school. This language should be standardized.

Pg. 429 L3-6

Public: "Provide" should be added after "necessary to". The minimum should be 5 not 4 feet, 6 feet is better.

Committee: School District has a trigger for hazardous walkways.

Planning: This is current language on width. We need to do some homework to make the language consistent and less confusing.

Pg. 429 L 9-10

Committee: State DOT has standard definitions for trails, etc. Does requiring dedication of walkways prohibit a Homeowners Assoc. from creating and maintaining a walkway?

Public: It would be the property of the Homeowners Assoc.

DDD February 1, 2006

Pg. 429 L13 Access to Chugach State Park

Committee: You will hear support from the Assembly on this concept.

(Some discussion about 10 foot vs. 20 foot easement)

Pg. 429 L 30-32 F1

Public: Currently the city only maintains certain waterways. This implies all waterways.

Planning: This section concerns dedicated easements.

Public: Who is going to maintain these easements?

Committee: We recently have had a problem with flooding in Peters Creek. The State created a maintenance plan 10 years ago, but with no follow through. There seems to be confusion over who has stream maintenance responsibility now.

Pg. 430 L29 Reserve Tracks

Committee: Are these existing provisions?

Planning: Current only gives 15 months to public site acquisition; we have extended it to 24 months

Public: You need to think about the owner

Committee: We need balance here.

Pg. 431 Section H

Public (Utility): Currently we can put in easements across property, but here we are restricted to putting them by the road or lot line. With equipment and barriers in the road, it wouldn't be good for safety.

Planning: We allowed this in the Girdwood Plan.

Committee: Decisions should be based on the situation.

Public: We are looking for flexibility.

Committee: This committee has been discussing municipal control of utility easement width as well as placement. Utilities seem to differ in their approach.

Public: There is a standard size but it could be different with a slope.

Committee: Would you like to comment on the language regarding landscaping in the easement?

Public (Utility): There are lots of places where we do things in the ROW. We try not to aggravate owners. We don't have the same standards as other utilities. We use 20 feet, some prefer 30 feet, especially in the Valley where all lines are overhead. Most underground lines use 20 feet.

Committee: It should be the city that sets the standards

Public (Utility): We may have a problem with that.

21.08.050 Improvements (Public Review Draft #2)

Pg. 432 Table 21.08-3

Public: What is strip paved? Please define.

Committee: It's paving from shoulder to shoulder leaving the ditches open.

Public: Why is subdivider landscaping required, particularly on a rural lot?

Planning: It is probably there to show the developer is required to do barrier landscaping.

Public: The language is too broad.

Committee: The table should also clarify that different standards occur in different parts of town, note developer responsibility for building connector roads outside of ARDSA.

Planning: Not sure but will check on that.

Pg. 433

Committee: The Assembly changed some words in the street categories in the LRTP.

Planning: Will contact traffic for terminology.

Pg. 435 L 8-11, E2

Public: If you are in a Homeowners Assoc. you can do this but not everyone wants a Homeowners Assoc.

Planning: You aren't required to have a Homeowners Assoc.

Committee: Is it fair to require the city maintain all improvements the Homeowners Assoc. put in? This will be a problem in service areas if it's mandated. We may need language allowing areas to opt in or out of this with mutual consent. In some situations this spill over parking may be very desirable.

Pg. 435 L 25

Committee: What is a half street?

Public: When there is development adjacent to land that has not been released for subdividing, only half the road gets developed.

Planning: I think there's a design standard for this.

Pg. 436 Table 21.08-9

Public: What is PCC? (Portland concrete cement) What is AC? (Asphalt)

Concern was expressed re: walkway minimum width -- should be 6 feet.

When you come into contact with anything (like a bicycle with its handles) or anyone (like someone in a wheelchair) you have trouble passing. I don't know what would happen if 2 wheelchairs tried to pass each other.

Committee: Have you heard about the (Pedestrian Meetings?) There was a discussion about the forum of these meetings and their scope.

Public: Zero separation is never acceptable for safety.

Committee: Why are there separate columns for 50 foot ROW and 60 foot ROW?

Public: Above it says that the sidewalk is to be constructed of concrete, but the table says it can be made from any number of materials.

Planning: The other materials are for walkways. The table is an existing one that can be made clearer.

Pg. 437 Street Lighting

Committee: I've had requests that rural areas be allowed the option to not require lights because of the beauty of the night sky.

Public: If there's no lighting then there is a safety issue.

Committee: It should be situational.

Pg. 437 L25-27

Planning: This is a subdivision standard not a lot standard. No drainage system plan shall have entry into a sewer system.

Pg. 437 L36-38

Public: We have a problem with the language here.

Planning: If the city is going to take care of the system after it is put into place, there has to be room to do so.

Pg. 437 L 39-41 #4

Committee: There's a problem here. It takes easements out of the question, and doesn't reflect current practice. This will need to be reworded.

Pg. 438 L 6-7

Public: If soils don't warrant footing drain stub outs, then why would you have to build them?

Committee: Why not say "where soil conditions require it, use this system"

Pg. 438 L24-26

Public: The wording Public Water Supply doesn't work here because you can have a private well system that serves the public also.

Planning: We'll clarify the word public to be in the AWWU area.

Pg. 438 L37

Public: CBERRRSA wondered if fuel oil tanks should be addressed here.
Planning: They are regulated by the State.

Pg. 439 L35-36

Committee: Confusion about provisional certificate of occupancy and provisional certificate of zoning compliance, where is this defined?
(21.03.130). Should be differentiation so required buffer and street landscaping are done first.

21.08.060 Subdivision Agreements (Public Review Draft #2)

Pg. 440

Committee: What's new in the Subdivision Agreements?
Planning: The Deed of Trust was eliminated for security of performance obligations.

Pg. 441 L32-35 Time Limit for Completion

Public: PM&E should have to go to the Platting Board. A department head should not usurp the Platting Board.

Committee: What's the need to have this 30 day limit?

Planning: It's current language.

Pg. 442 L 28 Interior Collector Streets

Committee: There is not a common understanding of the financial responsibility for constructing collector streets outside of ARDSA. There is no existent funding source to reimburse developers.

Planning: We understand it's an issue and will try to clarify.

Pg. 444 L 17-23

Public: Are the curbs and sidewalks in the ROW?

Planning: By definition, yes. But a walkway doesn't have to be.

Public: Where is the standard for the walkway?

Planning: Table 21.08-9

Pg. 444 L 24-30

Committee: The same problems exist here for areas outside of the AWWU boundaries. Who is going to reimburse the developer? There is no funding source to reimburse.

Planning: If the infrastructure isn't in place, then the subdivider can pay for it or wait for it to come into place.

There was a discussion about a system that used to exist where if a person or group paid for a system, electrical lines, etc. then when the next folks moved in they would help reimburse the first party.

Pg. 444 L31 Water Improvements

Committee: Does this mean that subdivisions can set their own tariffs?

Planning: No

Public: Condo Associations and Site Condos don't have DEC certified water systems. AWWU is the single server to the edge of the site.

Planning: The subdivider is responsible for water systems within condo sites. All buildings share the same AWWU connect.

Committee: Why not require a system that AWWU will maintain?

Planning: AWWU won't maintain what it can't get to.

Committee: I worry about down the road when these systems begin to fail and people come to the Assembly to demand that the city fix their water problems.

Planning: We hope that the Homeowners Assoc. will fix that.

Pg. 445 L 5-6

Committee: If you're reading this in 10 years, are we requiring appropriate telecommunication systems conduit be put in place now?

Planning: It's already being done.

Pg. 445 L 7

Committee: Again, parts of Chugiak/Eagle River would like to opt out of this.

Pg. 445 L 15

Public: The landscaping requirements need to be compatible with Table 21.08 R. We need to differentiate between the subdivider and the developer.

Pg. 448 L 9-13

Committee: Shouldn't there be a time period for the release of money, like 60 days or whatever.

Public: This has been an ongoing problem. Some money has not been released for 2 years.

DDD February 8, 2006

21.08.070 Conservation Subdivisions (Public Review Draft #2)

Pg. 449 L 12 Conservation Subdivisions

Committee: Didn't we have a 10 acre minimum here in the last version?

Public: We asked to have it reduced.

Planning: We made it more flexible but added more standards.

Committee: Is a required snow storage area still in here?

Planning: Not unless it's a site condo

Pg. 449 L 28-30

Public: Asking for maximum floor area will restrict the size of the house. Why not have it be the footprint of the building. So on lots with 4,000 square feet you can only build a house with 2,000 square feet?

Committee: This sounds like the Girdwood plan.

Planning: Yes

Public: But what about the bulk of the house? Does it matter if there are 3 stories or just a ranch style house?

Planning: We are trying to keep the size of the structure in proportion to the size of the lot.

Committee: This seems problematic. Why not let it be run by demand?

Public: If you have wetlands and steep slopes on the property, you have taken townhouses out of the area.

Committee: Does a basement count in this? That adds square feet without adding to the size of the structure.

Planning: Yes, the way we have it worded.

Committee: You need to think about affordability and balance.

Public: This seems overly restrictive. If someone wants a basement and extra levels they should be able to.

Planning: We will look at basements.

Pg. 450 Lot Coverage L 1-3

Committee: What about a sliding scale here? Have you thought about flexibility when there's high density housing next to low density housing? I'm thinking about Powder Ridge next to low density housing in the Birchwood area.

Planning: That's why there's the buffer between the two.

Committee: Is this existing language?

Planning: No, it's all new.

CHAPTER 21.10: SIGNS

Committee: We are skipping Chapter 10. If you recall, there is a sign ordinance coming up before the Assembly. It comes up February 28th but may be delayed due to Planning meetings which start Monday.

CHAPTER 21.11: NONCONFORMITIES

Committee: Generally it's my perception that this is more relaxed than the original version.

Planning: Yes

A general discussion of who had Chapter 11 and who had been able to go through it ensued. It was decided that Planning would give a general **overview** of the Chapter since the committee had not read it. The goal would be to go into it in more depth next week.

21.11.010 General Provisions (Public Review Draft #2, separate handout)

Pg. iii L 12-32

Planning: The ability to repair or maintain a nonconforming building that has been damaged or destroyed, has been increased to 50%. It was 10% allowable for maintenance in the last version, but we took that out.

21.11.020 Single- and Two-Family Structures (Public Review Draft #2, separate handout)

21.11.030 Nonconforming Uses of Land or Structures (Public Review Draft #2, separate handout)

Pg. iv Nonconforming Uses of Land or Structures

Planning: There are new options for nonconforming use, but you can't increase the nonconformity. Say a tree falls on a house that had a corner sticking 2 feet into an easement. The house was nonconforming originally. When the house is repaired you can still use the foundation and build it back the way it was. You could even decrease the encroachment to 1 foot but you can't extend it to 3 feet.

This way you are not increasing the nonconformity. You do need to get administrative approval (Pg. v L 23 to Pg. vi L 3) or conditional use approval (Pg. vi L 4-18) but you can keep a nonconformity of use.

Pg. v Alteration, Expansion, or Intensification....

Planning: There is a new section here for administrative approval and conditional use approval

21.11.040 Nonconforming Structures (Public Review Draft #2, separate handout)

Pg. viii Nonconforming Structures L14-25

Planning: Section B is new; it makes existing buildings exceeding the new height limits legal. Section C makes existing buildings exceeding maximum setback legal.

Pg. viii Section D L26- Pg. ix L 13 Damage or Destruction

Planning: When replicating a nonconforming building you must apply for administrative or conditional use approval. When you choose the administrative approval a public hearing process happens.

Committee: What if a disgruntled neighbor that has just moved in or one who has endured years of what they considered annoying circumstances complains about the noise, etc.? That could cause many objections. I would hope to direct the director to be lenient in these issues. If there hasn't been trouble, then let it go. In absence of a problem, approvals should be liberally granted.

Planning: We are open to any language that would make it clear.

Public: We appreciate that the language for uses and structures are the same.

21.11.050 Nonconforming Lots of Record (Public Review Draft #2, separate handout)

Pg. xi Nonconforming Lots of Record

Committee: Have there been any problems with what the Assembly has already passed on this issue?

Planning: There were a few issues, but I can't remember what they were at the moment.

21.11.060 Nonconforming Characteristics of Use (Public Review Draft #2, separate handout)

Pg. xii Nonconforming Characteristics of Use

Planning: This came about because of the existing big box ordinance and some of the renovations we have seen. Some of that is being used here.

Committee: line 36 seems too strict. Little renovation is "solely and entirely" interior. If you replace a heating system, parts of it go outside on the roof. How about saying something like, "other than interior projects"?

Pg. xiii #2 Standard

Public: You have included multi-family, commercial, multi-use and industrial zoning districts within the big box standard?

Planning: If you are doing a big remodel and you know that you have a nonconformity then you will have to spend 10% of your project money to bring the characteristics toward conformity. This only counts for the outside of the building. If you are a big box store then you have to spend an additional 10% to bring the exterior to conformity.

Pg. xiii L3

Public: What's the definition of development project cost?

Planning: It's a common term; the 2.5 percent will be determined by the building official. We are aiming to improve the looks of the outside of buildings. The standards the applicant must work on are prioritized.

DDD February 15, 2006

21.11.010 General Provisions (Public Review Draft #2, separate handout)

Pg. ii General Provisions

L 3-10 Purpose

Public: Are school buildings and city buildings exempt from this?

Planning: No, they must move towards conformity with the rest of the area.

Public: This could cause a lot of problems since there are so many schools that will not conform to these new rules and the money isn't there now to maintain them.

Committee: These provisions only kick in when there is a remodel, right?

Planning: Yes

Public: They could be caught up in minor details required to come into compliance with even a small interior remodel. There will be a cost to the city and school district for this.

Pg. ii L 25-30

Committee: Would an existing business in R8 or R9 that doesn't have a conditional use permit have to go through this process to acquire a determination of nonconformity?

Planning: Some banks and lenders want to see that the business has taken this step or is conforming.

Committee: There is a real fear that this will cause economic hardships.

Planning: They are a nonconforming business even if they don't go through the process.

They have grandfather rights. If the lender is comfortable with having the Title people explain that to them then they wouldn't have to go through the entire process.

Public: What if a person in a rural community wants a building permit.

Don't they have to go through this process?

Planning: Yes

Public: It's a big expense when an owner wants a building permit and then has to go to the municipality to get a conditional use permit ahead of time.

Committee: In the Girdwood Plan didn't we allow the non-conforming setbacks and buildings to continue as long as they weren't made bigger? For the builder or property owner I'm worried about the breadth of this.

Planning: We allowed it for nonconforming setbacks, but we said the structures were nonconforming. We don't know how many properties will become non-conformities.

Pg. ii L 40-41

Public: The words "solely upon" puts a huge economic burden on the property owner.

Planning: Not all structures are legal. MOA shouldn't bear the cost.

Committee: If a property becomes nonconforming at the time of the adoption of this code then the presumption should be that it can continue to be nonconforming unless there is a problem. Otherwise, it's unfair.

Public: This paragraph needs to be toned down.

Pg. iii Section D L 1-7

Committee: Does this exclude leased property? The Calais Buildings are on leased land and it sounds like they would escape all this.

Public: It should be clarified.

Committee: Don't define land to mean fee simple.

Public: How can we find out how many commercial buildings in Anchorage would become non-conforming?

Planning: The things in 010 determine what is nonconforming. In 040 you have a right to repair a nonconformity as long as it doesn't get bigger.

Committee: Is single family residential excluded from 040 (nonconforming structures)?

Planning: Yes

Pg. iii L 33

Public: We think that replacement cost should be defined here.

Planning: We didn't think that since it's defined in Title 23 that we needed to duplicate it here.

Pg. iii L 39

Public: I think that "repair of uses" should be "repair a structure".

21.11.020 Single- and Two-Family Structures (Public Review Draft #2, separate handout)

Pg. iv L 2-13 - 21.11.020 Single and Two Family Structures

Committee: Does the applicability section require a single family home to have to go through this process?

Planning: Yes, if they sell or remodel. You can't increase non-conformity.

21.11.030 Nonconforming Uses of Land or Structures (Public Review Draft #2, separate handout)

Pg. iv L 30-33

Public: What if you had a car dealership that included use of the land.

Planning: If you have a nonconforming use then it can continue, but not grow into the surrounding property.

Public: So if there is a car dealership on one part of a lot and a snow machine dealership on another part, then if the snow machines go then the cars can move in?

Planning: If everything for the dealerships was inside, then it can't move outside. But the cars could move inside the building.

Public: That's open to interpretation.

Pg. v L 20

Public: For the Title 21 User Guide, we're not sure what's required and we're concerned.

Planning: We'll have a draft of that available before public hearings.

Section C is all new language.

Pg. v L 27-28

Public: It's quite a burden to post the application in the newspaper. (about \$2500).

Planning: What's required for notice hasn't been determined.

Public: Why do we need this if we are lessening the impact?

Committee: What is required now?

Planning: Now if you alter use no hearing is required. This is a more intensive requirement.

Committee: We may want to do some work on this. We want to keep the cost in mind.

Pg. v L 29-31

Public: It seems like a change to a less intense use is not permitted here.

Planning: We're allowing possible expansion of nonconforming use in this section. With current practice you have to go to the zoning board to increase use.

Public: We don't think you need the public process here. It's a burden.

Pg. vii Abandonment or Cessation of Use.

Section D 1 f L8

Committee: 12 months of shut off public utility service means a use is abandoned?

Public: If the water and sewer are turned off during remodel to conserve energy, but the heat is still on-- you're presumed guilty.

Planning: We added the utility service for one year.

Committee: This is too strict.

Pg. vii L15-16

Public: Change "all" to "most". You have to have equity in this document.

This is all subjective.

Committee: It's an inappropriate emphasis when you have to meet all 6 items (Section D 1, a through f) to be deemed abandoned.

21.11.040 Nonconforming Structures (Public Review Draft #2, separate handout)

Pg. viii L 22-25 - Nonconforming Structures

Committee: I'm not sure what maximum setback means.

Planning: Maximum setbacks are required only in mixed use districts.

Committee: I'm concerned about the impact of this on mixed commercial areas in rural districts (Peters Creek and Chugiak).

Pg. x L 8-11

Public: Mobile Homes are not defined.

Committee: The definition used to include axles.

Planning: We are trying to work with the HAND Commission. We are actually being less restrictive in our definition here.

Pg. x L 12-15 - Legalization of Nonconforming Dimensional Setback Encroachments

Committee: If a house is legal now and then we rezone and the dimensional setback is now nonconforming, how do we handle that?

Planning: You don't have to go through the process described in this chapter because 020 says single and two family residential are exempt.

Committee: What it doesn't say is that nonconformity is not as good a legal or economic status as conformity for residential.

Pg. x L 15-16

Public: I'm not clear about "may continue in existence".

Planning: This was carried forward and changed a bit not too long ago. Many buildings were nonconforming before 1986 because these requirements were not in place until then.

Committee: We passed an ordinance 10 years ago or so about this. Is it still a problem?

Planning: It was passed in 1998

Committee: You might want to tweak this.

Pg. x L 24-25

Public: You call for an as-built drawing by a surveyor here. That's really expensive.

Committee: What if there is an as-built already existing?

Planning: We could say "current as-built", but if it doesn't reflect all current structures, then it's not current.

Pg. xi L8

Public: Why must a permit be obtained in 180 days to rebuild an abandoned tower?

Planning: This was negotiated with the telecommunications folks.

21.11.050 Nonconforming Lots of Record (Public Review Draft #2, separate handout)

Pg. xi L 37-43

Public: Why get nonconformity determination for platted lots?

Planning: Even if the city signed off on it it's the only way to make it conform.

Public: If it says it was platted before this date, then why not just accept it.

Committee: We passed an ordinance about nonconforming lots recently. Is it in here?

Planning: This does reflect what was passed. It's in 21.55.020 B

Public: There is a concern here. These could be considered nonconforming to the law.

Planning: We'd rather not have to register them all

Committee: We need to talk about registration to see if it's necessary.

Planning: We'll check to see if this reflects current ordinance.

21.11.060 Nonconforming Characteristics of Use (Public Review Draft #2, separate handout)

Pg.xiii L 1-9

Public: We think 2.5% is ridiculously low.

Planning: The building official determines the specific amount. We talked about needing to define development project cost more clearly.

Committee: Why does it say "at least 10%"?

Public: It should be the owner who decides where to spend his money.

Planning: We wanted that to be the max we required, but if they wanted to do more then they could.

Public: Is landscaping the top priority here?

Planning: Yes

Public: How is that determined? Can we add accessibility?

Committee: Accessibility is already required under federal law.

Public: This is a big issue. This rewrite will create nonconformity that has to be brought into compliance. You might want to consider not labeling a building nonconforming.

Committee: This issue should be discussed thoroughly by the entire Assembly. We believe that the 2.5% on L2 should be looked at.

Pg. xiii Section 3 L 18

Public: Could you change the word "shall" to "may"?

Planning: If we changed it to may then it would all be voluntary.

Public: How about spend “up to” 10%?

Pg. xiii L 22-25

Public: On L 23 coming into compliance with “all” applicable provisions done before getting a permit could be hard.

Committee: What does this mean?

Planning: It means that you have to keep moving forward with a project.

Committee: Maybe you could clarify the language a bit.

21.11.070 Nonconforming Signs (Public Review Draft #2, separate handout)

DDD February 22, 2006

CHAPTER 21.12: ENFORCEMENT

21.12.010 General Provisions (Public Review Draft #2)

Pg. 494 L 14-18 - Entitlements

Committee: I would like to see compliance able to be achieved without so many restrictions. It’s worrisome that there are so many things that have to be done prior to coming into compliance.

Planning: This is carried over from existing language. It is useful for enforcement efforts. It’s a cost-effective way to bring things into compliance.

Committee: What if you said “in the absence of approval by a regulatory body”?

Planning: One thing this language prevents is a wayward official from doing whatever he wants.

Committee: It seems like too much.

Public: This seems good for big projects, but it’s too restrictive for single family.

Pg. 494, L 23-4

Committee: Can there be a situation where there’s a reasonable time frame for fixing the problem? What if they can’t do it until the ground thaws? Does the violation still occur daily?

Planning: Then they’ll have a fixed date to be in compliance.

Committee: Then there is a time frame beyond what is implied in this language.

Planning: This only happens after all the letters, calls, etc. have been exhausted and they say no to doing anything.

21.12.020 Responsibility for Enforcement and Inspections (Public Review Draft #2)

Pg. 494 L 31-34

Committee: How are private enforcement actions working now?

Planning: It’s not working. This is revised. It was changed to make it easier for Community Councils to take enforcement actions forward.

Committee: Enforcement is a matter of resources.

21.12.030 Violations (Public Review Draft #2)

Pg. 495 L 32 – 33 - Violations

Committee: Does this preclude someone cutting down a tree that is sick?

Planning: This is meant to be when something is not allowed in the Title.

Committee: Then what about using "not permitted" instead of "inconsistent"?

Public: What about when you have a setback on a waterway, where nothing can be touched?

Planning: We made provisions for some intrusion into a setback, like providing for a dock.

Committee: What about the spruce bark beetle problem? On one hand we encourage people to get rid of those trees and here we say in this spot you can't. It seems problematic.

Planning: This is more for a situation where you have visual enhancement and then say have to fix the driveway. If you take trees, then you have to replant.

Committee: I am not sure this language says that. You may need to look at this and make sure it represents what you really want to say.

Pg. 496 L 1-5

Committee: Is it a violation here if you have broken cars on your property?

Planning: This refers to people who have so many vehicles that it changes the property use to a storage yard.

Committee: Where is the threshold?

Public: In line 4 I'd like to delete the word snow.

Planning: You can't look at these words alone. They go with language in other sections that do allow some flexibility.

21.12.040 Remedies and Penalties (Public Review Draft #2)

Pg. 496 L 25-26

Committee: I want an adjective before the word departure, like immediate or significant.

Pg. 496 L 28

Committee: When taking away an entitlement, check to make sure this corresponds to the Assembly's recent ordinance change.

Pg. 497 L 37-43 Restoration of Disturbed Areas

Committee: What is the extent of the remediation required here?

Potentially if you fix the drainage on one lot you might have to fix something that happens naturally.

Public: You can't allow disturbed materials to go off your own property.

Committee: You're saying that it's defined like that at the federal level?

Public: Yes

21.12.050 Procedures for Public Enforcement Actions (Public Review Draft #2)

21.12.060 Procedures for Private Enforcement Actions (Public Review Draft #2)

Pg. 501 12-19 Procedures for Private Enforcement Actions

Public: I'm afraid of what could happen here if a citizen has a personal agenda and just wanted to hurt someone.

Committee: The changes here are jurisdictional. It would allow someone in Mt View to potentially take action on someone in the Dimond area.

Public: Rival businesses in Mt. View and where ever could file on each other.

Committee: This is rarely used. It lets independent people solve their own problems.

Planning: Once the violation is submitted to the hearing officer, it's reviewed and then returned stating why it's a violation or not.

Public: I think the original 1-mile radius limitation would be better.

Planning: I can work more than a mile from my home and have an interest in both areas.

Public: But only people within 500 feet of the violation are notified?

Pg. 501 L 28

Committee: Community Councils have no "jurisdiction", they have boundaries.

Pg. 503 L 10 Issuance of Compliance Order

Public: The \$1,000 is too low here. What if I spend \$100,000 to fight the violation and it's overturned. I can only be reimbursed \$1,000.

Committee: In theory it should keep frivolous law suits from occurring.

Pg. 504 L 12-17 - Payment of Costs by Complainant

Committee: In the last draft we said that an attorney should look at this. Did that happen?

Planning: We always provide a copy to the city attorney but I'm not sure if they looked at this particular section.

Committee: I urge you to make sure that it gets done.

CHAPTER 21.13: RULES OF CONSTRUCTION AND DEFINITIONS

21.13.010 Interpretations (Public Review Draft #2)

21.13.020 Rules of Construction and Interpretation (Public Review Draft #2)

21.13.030 Definitions (Public Review Draft #2)

Pg. 508 L 26

Committee: Amortization is currently only for signs, why say "characteristic of a use, structure or lot"? This seems to say we are anticipating using amortization in those areas too.

Pg. 509 L 18-19 - Assisted Living

Public: Why can't assisted living be defined more thoroughly here?

Committee: It is.

Planning: I think that the reference to AS Chapter 47.33 should be removed since this could change.

Public: I don't like to have to refer to another document.

Committee: Nursing would be another term that is referred to another document. There are references throughout this document and I think they are all right.

Public: There are all kinds of airport references included in the draft. It is not consistent.

Planning: That's something we are working on.

Pg. 509 L 24-31 - Average Slope

Public: This definition could be reworded and simplified.

Committee: It doesn't make sense to not be able to build on a lot which has one small section that is steep. Make sure this is consistent with the earlier chapter on slope restrictions.

Pg. 515 L16-17 - Engineer

Public: Shouldn't "Civil" be eliminated in front of "Engineer" here? There are all kinds of engineers.

Planning: I looked this up and thought that for what we are covering, civil works well. We have to make sure we don't use the term engineer to only mean civil when an electrical or other engineer is required.

Pg. 519 L 23 - Health Authority Certificate

Committee: Check this definition for consistence with State of Alaska.

Pg. 524 L 31-33 - On-Site Remediation

Committee: Is the 300 feet from the location consistent with the EPA requirements?

Public: What happens if a lot is larger than 300 feet? I'm thinking of AS & G where they have their bagger. The material has to be moved more than 300 feet.

Pg. 525 L 25-28 - Permit, Land Use

Committee: Shouldn't "to this title" be changed to "code".

Pg. 525 L 35-36 - Person

Committee: I think that LLC and company should be added here.

Pg. 527 L 19-20 - Property Line

Committee: This seems to be used interchangeably with lot line. Are they interchangeable when lot line is more commonly used?

Planning: They are not the same language, but they mean the same.

General Comments about Definitions (Public Review Draft #2)

Committee: It might be helpful to define cluster housing and rural.

Planning: I'm not sure if we use the word rural, it is difficult to define. But we do use the term unit development.

Public: We need to define Hostels.

Committee: Please submit your ideas.

Public: What about ecological design? We have the opportunity to be more conservation based here.

Committee: There are some sections that have addressed these ideas.

Planning: We'd encourage you to make comments.

(go to Chapter 1) Irk



This document was created with Win2PDF available at <http://www.daneprairie.com>.
The unregistered version of Win2PDF is for evaluation or non-commercial use only.