

TITLE 21 COMMITTEE MEETING NOTES

10-25-07

Chapter 21.05

The Committee came to order at 9:35 a.m. All three committee members were present as well as staff and members of the public.

Ms. Ossiander distributed minutes from the 4th committee meeting on chapter 5 as Mr. Coffey was absent.

The Committee started its work on Chapter 5 of the public hearing draft at page 87 dealing with Land Reclamation. There were no questions so the committee moved to the next page, Landfills. There is only one active landfill which is in Eagle River at Highland road.

Ms. Selkregg asked about snow disposal sites on page 90, lines 4-8. She asked the staff to look at site assessment/storm water drainage. Snow disposal is a permitted use in the I zone. In other zones a conditional use is required. Staff will look at requirements for this use, EPA and/or DEC standards and insurance.

The question of maximum height (35 feet) is problematic per Ms. Ossiander. The committee discussed this limitation. There is concern that, in a big snow year, a 35 foot limitation may make handling the load difficult or impossible.

Questions arose as to the set back requirements on page 89, lines 28 through 32. These are current provisions.

The committee also discussed the noise provisions on page 90, line 9 through 17. The staff will look at the noise standards in AMC 15.70.080A.

The Committee then moved on to Accessory Uses and Structures starting page 91.

There was a generalized discussion on the general standards mostly for clarification. The committee discussed the provisions with regard to sheds in the set backs on page 92, lines 7 through 9.

The Committee then continued its practice of skipping over the tables (pages 93-95).

The Committee then reviewed the Accessory Dwelling Unit provisions on page 96 through 100. This is existing code. There are no substantive changes in the ordinance passed by the Assembly in 2003.

Ms. Selkregg wants to allow this in the R-1 district so long as it is attached. This will allow the creation of rental units in the R-1 district. Mr. Coffey expressed his opposition to this concept which he believes destroys the R-1 district. Ms. Selkregg told Mr. Coffey to get over it as Portland is requiring home owners to do this. Ms. Ossiander is concerned with the attached/detached in the large lot areas. She believes these should be allowed. They are prohibited (B) (2) beginning on page 97 and ending on the top of page 98.

Ms. Ossiander asked about the building code standards on page 98 at lines 21 through 25. This was discussed relative to the Anchorage building code and the state building code which is somewhat different and the application of the code in the ER/C area which is outside the jurisdiction of the Anchorage building code.

Other provisions concerning the ADU such as attached/detached, set backs, heights, sizes and other issues were discussed. The problem with this code provision is that it was originally intended to apply to the R-1 single family district which was opposed by many people. Numerous restrictions were included in the code as it was debated to address the concerns of those who wanted to protect the single family districts. These were intended to mollify those who were concerned. However, the Assembly then eliminated ADUs in the R-1, R-1A, R-3, R-4 and R4-A so many of these restrictions were retained.

Mr. Coffey stated that this issue would be better addressed by an overlay district rather than as a permitted use.

The Committee then moved on to Bed and Breakfast on page 101. This is not the existing code. There are modifications by staff. Mr. Coffey asked if the existing code has resulted in problems. Ms. Ossiander is concerned about the limitations on the number of units which may be appropriate in some circumstances and not in others. The idea of a separate chapter (chapter 10) for C/ER may be appropriate.

The Committee then discussed the drive thru services section on page 103 at lines 1 through 21. In particular the committee was concerned about subsections b ii (B) and (D).

Mr. Coffey had a problem with subsection (B) because it mandates something which may or may not accommodate the business needs of

the business because the staff doesn't want the automobile to dominate the businesses.

On page 104, beginning at line 22, the committee discussed garages and carports for private residential properties. Ms. Selkregg likes the idea of garages and carports and would like to make it possible to build them where they might not otherwise fit. Staff suggests that we use an overlay district.

Mr. Coffey suggested that we schedule for next week's meeting:

- 1) Discuss Ms. Selkregg's 4 page outreach proposal with the Administration.
- 2) Review chapter 12 and the issue response provisions.
- 3) Complete chapter 5.