

## Assembly Title 21 Meeting Notes – March 15, 2006

### **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.

### **Pg. 94 Variances L 36**

**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 Approval Criteria L 12-14**

**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.

### **Pg. 97 Appeals L 21-24**

**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 I 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 Appeals to Zoning Board of Examiners and Appeals L 5**

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

**Planning:** No, these type 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 Time Limit for Filing; Notice of Appeal; Appeal Fee L 28-31**

**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.

**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 Standards for Review L 31 on**

**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 C. 11. L 26**

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

**Committee:** I disagree. I think it should stay an

**Pg. 107 Assembly Alcohol Review L 18**

**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 5<sup>th</sup> 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 Application and Review Procedure L 32-34**

**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 Expiration L 32-34**

**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.**

**Pg. 108 Administrative Permits L 35**

**Committee: Is this under ZEBA appeal?**

**Pg. 109 Neighborhood or District Plans**

**Public: This is way to zone out.**

**Committee: What do you mean by zone out?**

**Public: This language would allow neighborhoods so "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 Coordination of Plan Review, L 38-43**

**Committee: I like this section.**

**Pg. 114 Master Planning L 23**

**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 xiii. L 13-28**

**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 Director Review, Report, and Recommendation L 29-34**

**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 Approval Criteria L 27-28**

**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 Institutional Master Planning L 24**

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

**Pg. 125 v. L 19-25**

**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 Open Space and Pedestrian Circulation Element L 12-19**

**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 (E) L 30-34**

**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.**

**Next meeting: March 22, 2006 9:30 – 11:30 AM Planning Dept.**

**First floor Conference Room**

**We'll start with Chapter 4**