

Assembly Title 21 Meeting Notes – May 10, 2006

Chapter 7

Pg. 321 Alternative Equivalent Compliance L 35

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.

Pg. 323 A. Purpose L 6-13

Public: The natural amenities in 21.07.020 could still be taking away lake views.

Pg. 324 Buffer-Setback Requirements L 12-21

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 Water Bodies L 11

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 Unmapped Wetlands L 9-10

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 Prohibited Activities L 15

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 Recreation, Education, or Scientific Activities L 1

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 Preservation and Restoration of Vegetation L 6

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 d. L 3-4

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 Slopes Greater than 30 Percent L 21-24

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 Raising or Lowering of Natural Grade L 37-40

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 Wildlife Conflict Prevention Areas L 42

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 Applicability L 44

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 d. L 14-16

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 h. L 30-31

Public: Electric fences can be dangerous for people with pace makers or small children. There's the potential for municipal liability here.

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 b. L 26

Committee: I question the suitability of fountains in our winter city.

Pg. 334 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.

Pg. 334 Design Criteria L 27-30

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. 335 Drainage, Stormwater Runoff L 1

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

Pg. 335 1. L 14

Committee: What are the Class B improvements?

Planning: They are on page 452.

Pg. 335 3. L 25-32

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 2. L 13-15

Committee: How long does a temporary variance last?

Planning: It's two years, shown on lines 22-23.

Pg. 339 3. L 30-37

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?

Pg. 340 Traffic Impact Analysis Required L 14

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 a. L 24-25

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 Streets and On-Site Vehicular Circulation L 14

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 iv. L 11-18

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 iii. L 3-6

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 Vehicular Access to Public Streets L 7-13

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 Connections to Vacant Land L 14-23

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 b. L 1

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 On-site Pedestrian Connections L 19-32

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 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 a. L 1-2

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 Use and Maintenance of Sidewalks, Walkways and Trails L 7

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.

Next meeting: May 17, 2006 9:30 – 11:30 AM Planning Dept.

First floor Conference Room

We'll start on Chapter 7 Page 345 21.07.070 Neighborhood Protection Standards

After the May 17th meeting, meeting dates will change to Thursdays. The next meeting will be May 25th.