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EGJ/2002/ORDINANCES/AO15

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CLERK'S OFFICE APPROVED 110 5-21-02 Submitted by: Assemblymember Shamberg IMMEDIATE RECONSIDERATION Prepared by: Department of Assembly FAILED 5-21-02 For reading: March 19, 2002 ANCHORAGE, ALASKA **AO NO. 2002-**64 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 BY AMENDING CHAPTER 21.50.090. CONDITIONAL USE STANDARDS - JUNKYARDS, TO ELIMINATE THE REQUIREMENT FOR TRAFFIC ACCESS THE ANCHORAGE ASSEMBLY ORDAINS Section 1: That Anchorage Municipal Code Chapter 21.50.090, Conditional use standards -Junkyards, is amended to read as follows: Α. No change. B. [TRAFFIC ACCESS. THE PROPOSED SITE SHALL HAVE DIRECT ACCESS FROM A STREET OF CLASS II OR GREATER DESIGNATION AS SHOWN ON THE OFFICIAL STREETS AND HIGHWAYS PLAN.] C.-E No change. Section 2: That this ordinance shall become effective immediately upon passage and approval. PASSED AND APPROVED by the Anchorage Assembly this 2/4 day of (21/ , 2002. Dich hai ATTEST:



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

NO. 313-2002

Meeting Date: MARCH 19, 2002

From: Assemblymember Shamberg

Subject: AN ORDINANCE AMENDING AMC TITLE 21, CONDITIONAL USE

STANDARDS - JUNKYARDS, TO ELIMINATE THE REQUIREMENT FOR

TRAFFIC ACCESS

The attached ordinance is being submitted to amend Anchorage Municipal Code Chapter 21.50.090, Conditional Use Standards - Junkyards, by eliminating the traffic access, Class II or greater, road class requirement. The current requirement places junkyards in full public view. This is an unnecessary and antiquated law remaining on the books and should, without further delay, be eliminated.

Your approval of this ordinance change is requested

Respectfully submitted,

Janice Shamberg) Assemblymember Prepared by:

Elvi Gray-Jackson, Manager Budget and Legislative Services

Reviewed by:

Greg Moyer, Director

Department of Assembly/Municipal Clerk

EGJ/2002AM/AM19

Municipality of Anchorage MUNICIPAL CLERK'S OFFICE

Agenda Document Control Sheet

AO 2002-64

(SEE	REVERSE SIDE FOR FURTHER INFORMATION)							<u> </u>		- 5
1	SUBJECT OF AGENDA DOCUMENT		DAT	E PREP	ARED					
	An Ordinance Amending AMC Title 21 by Amending Chapter		r .	18-Mar-02						
	21.50.090, Conditional Uses Standards-junkyards	21.50.090, Conditional Uses Standards-junkyards, to Eliminate		Indicate Documents Attached						
	the Requirement for Traffic Access			X	AO		AR	AM	All	М
	DEPARTMENT NAME		DIRE	ECTOR'S	S NAME	:				
2	Assembly		Gre	eg Mo	ver					
_	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY			HER PH		UMBER	<u> </u>			
3	Elvi Gray-Jackson		343	3-4751	1					
4	COORDINATED WITH AND REVIEWED BY	1	NITIAL	S				DATE		
	Mayor									
	Heritage Land Bank									
	Merrill Field Airport									
	Municipal Light & Power									
	Port of Anchorage									
	Solid Waste Services									
	Water & Wastewater Utility									
	Municipal Manager									
	Cultural & Recreational Services									
	Employee Relations									
	Finance, Chief Fiscal Officer									
	Fire									
	Health & Human Services									
	Office of Management and Budget									
	Management Information Services									
	Police									
	Planning, Development & Public Works									
	Development Services									
	Facility Management									
	Planning									
	Project Management & Engineering									
	Street Maintenance									
	Traffic									
	Public Transportation Department									
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5	Special Instructions/Comments				(m)()(m)	,			Q.	
	ADDENDUM - 9.F. INTRODUCTION						1717	וע כאַש	פרנ	
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	ASSEMBLY HEARING DATE REQUESTED	IDLIDI.	C HEARIN	IG DATE	PEOU	ESTED		71) /-		
6	03/19/02		O BE							



MUNICIPALITY OF ANCHORAGE INFORMATION MEMORANDUM

AIM No. 55-2002

Meeting Date:

MAY 21, 2002

From:

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14 15 16 Mayor

Subject:

AO 2002-64 - An Ordinance Amending AMC 21.50.090, Conditional Use

Standards - Junkyards, to eliminate the requirement for traffic access to be from a Class II or greater designation as shown on the Official Streets and Highways

Plan.

Assembly member Shamberg introduced the above referenced ordinance March 19, 2002 for an Assembly public hearing on May 21, 2002. The case went before the Planning and Zoning Commission on May 6, 2002. The Planning and Zoning Commission did not support AO 2002-64 as submitted, but did support staff recommended changes to the ordinance as proposed in AO 2002-064 (S).

Both the Planning staff and the Planning and Zoning Commission did not support removing the requirement for Junkyards to abut to a Class II or greater designation as shown on the Official Streets and Highways Plan without making provisons for adequate vehicular access to such land uses.

The Planning and Zoning Commission resolution and final minutes were not available for inclusion with this AIM due to the short turnaround time from the Planning and Zoning Commission and the Municipal Assembly public hearing dates. Draft minutes are included with this AIM.

17 Concurrence:

Harry J. Kieling, Jr.

Municipal Manager

Respectfully submitted

Concurrence:

Craig E. Campbell, Executive Director Office of Planning, Development and

Public Works

Prepared by:

George P. Wuerch

Mayor

Susan R. Fison, Director

Planning Department

MUNICIPALITY OF ANCHORAGE DEPARTMENT OF PLANNING MEMORANDUM

DATE: May 6, 2002

TO: Planning and Zoning Commission

THRU: Susan R. Fison, Director, Planning Department

FROM: Gloria A. Bartels, Sr. Planning Tech.

CASE: 2002-093: An Ordinance Amending AMC 21.50.090, Conditional

Use Standards - Junkyards, to eliminate the requirement for traffic access to be from a Class II or greater designation as shown on the

Official Streets and Highways Plan.

The proposed ordinance amends the conditional use standards for junkyards as set forth in AMC 21.50.090 eliminating the requirement for traffic access to be from a street of Class II or greater designation as shown on the *Official Streets and Highways Plan*. The Ordinance amendment was introduced by Assembly member Shamberg.

AMC 21.50.090.B reads as follows:

B. Traffic access. The proposed site shall have direct access from a street of class II or greater designation as shown on the Official Streets and Highways Plan.

Reviewing Agencies Comments:

The reviewing agencies had no objection. Transportation Planning had no objection to this ordinance amendment and comment that the requirement for junk yards to be located on Class II minor arterials does not seem to be justified based on the amount of truck traffic generated by such facilities. Moreover, other industrial uses that are allowed (by-right) in the I-2 zoning district may generate as much or more truck traffic as a junk yard and yet are not required to meet any type of access standard.

For example, motor freight terminals uses which by definition generate a large amount of truck traffic are permitted to be located on regular industrial streets. None of the other conditional uses allowed in the I-2 zoning district require

Case 2002-093 Amend AMC 21.50.090.B Page 2

access to a higher classification street such as a collector or minor arterial. Natural resource extraction operations, a conditional use allowed in the I-2 zoning district, are only required to have a principal access to the site that minimizes the use of residential streets.

The purpose of standards requiring access to a higher classification road can be a useful tool in prohibiting excess or heavy truck traffic in inappropriate areas. In the case of conditional uses for a junk yard located in industrial zoning districts, the traffic generated by the junk yard would be entirely compatible with other permitted industrial uses.

Planning staff believes that the requirement to have direct access to a class II street or greater designation may be excessive and that it would be more appropriate to require that the property be contiguous to a street that is constructed to industrial standards in accordance with AMC 21.85.050.B.

This is a significant departure from present practice and should be considered carefully.

Junk yards have been a permitted use in the industrial zoning districts since the Greater Anchorage Borough with the requirement to have access to a Class II or greater street on the Official Streets and Highways Plan.

Community Comments. There was no response received from the community.

Recommendation:

Amend AMC 21.50.090.B, Conditional Use Standards for junkyards to require junkyards to abut a street constructed to industrial standards in accordance with AMC 21.85.050.B.

1 2 3	Submitted by: Assemblymember Shamberg Prepared by: Department of Assembly For reading: March 19, 2002
4 5 6	ANCHORAGE, ALASKA AO NO. 2002-64
7 8 9 10 11 12	AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 BY AMENDING CHAPTER 21.50.090, CONDITIONAL USE STANDARDS - JUNKYARDS, TO ELIMINATE THE REQUIREMENT FOR TRAFFIC ACCESS
13 14 15	THE ANCHORAGE ASSEMBLY ORDAINS:
16 17	<u>Section 1:</u> That Anchorage Municipal Code Chapter 21.50.090, <i>Conditional use standards —Junkyards</i> , is amended to read as follows:
18 19	A. No change
20 21 22 23 24	B. [TRAFFIC ACCESS. THE PROPOSED SITE SHALL HAVE DIRECT ACCESS FROM A STREET OF CLASS II OR GREATER DESIGNATION AS SHOWN ON THE OFFICIAL STREETS AND HIGHWAYS PLAN.]
25 26	CE No change.
27 28 29	Section 2: That this ordinance shall become effective immediately upon passage and approval.
30 31	PASSED AND APPROVED by the Anchorage Assembly thisday of, 2002.
32 33 34	
35 36	Chair
37 38 39 40	ATTEST
41 42 43	Municipal Clerk
44 45 46 47	EGJ/2002/ORDINANCES/AO15

1 2 3 4	Submitted by: Chairman of the Assembly at the request of the Mayor Prepared by: Department of Planning For reading:
5 6 7	ANCHORAGE, ALASKA AO NO. 2002-64 (S)
8 9 10 11 12 13	AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 BY AMENDING CHAPTER 21.50.090, CONDITIONAL USE STANDARDS - JUNKYARDS, TO ELIMINATE THE REQUIREMENT FOR TRAFFIC ACCESS
14 15 16	THE ANCHORAGE ASSEMBLY ORDAINS:
17 18 19 20 21 22	Section 1: That Anchorage Municipal Code Subsection 21.50.090, Conditional use standards – Junkyards, is amended to read as follows: (the remainder of the section is not affected and therefore not set out)
23 24 25 26	B. Traffic access. The proposed site shall have direct access from a constructed industrial street to the standards of AMC 21.85.050 B. [street of class II or greater designation as shown on the official streets and highways plan.]
27 28 29 30	*** *** ***
31 32 33	Section 2: That this ordinance shall become effective immediately upon passage and approval.
34 35 36	PASSED AND APPROVED by the Anchorage Assembly thisday of, 2002.
37 38 39	
40 41	Chair
42 43 44 45	ATTEST:
46	Municipal Clerk

Page 25

Case #:

2002-093

Type:

Ordinance amendment (traffic access standards for junkyards)

PROJECT MANAGEMENT AND ENGINEERING

Recommendations: Project Management and Engineering has no adverse comment regarding this case.

(Reviewer: Gregory Soule)

FLOODPLAIN

N/A

(Reviewer: Jack Puff)

LAND USE ENFORCEMENT

Land Use Enforcement has no comment regarding this case.

(Reviewer: Don Dolenc)

RIGHT-OF-WAY

We have no comment at this time.

(Reviewer: Lynn McGee)

ADDRESSING

I have no comments on this case.

(Reviewer: Kristiann Rützler)

BUILDING SAFETY PLAN REVIEW AND INSPECTION

I have no comments on this case.

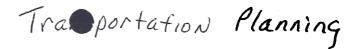
(Reviewer: James Gray, P.E.)

NPDES STORM WATER REVIEW

Storm Water Treatment Plan Review has no adverse comments regarding this case.

(Reviewer: Gregory Soule)

Department position: Development Services has no adverse comments regarding this case.



Transportation Planning Division recommends denial of the ordinance amendment allowing off-street parking spaces or structures in the R-5 zoning district. The R-5 zoning district most closely resembles a single family zoning district such as R-1. The minimum lot requirements for the R-5 zoning district is 7,000 square feet for a single family dwelling, 13,000 SF for two-family dwelling units, 19,000 SF for three-family dwelling units, 26,000 SF for four family dwelling units and 30,000 SF for five dwelling units plus 5,000 SF for every additional unit above 5 units. With the exception of large

lots over 30,000 SF, only one dwelling unit per 6,000 SF is allowed in the R-5 zoning district. This is the same density as the R-1 zoning district. The R-2A, R-2D, and R-2M zoning districts all allow higher densities than the R-5 zoning district and do not allow off-street parking spaces as a conditional use.

The primary users of this provision are expected to be commercial developers who are seeking to expand their retail parking lots into residential areas. This may be appropriate in high traffic generating multifamily residential areas but it is not desireable in lower density residential areas where there is an expectation of lower traffic volumes. Allowing off-street parking in low-density residential zones such as the R-5 zoning district creates unnecessary conflicts between commercial traffic and residential traffic which are very difficult to adequately mitigate.

This amendment will also create some inconsistencies in the zone code. At the present time off-street parking spaces are not allowed as a conditional use in the R-1, R-2A, R-2D, R-2M, or the R-5 zoning districts. Transportation planning is concerned that allowing off-street parking in the R-5 zoning district will justify similar amendments to allow off-street parking in other low-density residential zoning districts.

Case No. 2002-088

Access to the petition site appears to be from Santa Maria Drive which is designated as a collector in the Official Streets and Highways Plan.

Greenhouses are by nature a seasonal business and the amount of traffic generated by these uses vary widely during the year. As a result, it is sometimes difficult to estimate the amount of parking needed at peak activity. If the amount of parking provided on-site is insufficient to meet demand, then the spill over parking will be forced onto the adjacent street (Santa Maria Drive). This could be a potential source of complaint from the residential neighborhood located to the north and east of the petition site.

Case No. 2002-092

Transportation Planning recommends approval of this ordinance. Smaller outlying commercial lots are often developed in conjunction with big box stores. The review of circulation plans for big box stores would be easier if the full development plans for the parcel was known. This would help to ensure that the circulation, parking and pedestrian connections were integrated within the entire development.

Case No. 2002-093

Transportation Planning does not object to this ordinance amendment. The requirement for junk yards to be located on Class II minor arterials does not seem to be justified based on the amount of truck traffic generated by such facilities. Moreover, other industrial

uses that are allowed (by-right) in the I-2 zoning district may generate as much or more truck traffic as a junk

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2002-093



yard yet are not required to meet any access standards. For example, motor freight terminals uses which by definition generate a large amount of truck traffic are permitted to be located on local streets. None of the other conditional uses allowed in the I-2 zoning district require access to a higher classification street such as a collector or minor arterial. Natural resource extraction operations, a conditional use allowed in the I-2 zoning district, is only required to have a principal access to the site that minimizes the use of residential streets.

The purpose of standards requiring access to a higher classification road can be a useful tool in prohibiting excess traffic in inappropriate areas. In the case of conditional uses for junk yards located in I-2 zoning districts, the traffic generated by the junk yard is entirely compatible with other permitted I-2 uses.

- 2002 085 Request: Zoning conditional use regarding sign usage, size, style and viewing area. WASTEWATER
 - No objections.
- 2002 087 Request: An Ordinance amending Title 21.

No objections.

2002 - 088 Request: Rezoning to B-3SL General Business District with special limitations.

No objections.

2002 – 092 An Ordinance of the MOA amending AMC 21.15.134 to provide for platting of commercial tracts that include large retail establishments.

No objections.

2002 – 093 An Ordinance of the Anchorage Municipal Assembly amending AMC Title 21 by amending Chapter 21.50.090, conditional use standards for junkyards.

No objections.

STATE OF ALASKA

RECEIVED OF TRANSPORTATION AND PUBLIC FACILITIES

APR 0 9 2002 MUNICIPALITY OF ANCHORAGE PLANNING & ZONING DIVISION

CENTRAL REGION - PLANNING

TONY KNOWLES, GOVERNOR

4111 AVIATION AVENUE P.O. BOX 196900 ANCHORAGE, ALASKA 99519-6900 (TDD 269-0473) (907) 269-0520 (FAX 269-0521)

April 3, 2002

RE: MOA Zone Requests

Mr. Jerry Weaver, Platting Officer Department of Development & Planning Municipality of Anchorage P.O. Box 196650 Anchorage, Alaska 99519-6650

Dear Mr. Weaver:

The Department of Transportation and Public Facilities (ADOT&PF) has reviewed the following zoning case and has no comment.

2002-073 Variance: Great Dane Park Subdivision, Lot 1

2002-085 Conditional Use Permit: Tudor Business Park, Lot 2A

2002-087 Amending Title 21: Off street parking

2002-092 Amend Code: Platting of commercial tracts include large retail establishments

2002-093) Amend Title 21: conditional use standards-junkyards

2002-094 Variance: Highland Terrance Subdivision, Lot 5 2002-095 Variance: Huntwood Subdivision, Block 2, Lot 4

2002-096 Variance: McWilliams (Nels Klevin) Subdivision, Block 16, Lots 4 & 5

2002-097 Variance: Barnett Subdivision, Lots 19 & 20

2002-098 Variance: The Foothills Subdivision, Block 7 Lot 20

2002-099 Conditional use: to permit a liquor store Robert Pippel Subd, Lot 2

Comments:

2002-083 Rezoning: Aurora Park Subdivision, Tract A: The Department has no objection to the rezoning, however, access to the Old Seward Highway will have to be addressed during the platting process.

2002-084 Conditional Use Permit: Campbell Green Subdivision TR 24 & 26-30: The Department request that the developer be strongly encouraged create options in this subdivision design for current and future road connections. The south end of Fairweather Loop could be design so that it could eventually be connected to 72nd Avenue. In the past we have ask that Fairweather be connected to Guinevere Court or into Merlin. The current subdivision design requires someone from the new subdivision to access the Old Seward Highway, a minor arterial with a 17,500 average daily traffic count, to visit someone on Merlin. As Anchorage grows, traffic in this Midtown area will grow. AMATS Long Range Transportation Plan and the Transportation Improvement Program include grade separated interchanges for 68th and 76th Avenues and the New Seward Highway. Traffic could greatly increase on the Old Seward Highway with these improvements. Connecting streets, as well as, collector streets are a vital factor in any functioning transportation facility.

COMMISSIONER PENNEY stated he would not support the motion, given the impending arrival of the consultant's rewrite of the retail ordinance, which makes this proposal premature. He further noted that standards are not included in this ordinance amendment.

COMMISSIONER KLINKNER commented that there is not a firm schedule for the rewrite of the comprehensive retail ordinance and there may be a substantial interim period until it is completed when this issue would need to be addressed. He stated with regard to the Staff's suggestion that the Commission could add a condition to review fragment lots at the time it reviews a large retail establishment, that the Commission was told this authority did not clearly exist and it was, therefore, not invoked on the Safeway case. He referred to page 22 of the packet and noted that AMC 21.15.134.B.3.a includes a new paragraph importing the review of these fragment lot developments involving a large retail establishment into the public hearing site plan review for the large retail establishment. It imports all the standards and procedures related to that review into the review of the commercial tract as a whole. He also noted that 21.15.1340.B.3.b includes a 30-day review requirement for reviews that would be handled under this site plan review procedure.

COMMISSIONER COFFEY asked whether a motion to postpone until after the consultant makes the presentation on the retail establishment ordinance would take precedent over the motion on the floor. MS. CHAMBERS indicated this was correct.

COMMISSIONER COFFEY moved to postpone case 2002-092 until after the meeting with the consultant on the retail ordinance.

COMMISSIONER PENNEY seconded.

AYE: Klinkner, Penney, Jones, Coffey, Knepper

NAY: None

DRAFT

PASSED

It was agreed that this matter would be included as an item of Old Business on May 20, 2002.

8. 2002-093

Municipality of Anchorage. An Ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 21 by amending Chapter 21.50.090, conditional use standardsjunkyards, to eliminate the requirement for the property to abut to a class II collector street.

Staff member JERRY WEAVER stated this ordinance was initiated by Assemblymember Shamberg. It would eliminate the requirement for junkyards to abut a street with a Class II or greater designation. The majority of reviewing agencies had no objection to this ordinance amendment. Transportation Planning commented on the type of traffic that is common in industrial zoning districts and did not believe the amount of traffic generated by this use would be sufficiently different to warrant the need to abut to a Class II or greater street. Staff believed it would be appropriate to undertake an ordinance amendment, however, to ensure the streets are constructed to a sufficient standard, Staff proposed a substitute (S) version to require properties to abut to a street constructed to industrial standards per AMC 21.85.050.B.

The public hearing was opened and closed without public comment.

COMMISSIONER KLINKNER moved for approval of the substitute (S) version of an ordinance amending Title 21 to eliminate the requirement for traffic access to be from a Class II or greater designation as shown on the Official Streets and Highways Plan for junkyards.

COMMISSIONER COFFEY seconded.

COMMISSIONER KLINKNER supported the motion and noted this amendment would allow a junkyard to be built where it is not visible from a highly traveled street.

COMMISSIONER COFFEY concurred with Mr. Klinkner's comments.

CHAIR JONES indicated that she resides adjacent to an industrial area and she wholeheartedly concurred with Mr. Klinkner's comments.

AYE: Klinkner, Penney, Jones, Coffey, Knepper

NAY: None

PASSED

9. 2002-038 Municipality of Anchorage. Proposed Community Council Redistricting.

POSTPONED TO JUNE 3, 2002

10. 2002-004 Laura Gale. A request to rezone approximately 3.51 acres from R-7 (Intermediate Rural Residential) to I-1 (Light Industrial). Lots 8 & 111, Section 30, T15N R1W, S.M., AK. Located at 16330 Old Glenn Highway, Chugiak.

Municipality of Anchorage MUNICIPAL CLERKS OFFICE **Agenda Document Control Sheet**

AM 55-202

4	SUBJECT OF AGENDA DOCUMENT		DATE PREPARED	
1	ATM For Ordinana 2002 CA 3		05/8/02	INDICATE DOCUMENTS ATTACHED
	AIM for Ordinance 2002-64, Amending AMC 21.50.090, Conditional Use Standards -			□AO AR □ AM ⊠AIM
	Junkyards, to eliminate the requirement	for		LAC AN LAW MAIN
	traffic access to be from a Class II or			
	greater designation as shown on the Offi	cial		
	Streets and Highways Plan. (All Community Councils)(Case 2002-093)			
2	DEPARTMENT NAME		DIRECTOR'S NAME	on Discotor
	Planning Department Susan R. Fison, THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY HISHER PHONE NUMBER			on, Director
3	Jerry Weaver Jr.		343-4215	
4	COORDINATED WITH AND REVIEWED BY		INITIALS	DATE
5	Mayor			
	Heritage Land Bank			
	Merrill Field Airport			
	Municipal Light & Power			
	Port of Anchorage			
	Solid Waste Services			
	Water & Wastewater Utility			
4	Municipal Manager	0.0	Part2K	5.15.02
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	Employee Relations			
	Finance, Chief Fiscal Officer			
	Fire			
	Health & Human Services			
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	Project Management & Engineering	/		
	Street Maintenance			
	Traffic			
	Public Transportation Department			
	Purchasing	/	118	_/ /
3	Municipal Attorney 1209		195	5/102
	Municipal Clerk	1		
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5	SPECIAL INSTRUCTIONS/COMMENT			14H
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	Previously introduced for a May 21, 2002	public	hearing.	E Chiefs
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	ASSEMBLY MEETING DATE REQUESTED	01101101	JUJU HEARING DATE REQUESTED	a thank 5 8.
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