

**MUNICIPALITY OF ANCHORAGE**  
**WATERSHED & NATURAL RESOURCES ADVISORY COMMISSION**  
**RESOLUTION NO. 2014-01**

**A RESOLUTION SUPPORTING CHANGES TO THE TITLE 21 STREAM PROTECTION SETBACK AT SECTION 21.07.020 AND TO THE DEFINITION SECTION 21.14.040 PROPOSED BY THE COMMUNITY DEVELOPMENT DEPARTMENT.**

---

WHEREAS, the Anchorage Assembly adopted final revisions to Title 21 of the Municipal Land Use Code on February 26, 2013; and

WHEREAS, throughout the code revision process public and agency comments encouraged the Municipality to expand the stream protection setback distance to better manage floodplains and protect stream channels, fish habitat, and water quality, and public and private property, and to establish Anchorage setbacks more in line with those used across the United States; and

WHEREAS, the scientific literature and national practices generally show that setbacks of 100' or greater provide the most effective water quality, floodplain and related stream functions of designated setback areas; and

WHEREAS, the Anchorage Assembly determined during public hearings and subsequent deliberations, there was insufficient data for it to decide what would be the most appropriate and realistic setback distance to adopt in Title 21, given the breadth of development, the variation of stream channel types, the impacts of a new setback distance on existing development, and the unknown extent of non-conformities it might create; and

WHEREAS, the Anchorage Assembly passed the new Title 21 with the following condition relative to Section 21.07.020:

It is the intent of the municipality to follow the adoption of the Title 21 Rewrite Project (2002-2012) within six months with a separate public process to complete the development of a stream protection setback amendment to Title 21. Objectives include:

- a. To provide wider stream protection setbacks; and
- b. To provide relief for property that would be impacted or rendered nonconforming by such wider setbacks.

WHEREAS, the Long-Range Planning and the Watershed Management Sections undertook additional data gathering and analysis, solicited information and expert opinion from the Watershed & Natural Resources Advisory Commission, and produced a draft revised stream setback ordinance; and

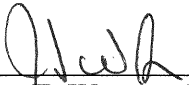
WHEREAS, the Watershed & Natural Resources Advisory Commission reviewed data analyses, mapping exercises, early drafts and concepts of this revised code section at several regular meetings; and

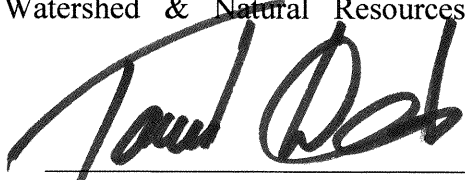
WHEREAS, with the understanding that assigning a uniform setback distance to the breadth of streams across the Municipality is not a simple undertaking, the Watershed & Natural Resources Advisory Commission concurs with staff that the proposed graduated setback provides an effective, realistic setback recommendation that factors in scientific standards, stream morphology, floodplain width, public interest, and extent of development.

NOW, THEREFORE, BE IT RESOLVED that the Watershed & Natural Resources Advisory Commission finds this amendment meets the intent of the Assembly's directive with setback regulations that realistically account for Anchorage's varied stream channels and development conditions while reflecting science-based data. The Commission recommends that the Anchorage Assembly adopt this revised stream setback section with the following conditions:

1. Item 4.b.1.c. shall be further defined and limited to unpaved trails 3' wide or less.
2. The term "greenways" in Item 4.b.1.c. shall be deleted from that section.

PASSED AND APPROVED by the Watershed & Natural Resources Advisory Commission on this 15th day of January, 2014.

  
\_\_\_\_\_  
Jerry T. Weaver, Jr.  
Secretary

  
\_\_\_\_\_  
Tamás Deák  
Chair