



MID-HILLSIDE COMMUNITY COUNCIL

Mid-Hillside Board

Brian Johnson
Mark Miner
Shirley McGrath
Tom O'Grady
Linda Perkins
Lance Powell
Kim Ross
John Weddleton

September 16, 2005

Planning Department
4700 Bragaw Street
P.O. Box 196650
Anchorage, Alaska 99519

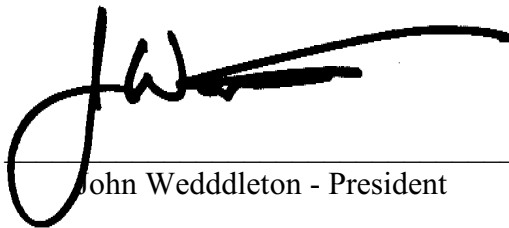
Submitted via E-mail: title21@muni.org

At its regular meeting on September 15, the Mid -Hillside Community Council formed a committee to review the proposed changes to Title 21. We focused primarily on topics related to our Council area and particularly R-6 zoning that is predominant here. We also considered the public process requirements and their relation to Community Councils.

Our comments follow. We generally strove for consensus on points raised. The presentation notes where we had differing opinions that could not be reconciled.

We hope that our efforts make a positive contribution to this project.

Sincerely,



John Wedddleton - President

TABLE 21.01-1 COMPREHENSIVE PLAN ELEMENTS

MHCC COMMENT: The Hillside Wastewater Management Plan should be listed

CHAPTER 21.02 Boards, Commissions and Municipal Administration

21.02.020 Boards and Commissions Generally p16

MHCC COMMENT: Add: Community Councils may review and comment on Title 21 issues.

Table 21.02-1 Summary of Major Title 21 Decision Making and Review Responsibilities p.17

MHCC COMMENT: Add a column for Community Councils and add “R” for review and comment where appropriate. i.e. Variances, School Sites, Public Facility Site Selection, Conditional Uses, Plats, Rezoning, Amendments to Title 21 and Comp Plan.

CHAPTER 21.03 Review and Approval Procedures p34

21.03.020 F Community Meetings

MHCC COMMENT: Add “Where an affected Community Council is able to add the development and application to its agenda and to properly announce the meeting, the Community Council should be the forum for the required community meeting. A resolution from an affected Community Council and the minutes of its meeting in regard to the proposed development shall be part of the Planning Department staff report.”

Footnote 11 p 123 adds support to this change: “..This draft is intended to take advantage of the existing set of community councils.”

F2B Waiver “Director may waive the community meeting ... if he or she determines that the proposed .. will not have significant community impacts ..”

MHCC COMMENT: We were split on this point. Some felt the Director is best able to sort through projects and put forward those that warrant public review so the public is not overburdened. Others felt that the Director would not be aware of neighborhood issues that can be important even on small projects.

F3b p39 L1-4 Regarding notification if more than one CC has boundaries within or adjacent to the project.

MHCC COMMENT: Change wording to be consistent with the requirements on p42 L14-16 where roughly any CC within 1,000 feet is notified.

F5c p39 L26-27 “All community meetings shall be convened at a place in the vicinity of the proposed development.”

MHCC COMMENT: Add “If adequate meeting space is available, the meeting shall be in the boundaries of an affected Community Council.”

F6 Summary of Community Meeting p39 l 28-30

“The applicant shall prepare a written summary of the community meeting(s) ... “

We recommend that a Community Council resolution or meeting minutes be part of the Planning Department report. The applicant should be encouraged to also prepare a written report on the meeting particularly the response to comments.

C6i p65 L4-5 “provides opportunities for recreation, light and air ...”

The reference to recreation is puzzling. Are there requirements for developments to provide for recreation anywhere else in Title 21?

MHCC COMMENT: What does the “light and air” mean? This phrase is used elsewhere in this Draft and its meaning is not clear.

21.03.080 Site Plan Review

B1b p71 L1-2 “site plans for public facilities costing up to \$500,000 shall require administrative site plan review.”

C1b p71 L28-29 “.. a public facility project costing more than \$500,000 shall require a major site plan review.”

The trigger for a P&ZC review of site selection is 21.-3.090 B2a, b, c, d p74-75 includes
“a. Any newly constructed building or buildings in which government operations or activities occupy more than a total of 4,000 square feet and any existing building acquired by purchase or lease in which government operation or activities occupy more than 15,000 square feet.
b. Any use of land over 5 acres in area
c. Any trail alignment not part of a road construction project; and
d. Any snow disposal site.”

MHCC COMMENT: Make the cut off for the site plan review consistent with the cut off for site selection. Using a dollar amount for a cut off for site plans will become obsolete after a few decades. It is better to use building size.

“9.b The Board of Adjustment shall hear no argument nor take additional testimony or evidence..” p99 L24-25

MHCC COMMENT: Allow oral argument.

21.030.240 MASTER PLANNING

“A. Area Master Planning

1. Purpose

Under procedures 3b. Community meeting “A community meeting may be required.” p108 137-38

MHCC COMMENT: Make a community meeting a requirement early in the process. Change “may” to “shall.” This is the most important time to have a community meeting! Face the issues as early as possible.

“B Development Master Planning

1. Purpose

Under procedures 3b “A community meeting may be required.” p113 L38

MHCC COMMENT: Change “may” to “shall.”

“C. Institutional Master Plan Review” p116 L13

similar issues to other master plans 4.b “A community meeting may be required” p120 L27

MHCC COMMENT: Change “may” to “shall.”

21.04.010 General Provisions

21.04.020 RESIDENTIAL DISTRICTS

“A. General Purpose /Intent

6. Provide light, air, privacy and open space for each residential dwelling ...” p130 18-9

MHCC COMMENT: Define “light, air?”

G. R-6 Low Density Residential (1 acre) District

1. Purpose

MHCC COMMENT: Note that the discussion of R-9 says “where public sewers are unlikely to be provided for a considerable period of time..” p132 L32-33 Add that to the description of R-6.

MHCC COMMENT: There are 8 points made in the description of R-10 that should apply to R-6, R-7, R-9 as well. See p133 L3-21. Leaving them out of the descriptions of these other zonings suggests these 8 points are not important.

21.04.060 OTHER DISTRICTS

C. OL: Open Lands District

1. Purpose

“The OL district is applied to lands intended for future development, including municipally owned lands, Large-lot single family residential development is allowed by right , though rezoning and/or master planning shall occur prior to other types of development.: p152 L9-14

MHCC COMMENT: What is a “large lot?” Make this more specific like “1 acre or larger.”

MHCC COMMENT: The title for this zoning is misleading! Use a more clear title like “Future Development.”

There is a need to be clear on what land is waiting to be developed and to distinguish it from parks land. There is a lot of confusion on this. The South Anchorage High School land and the PLI land south of Tudor looked like parkland to most people and the PLI title does not suggest different. It would be natural to assume the Open Land means it will stay that way. It also sounds a lot like “Open Space,” a very different notion.

D. NCO: Neighborhood Conservation Overlay District

... 2cii ...shall direct the Director to notify ...” p157 L 20-21

MHCC COMMENT: Add “ and the affected Community Councils..”

TABLE 21.05-1 of Allowed Uses - Residential Districts p179-182

Police substations are in public safety facility category not allowed in R-6-10 . Are allowed in PLI and R-3, R-4.

MHCC COMMENT: Add “Firestations and police substations are considered a use compatible with R-6 zoning.” There is a police substation at the firestation on O’Malley. Are these uses allowed in R-6 thru R-10 as long as the lot is rezoned to PLI?

Table 21.05-2 Table of Allowed Uses - Commercial etc.

Use category “Entertainment/Recreation, Outdoor” includes “Skiing, alpine

MHCC COMMENT: Add Nordic skiing. There has been talk of X-C skiing at O’Malley golf course that may be a commercial effort. X-C skiing may be part of projects in Girdwood, too.

21.05.050 COMMERCIAL USES: DEFINITIONS AND USE SPECIFIC STANDARDS

E Recreation Outdoor

6 Skiing Facility, Alpine p238 L27-31

MHCC COMMENT: Add Nordic skiing.

TABLE 21.05-3 TABLE OF ACCESSORY USES - RESIDENTIAL DISTRICTS p272

E. Prohibited Accessory Uses and Structures

1. Use of ... Connex

The use of a connex or similar structure for storage of goods, performing services or conducting other business is only allowed in industrial districts...’ p294 L28-32

MHCC COMMENT: Unclear if storage of personal stuff in a connex on R-6 is okay if it’s not for “business.” Is a personal use Connex permitted on R-6?

MHCC COMMENT: Add requirement that they be screened from sight in residential.

MHCC COMMENT: Schools use these frequently. Large construction sights use them as allowed in section B3 p296 L13-16. Often needed in B3 zones, too.

C. Prohibited Temporary Uses and Structures

1. Cloth Garages

“Frame supported or arch supported tension fabric or membrane structures fabricated off-site and assembled on-site, and typically used for garages, sheds, warehouses or temporary or permanent shelters for automobiles, boats, or other items, shall be prohibited in all residential districts ..” p296 L24-29

MHCC COMMENT: Permit them but limit size? This looks really good except that it means blue tarps strapped on everything instead. Will the thousands sold at Costco be grandfathered in?

CHAPTER 21.06 DIMENSIONAL STANDARDS AND MEASUREMENTS

Table 21.06-1 Table of Dimensional Standards p309 for R-6

MHCC COMMENT: RE: Lots sizes changed to 1 acre. We were ambivalent on this even with the change in the way the acreage is counted. There is a worry about increased density. There may be issues of on-site systems placed on lots too small.

CHAPTER 21.07 DEVELOPMENT AND DESIGN STANDARDS p 333

21.070.020 Natural Resource Protection

“B 4a ii In the R-5, R-6, R-7, R-9 .. all buildings, accessory structures and parking lots shall be set back at least 50 feet horizontally from the ordinary high-water mark of stream or river corridors ... no disturbance is permitted in the 50 foot setback area.” p 336 L26-32

MHCC COMMENT: Define “disturbance.”

MHCC COMMENT: We were ambivalent on this. Some were in strong support of a 50 foot setback to protect our streams. Others felt it limited the use of land without clear benefit.

D. Wildlife Conflict Areas p 344 l 12-19

MHCC COMMENT: Is this adequate given Anchorage's broadly expressed interest in wildlife among us? This is a minimum. We expect there are other drainages that require similar attention, though perhaps something less than 200'.

21.07.060 TRANSPORTATION AND CONNECTIVITY

D3.e Connections to Vacant Land p356 L 39-41

MHCC COMMENT: This section refers to "bicycle paths" but not explicitly to trails in general. How about changing that to "bicycle and pedestrian connections" or "multi-use trail."

E. Standards for Pedestrian Facilities p357 L 31- p357 L6

"... 1.b Sidewalks shall be installed on both sides of all arterials, collector streets, and local streets ... and within the frontage of all new development or redevelopment, This requirement shall not apply to local streets in districts where the minimum lot size is 40,000 square feet or greater ... " p357 L 36-41

MHCC COMMENT: This appears reasonable.

Width of Trail

D3b iv p356 L 3-4 requires eight-foot wide "pedestrian access easement"
E 2c p 358 L27-28 "... trails no less than five feet in width.."

MHCC COMMENT: Make the phrasing and width consistent.

2c Through Block Connections p 358 L 31

MHCC COMMENT: Change to "efficient" or "convenient" .

3. Trails

"While not encouraged to substitute for a good system of on-street facilities, multi-use trails may be used to enhance pedestrian and bicycle travel... " p358 L 40-42

MHCC COMMENT: A trail that gets you where you are going that is not next to a street is more pleasant for walkers, bikers and others. Where there is a place to put a trail that does not parallel a street and its multiple intersections, that should be encouraged.

3 c. “All trails shall be built in locations that are visible and easily accessible for the personal safety of users.: p 359 L 5-6

MHCC COMMENT: Some trails connecting cul de sacs and others might not meet the ‘visible’ depending on who is defining it. Lots of trails are initially opposed out of fear that they’ll attract riff raff. This opens that door to that incorrect stance. This section could be deleted with no harm.

4. Use and Maintenance of Sidewalks, Walkways, Trails p 359 L 9
b. Maintenance and Snow Removal

MHCC COMMENT: Specify who is responsible for this maintenance.

7. Trees

f. Tree Tracts

“For residential subdivisions consisting of more than 50 residential lots, at least 75% of the required minimum tree density shall be located within separate tree tracts held in common ownership by the homeowners association ...” p 371 L 41-46

MHCC COMMENT: If ¼ acre lots, 50 lots = 12.5 acres is approx. 198 trees 8-10’ tall. 75% of that is 140 trees. The Private Open Space requirement is 800 sq. feet per unit (p 345) so 50 units requires 40,000 sq. ft, about an acre.

So out of 12.5 acres, about an acre should have 140 trees. That’s not dense, but probably okay. The other 11.5 acres would have 47 trees or about 1 per lot. Seems thin.

CHAPTER 21.08 SUBDIVISION STANDARDS p451

21.08.040 Dedication p457

A. Streets

2. “ widths shall conform to the OSHP, provided that the maximum dedication width .. is 70 feet.... These standards are considered to be minimum standards ..” p 457 L30-35.

MHCC COMMENT: Okay, we’re starting to get the hang of this now! The maximum is the minimum.

C. Walkways p 458 L5

“ ... the minimum width of a walkway dedication shall be 10 feet. If the walkway is paved, the paving should be a minimum of four feet and a maximum of six feet wide.”

MHCC COMMENT: Are these widths consistent with these other sections?

- 21.07.060 D3b iv p 356 L3-4 requires eight foot wide “pedestrian access easement”
- E2c p358 L 27-28 “ trails no less than five feet in width “
- Table 21.08-9 p465 says minimum width five feet.

D. Trails p458 L15

See footnote regarding Chugach state park access p 479 #27

MHCC COMMENT: Emphasize importance of protecting future access to Chugach State Park.

OPEN SPACE

The Open Space in the modules has been replaced by Private Open Space (POS). That is presented as space for the exclusive use of the owners of the development. There are inconsistencies with that, though. Discussion of private open space drifts into using the space to protect trails and wildlife corridors and to connect with open space of adjacent developments. That doesn't sound like land for "exclusive" use (p345 L 17-22) by some people.

But the open space might not really amount to anything anyway. Half of a home's yard, if it's 2,000 sq feet or more (p347 L18-20), can count towards the POS (p 346 L25-27). And half of the open space can be used as snow storage (p 407 L 1-20). The open space used for snow storage is not allowed to have trees or shrubs.

For example, if a development has 10 units. They'd be required to have 8,000 sq feet of POS (p345 L23-29). If each home were on a 3,500 sq foot lot with max 40% coverage, that makes a 2,000 sq foot yard. 1/2 of that yard can count as POS. So the 10 homes would add up to 10,000 sq feet of POS. More than the requirement.

The only thing that requires a natural open space appears to be the tree tracts on residential subdivisions consisting of more than 50 residential lots. Space will have to be made to put the required trees.

21.070.030 OPEN SPACE p345 L8

4 a. Locational Criteria

iv Wildlife Migration Corrdors

MHCC COMMENT: Since use is exclusive to the residents, it is likely these areas would be fenced, (see section ciii "fencing") How does that work with wildlife migration corridors?