



Consortium of Chugiak-Eagle River Community Councils

Technical Memo #2 - DRAFT Issues Prioritization



* Level 1 items will have code drafted * Items where the C-ER Chamber is drafting code #Level 2&3 Items to “vote” on

Proposers / Supporters:

21.10.01	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
<p>Chapter One General Provisions</p> <p>Lays out the authority, purpose, applicability and jurisdiction of the title. Establishes the official zoning map, elements of the municipal Comprehensive Plan and proposes dealing with conflict between the various documents and transitional provisions.</p> <p><i>MOA Title 21 Update Status: Adopted by AO 2006-172</i></p>	<p>Level 1</p> 	<p>21.01.080 Comprehensive Plan – Replace language in this section to clarify that Chapter 10 is intended to implement the Chugiak-Eagle River Comprehensive Plan and other C-ER region-specific plans (e.g., not Anchorage 2020 Plan).</p>	X	X	X	X	X	X		X
<p>21.10.02</p> <p>Chapter Two Boards, Commissions, & Municipal Administration</p> <p>States the powers and duties of each of the boards and commissions which have responsibilities established in Title 21, as well as general procedures for all the bodies.</p> <p><i>MOA Title 21 Update Status: Adopted by AO 2006-172</i></p>	<p>Level 1</p> 	<p>Create a new official CER Chapter 10 Advisory Board to make recommendations on planning and zoning issues and propose ongoing revisions to Chapter 10 consistent with the C-ER Comp Plan so that “Chapter 10 will evolve as our community does”. The board could potentially submit recommendations to official boards (P&Z, Assembly) semi-annually, and include representatives from:</p> <ul style="list-style-type: none"> - Chugiak-Eagle River Consortium of Community Councils - Chugiak, Birchwood, Eagle River, Rural Road Service Area (CBERRRSA) - Eagle River/Chugiak Parks and Recreation Service Area (ERCPRSA) - Assembly and/or official C-ER MOA representatives (Planning and Zoning Commission, Platting Board, etc.) - Planning Department staff (enforcement/ P&Z) 	X	X	X					X



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21.10.03	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
<p>Chapter Three Review & Approval Procedures</p> <p>Lays out the application, review, and approval processes for entitlements and other procedures of the Planning Department. Common procedures include conditional use requests, rezoning requests, and variance requests.</p> <p><i>MOA Title 21 Update Status: 9-19-07 Review Draft recommended approval by P&Z with amendments</i></p>	Level 1 	21.03.020.J. Common Procedures – Referrals - Require all official boards and commissions to solicit, review and give weight to C-ER “official” input on decisions including: - Chugiak, Birchwood, Eagle River, Rural Road Service Area (CBERRRSA) - Eagle River/Chugiak Parks and Recreation Service Area (ERCPRSA) - Chugiak-Eagle River Consortium of Community Councils - CER Chapter 10 Advisory Board (if established)	X	X	X					X
	Level 2 #1	21.03.020.G. Community Meetings – Request that official boards and commissions hold public meetings in a C-ER public facility (e.g., at a school near to project area) when controversial and/or important decisions are being made (as determined by the Chapter 10 Advisory Board and/or planning staff).		X						X
	Level 2 #2	21.03.060 Certificate of Zoning Compliance – It is recommended that this not be required outside the BSSA as it provides limited benefit.		X	X	X			??	X
	Level 2 (could potentially be level 1) #3	Sec.21.03.080.F.2.a Minimum Site Area for a PUD should be changed into 3 splits as follows: 1) Up to 2 acres— R1, R1A, R2A, 2D 2) 2 to 5 acres – R5, R7 3) 10 acre min- R6, R-8, R-9			X					
	Level 1 	Sec.21.03.080.F.3.a Conditional Use for a Residential Planned Unit Development Table 21.03-2 – Clarify that this table does not apply to C-ER (densities clearly reflect Anchorage 2020 Plan) by adding an f.5 notation.			X					

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21.10.03	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
	Level 1 	21.03.100 Land Use Permits – Clarify that Title 23 and the Building Safety Service Area (with building permit requirements) do not apply to Eagle River Residents, and remove all references in this section to a separate section “Only Applicable in the Building Safety Service Area” to avoid confusion.	X	X	X	X	X	X		X
	Level 1 	21.03.100 Land Use Permits— CER is not in the Anchorage Building Safety Service Area (ABSSA). It is cheaper to build in CER since only a land use permit is needed (not a building permit like in the Anchorage Bowl). Keep the land use permit system cheap and easy, and increase the requirement for a land use permit from a minimum of 120 sq ft of planned construction to a minimum of 150 sq ft. This would benefit the owners of many large lots in CER.				X				
	Level 2 #4	21.03.110 Note -- This may not be the correct code reference as it is more intended to cover Eklutna’s Development Reserve Land. Master Planning, Institutional – The biggest problem with existing master planning is that developers can take way too long to implement their plans and the plans can be modified so often, that the result is that no one knows what the plan is anymore. Unfortunately, decision-makers may not know exactly what they are approving each time a modification is requested and granted. Develop regulations that would: -- Limit the number of times the applicant could request a modification to the area master plan, e.g., a limit of ten times for the existence of the area master plan and the applicant should be limited to no more than one modification per year. After the 10th modification, the area master plan shall no longer be modified. -- Limit the duration of the area master plan schedule, e.g., after 14 years, the area master plan shall expire.	X		X	X				

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		-- If the modification proposes any changes to the CER Comp Plan Land Use Map (density or location) that were not previously approved by the Assembly, then a new application should be required.								
	Level 3 #5	21.03.200.B.2 Abbreviated Plat -- Redefine abbreviated plat ("short plat") as the subdivision of a single tract, parcel, or lot into no more than three lots. This would put anything larger under the definition of a regular subdivision plat which would allow for increased public notice and public input at a PZC hearing. The reason for this change is that the current procedure for approving abbreviated plats consists of an application going before Municipal Staff for a decision. As there is no hearing and insufficient public notification, the public does not have the opportunity to give input. Some residents feel that a few unscrupulous developers are using the abbreviated plat procedure over and over to develop their property piecemeal and circumvent the public's scrutiny.				X				
21.10.04	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
Chapter Four Zoning Districts Describes the various zoning districts in the Municipality and any district-specific standards. <i>MOA Title 21 Update Status: 8-06-07 Review Draft</i>	Level 2 #6	All zones – retain old Title 21 setback requirements for all zoning in C-ER; the area is not running out of land, and prefers to maintain old standards.			X	X				
	Level 3 #7	21.04.010 Develop regulations to reduce the current rate of CER's development: -- Control the growth rate, for example, Boulder, Colorado limits growth to 1% per year; and -- Implement design standards to ensure the structures fit in with the character of CER's small town character.				X				X

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<i>recommended approval by P&Z with amendments 12/07/08; Assembly Hearing May 6th.</i>	Level 2 #8	<p>21.04.020 Develop a general zoning district for rural residential (Class B improvement area). The only districts that seem to be a problem with the MOA Planning Department now are R-5 and R-5A rural residential. Add these restrictions to the rural residential district:</p> <ul style="list-style-type: none"> -- A maximum of three vehicles may be stored outdoors on a single lot at any given time. This maximum limit includes any vehicles that are hobby vehicles combined with any vehicles that are being commercially repaired (operable or inoperable). -- Parking of such vehicles is prohibited in setback areas -- There should be a requirement to minimally screen vehicles which could include natural vegetation 			X	X				X	
	Level 1 *	<p>21.04.020. A Residential District Intent – Add text: “by encouraging residential development in the urban zoned districts to occur at or near zoned densities”.</p>			X		X				
	Level 1 *	<p>21.04.020.A Residential DistrictR-2A: Two-Family Residential District (larger lot) – Since these lots do not and do not want to have “well-developed infrastructure” (e.g., city water and sewer), and given the rural character of these 38 lots, this section needs less intensive uses:</p> <ol style="list-style-type: none"> 1) Retain older Title 21 provisions: Current lot size of 60ft x 120 & 70 ft x 120, with minimum area of S.F. – 72,200 (min. width 60’) T.F. – 8,400 (min. width 70’) 2) Require Type 4 towers to obtain a site plan review so they fall under the guidelines with the notice requirement. 3) Do not diminish existing, older Title 21 minimum lot area, setbacks, building heights, or lot coverage. 			X						
	Level 2 #9	<p>21.04.020.H-J – Site condo public hearing: Require all medium to high density residential projects that are essentially site condos to have public notice and review procedures(maybe through requiring a conditional use?)</p>			X	X					





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21.10.04	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
	#9 Continued	including R-3; R-4;R-4A; and mixed-use developments where applicable. Develop regulations to require conditional use hearings for multi-family dwellings (site-condos). Consideration should be given to the impact on the surrounding neighborhood, existing roadways, existing drainage ways, schools, trails, pedestrian facilities, utilities, etc. Also, require new higher density residential development with privately-owned accesses and parking lots (e.g., site-condos) to provide snow removal and adequate areas for snow storage on site or provide an alternate, code-compliant, snow storage area where the public could haul their snow there for a fee and CBERRSA could reconsider their current snow-removal policy. Finally, Develop regulations to require developers inform perspective condo-owners of all of their current and future responsibilities. Include mention of the Uniform Common Interest Ownership Act (UCIOA), the Alaska state law that allows flexibility for developers of condominiums, cooperatives and planned communities while offering protection to consumers, such as requiring extensive disclosure before sale. It covers such matters as insurance, tort, and contract liability. Potential buyers should be aware of this law.								
	Level 2 #10	Develop zoning regulations that would allow mobile homes in a limited fashion in selected zoning districts, perhaps as a conditional use in the rural residential district. C-ER has several mobile homes parks and many individuals own mobile homes. However, these parks seem to be closing down over time in order to provide space for more lucrative developments.				X				
	Level 1	21.04.020.L R-6: Low-Density Residential— Retain certain elements of older Title 21 (R 5A classification) provisions: 1) Intent language	X		X	X	X			X

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		2) Older way of measuring lot depth to protect status of on-site septic lots currently at the one acre minimum lot size (as per illustrations 21.06.030) 3) Setbacks 25 feet – Side, 50’ – Rear and front 4) Minimum area: SF dwelling 54,450 s.f.; TF dwelling 108,900 s.f.; Non residential 54,450								
	Level 1 	21.04.020.L R-6: Low-Density Residential — Include certain Title 21 re-write provisions: 1) By-right uses (except require Type 4 towers to obtain a site plan review so they fall under the guidelines with the notice requirement) 2) Accessory uses 3) Site Plan Review 4) Maximum Height 5) Conditional Uses (except item 8) 6) Lot coverage 30%	X		X	X	X			X
	Level 1 	Note: This may already be in the code. 21.04.020.M. R-7: Single-Family Residential District Add regulations that do not require sidewalks for rural R-7 zoning; the population is too dispersed and uses levels too low to warrant the expense.				X				
	Level 1 	21.04.020.O R-9: Low-Density Residential 1) Change the minimum area for R-9 as follows: Sf—108,900 TF—163,350 Non-residential 108,900 2) Require Type 4 towers to obtain a site plan review so they fall under the guidelines with the notice requirement.			X					

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	Level 3 #11	21.04.020.P. R-10: Low-Density Residential, Alpine/Slope District-- More and more development is occurring on steep slopes. There are problems with drainage, erosion, road maintenance and emergency access. Develop regulations for steep slopes subdivisions, site-condos, Planned Unit Developments, etc. Address factors such as site coverage, gradient, soil type, hydrology, vegetation, substrata, avalanche zones, roadways, emergency access, trails, open space, utility access, etc. Require that during all phases of construction, control measures be used to prevent flooding, minimize erosion, assure safety, and prevent eroded material from entering established drainage systems, natural water courses and roadways.				X			X	X
	Level 2 #12	21.04.030 / 0.5.0 Many owners of B-3 commercial businesses need to store heavy equipment that is used in their businesses (e.g., snow removal). However, there is little industrial property available near enough to commercial property to provide for storage needs. Develop regulations that would allow some industrial uses on commercially-zoned property. Alternatively, develop regulations that would allow screened equipment in small numbers where needed or create screened islands of industrially-zoned property surrounded by B-3 zoned property.		X	X					Chugiak Eagle River Chamber of Commerce
	Level 3 #13	21.04.030 / 0.5.0 Commercial - Develop zoning regulations that would prohibit any additional big box stores. Wal-Mart and Fred Meyers is enough for CER. There are plenty of stores to shop in Wasilla or Anchorage. Big box stores are ruining the "country feel" of CER and putting small businesses out-of-business.				X				X
Level 2	21.04.030-050 Mixed-Use Districts – Community Mixed Use – Ensure that adequate space is available for “Town Center” commercial growth into the future by requiring		X						Eagle River Chamber of Commerce	



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	#14 (Note - this issue needs coordination with Overlay effort)	predominantly commercial uses, limiting the percentage and potentially the location of residential, and by disallowing land intensive industrial uses (e.g., self-storage, car sale lots, etc.). Develop regulations that would hinder rezoning commercial property to another type (CER has a lot of residential property but not much commercial. It is a problem to find property for new businesses).								
	Level 2 (Note - this is being looked at within the Overlay effort) 	21.04.030-050 Community Mixed Use – Downtown Eagle River looks dated and has inadequate pedestrian facilities. Develop regulations that would facilitate the revitalization of Downtown Eagle River to include mixed use, unify the look of the buildings, develop pedestrian facilities, add landscaping, and attract tourists.		X		X			X	X
	Level 2 #15	21.04.060 Industrial -- Develop regulations that would hinder rezoning industrial property to another type. Industrial land is disappearing at an alarming rate because it is being rezoned to residential or commercial. It is the most precious type of land CER has since there is not much left. Other industrial sites are inconveniently located too far away on the Old Glenn Highway in Chugiak or out by Birchwood Airport.		X		X				
	Level 1 	21.04.070.E PLI – Remove “fire or police training center” from allowable uses and add them instead to I-1.			X				X	X




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	 Level 1	21.04.070.F Other Districts– PR: Parks and Recreation – clarify intent and definition to cover passive recreational uses typical of rural areas (e.g., Beach Lake, NW Quarter Parks)			X					
21.10.05	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
<p>Chapter Five Use Regulations</p> <p>Defines the various land uses of the Municipality and shows which land uses are allowed in which zoning districts, as well as any use-specific standards.</p> <p><i>MOA Title 21 Update Status: 8-06-07 Review Draft recommended approval by P&Z with amendments 12/28/08; Assembly Hearing June 10th.</i></p>	Level 2 #16	Table 21.05-1 Public/IC/Institutional Uses: Park and Open Space, Public or Private – A few people want this to be permitted in R-10, others are happy with new site review requirement.					X	X		
	Level 3 #17	Table 21.05.K (and table 21.05-1) Telecommunication Facilities -- Add new requirements: 1) Require that competing telecommunication companies share the capacities of the towers to reduce the rate of their proliferation (<i>note – this is already in the code</i>) 2) Require that the public have the opportunity to provide input about proposed tower installations along the Glenn Highway's ROW. 3) Don't allow towers that would impact the scenic resources of the Glenn Highway Scenic Byway	X		X	X				X
	Level 1 	21.05.060 & 21.05.070.B— Adjust definition of “commercial” to allow continuation of historic dog mushing activities in their present form without triggering definitions of “commercial kennels” and standards for “animal shelters”.			X	X				

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21.10.05	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
	Level 1 	21.05.070.D.1 Accessory Uses and Structures, –Allow residential large lot properties more flexibility in allowing Accessory Dwellings, especially in Historic Eklutna Village					X	X		Eklutna Village
	Level 1 	21.05.070.D.9.a Accessory Uses and Structures – Hobby Farms allowed in R-10 District					X	X		
	Level 1 	21.05.070.D.10 Garage and Carport – On “class B” properties Eliminate reference to dimensional standards or footprint limitations, but instead adhere to total lot coverage (in order to allow secure storage of vehicles, equipment, recreational vehicles, and other large items in rural areas). Limiting the size of garages and out-buildings based on a percent of the total gross area of the principal dwelling will not work for more rural areas. This size limit does not fit the rural lifestyle where there is often a need to safely store vehicles, boats, motor homes, recreational vehicles, etc. inside a garage. For many rural homeowners, the requirement to have enough indoor garage space to store these things could not be met if garage size were to be based on the total gross area of the principal dwelling. Retain old Title 21 regulations (pre-T21 Rewrite) to determine garage and out-building size. Current regulations limit all buildings on a lot to a percentage of total lot coverage according to the particular zoning district. Should individuals/groups desire stricter regulations on garage or out-building size, then these	X		X	X	X	X		X



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21.10.05	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
		individuals/groups should develop, adopt, and enforce homeowner covenants that state such.								
	Level 2 #18	Sec.21.05.070.D.12 Home Occupations – Revise the large acre residential area standards (not R-2A) as follows: b. Use specific Standards in the Class B Rural Improvement Area iii (A) No more than the lesser of 40 percent or 650 square feet of the floor area of the principal dwelling is devoted to any home occupation; or iii(B) 100 percent of (one) accessory building is devoted to any home occupation; or iii(C) No more than 20 percent of the principal dwelling and 80% of an accessory building are devoted to any home occupation iv. There shall be no change to the outside of the building or premises, nor shall there be other visible evidence of the conduct of such home occupation permanently affixed to the outside of the building or the property vii. Only two vehicles bearing visible evidence of the home occupation is permitted per home occupation Additional proposed provisions include: -- Develop regulations to allow home occupations while protecting the neighborhood from: dwelling looks like a business; entire dwelling is dedicated to the business; several employees; hours of operation are excessive; excessive traffic and deliveries; noise, vibration, glare, fumes, odors or hazardous materials being stored. -- Only one home occupation shall be permitted on any lot. -- No change in the outside of the premises, nor other visible evidence of the home occupation other than one sign (1 ft ² , non-illuminated, mounted flat against principal blg.) -- Hours of operation limited to between 8am and 8pm, Mon-Sat except care and feeding of animals. -- A maximum of two operable business vehicles may be			X	X				X

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		<p>parked outdoors on a single lot at any given time (includes vehicles associated or not with home occupations).</p> <p>-- Parking of such vehicles is prohibited in any setback</p> <p>-- The relaxation of home occupation standards could apply to rural large-lot residential zoning in CER. In all cases, the expanded use should require an affirmative vote of the majority of the neighbors and a one-time MOA permit tied to the home occupation.</p> <p>-- Develop regulations to allow cottage crafts while protecting the neighborhood from negative impacts. Require an affirmative vote of the majority of the neighbors and one-time permit tied to the cottage craft.</p>								
	Level 1 	Sec.21.05.070.D.12 Professional/Commercial R-9, R-10 – Allow Conditional Use for Office, Business, or Professional Uses			X	X	X			X
	Level 1 	Sec.21.05.070.D.17.b Parking of Business Vehicles, Outdoors – Change to allow two (2) business vehicles.			X	X				
	Level 2 #19	21.05.070D.19. B.i – Accessory Uses and Structures – Vehicle Repair / Hobby/Outdoors: Allow residential storage up to 3 non-operable vehicles on large lots with a time limit of +/- 5 years for any one vehicle, and option for additional vehicles with screening.			X	X	X	X		

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	Level 2 #20	21.05.070E.1-3 Prohibited Accessory Uses and Structures – Allow use of Connex containers (one 40’ or two 20’) and cloth structures on large lots in rural areas if they are screened and placed to the rear of the property.			X	X	X			X
21.10.06	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
<p>Chapter Six Dimensional Standards & Measurements</p> <p>Provides dimensional information for each zoning district, such as minimum required lot area, setbacks, lot coverage limits, height, etc.</p> <p><i>MOA Title 21 Update Status: 8-06-07 Review Draft recommended approval by P&Z with amendments 12/28/08; Assembly Hearing June 24th.</i></p>	Level 1 *	Sec.21.06.020 Dimensional Standards Tables Table of Dimensional Standards: Residential Districts, commercial and industrial districts – Unregulated building heights threaten our small town character. Limit building heights so match comp plan and create buildings suited to CER’s existing skyline and natural setting. Limit to: -- Residential structure heights to 35 feet; -- Commercial/Industrial structure heights to 45 outside of the Central Business District (CBD) of Eagle River; and -- Commercial/Industrial structure heights to 60 feet inside the CBD.	X	X	X	X				X
	Level 1 *	21.06.020 Lot Coverage – “There should be no separate limitation on the footprint of accessory buildings for any of the rural districts. Instead the total footprint of all buildings should be limited as proposed by the Birchwood Community Council and potentially using a sliding scale that recognizes coverage issues (slope, total # acreage).”			X	X	X			X
	Level 2 #21	21.06.020 Dimensional Standards - R-9: Low-Density Residential (2 acres) District Minimum Lot Size. Look into small change in the size of lot minimums related to right-of-way and lot dimension measurement issues.			X		X		No?	

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21.10.06	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
	Level 2 #22	21.06.030.A.1.a Required Setbacks– Change back to match legal opinion dated April 17, 2000 from Dennis Wheeler, Assistant Municipal Attorney [excerpts: an easement line does not divide the parcel, because under AMC 21.23 <i>parcel</i> means an unsubdivided plot of land and <i>lot</i> means a parcel of land shown as an individual unit on the most recent plat filed of record. An easement does not divide the lot or parcel . . . it is an overlay”]. Thus: Property lot lines are to be measured from centerline of roadway, unless formally written dedicated right of way has taken place.								
21.10.07 Chapter Seven Development & Design Standards Provides development and design standards for all development in the Municipality. Standards include stream setbacks, parking and landscaping requirements and building design standards. MOA Title 21 Update Status: 9-19-07 Review Draft recommended approval by P&Z with amendments 12/28/08; Assembly Hearing June 24th.	Level 3 #23	Avalanche - Add the section on “Avalanche Areas” back in from T21 Rewrite, Module 3, Chapter 7, p.13, line 1-26. There should be additional regulations on avalanche zones.				X				
	Level 3 #24	Add the section on “Wildfire Hazard Areas” back in from T21 Rewrite, Module 3, Chapter 7, p. 16. Add regulations that would support forest health by requiring property owners and utility companies to remove brush and dead trees in wildfire hazard areas. In environmentally sensitive areas, require that this vegetation be removed with the least amount of disturbance. There should be additional regulations on wildlife hazard areas.				X				
	Level 3 #25	21.07.020.B. Stream, Water Body, and Wetland Protection 4. Buffer/Setback Requirements. Close the jurisdictional loopholes between the possible responsible entities so that the stream, creek and river setbacks can be maintained as needed. This is important to resolve the question as to who is responsible for maintaining stream, creek and river				X				

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		setbacks. There is a question as to who is responsible to plow pathways and which ones. Possible responsible parties include the property owner, MOA, Anchorage Soil and Water Conservation District, DNR.								
	Level 2 (is proposed new code adequate?) #26	Sec. 21.07.020.C.3 -- b. Site Disturbance Envelope and 21.07.040.13 E. Storm Water Treatment and Erosion and Sediment Control - Add restrictions on clear-cutting. The beautiful mountains and trees are reasons why people choose to live out here. Some developers clear-cut the land. Besides leaving unsightly scars on the land and offering no buffers to surrounding property, it can cause storm water drainage problems.				X				
	Level 1 *	21.07.020.C.3.f.ii. Clarify that “Title 23 requirements are not applicable outside the Building Safety Service Area (BSSA)” and they do not pertain to the C-ER area.	X	X	X	X	X	X		X
	Level 3 #27	21.07.020.D. Wildlife Conflict Prevention Areas – Determine what portion of private property should be left undisturbed for the benefit of wildlife while weighing the impact to personal property rights. Add some or all of the wildlife habitat protection back in from T21 Rewrite, Module 3, Chapter 7, p. 14 – 16.				X				
	Level 3 #28	21.07.020.D. Wildlife Conflict Prevention Areas – 200 foot wide setback questions should be explored including: - 200 foot wide setback (this is very wide) - Would prohibition of campgrounds make the Eagle River Campground illegal - Voluntary guidelines – who enforces?				X				X

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21.10.07	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
	Level 2 #29	21.07.030 Private Open Space – Develop regulations in densely developed areas to require that the developer provide private open space while weighing the impact to personal property rights: -- Residential developments containing five or more units: 30% of total land area. -- Commercial districts: 15% of total land area. -- Mixed-Use districts: 15% of total land area. -- Industrial districts: 10% of total land area. Open space must be usable. Add back in the regulations specifying the characteristics of land to be dedicated from Title 21, Module 3, Chapter 7, p. 23, line 1 – p. 24, line 34. These characteristics include locational criteria, unity, usability, location, access, topography, and ineligible areas. Add regulations that clearly define tax and personal liabilities for private open space. (note: see also Chapter 8) If foreclosed, the open space must remain open space and ownership transferred to the Eagle River-Chugiak Parks and Recreation Service Area (ERCPRSA) as “public open space”.				X	X			X
	Level 3 (some of this is in draft code) #30	21.07.040 Drainage, Storm water Treatment, Erosion Control, and Prohibited Discharges – 1) Develop regulations to require drainage plans for all types of development to include approved best practices and technical specifications. Practices could include: keeping natural drainage ways and swampy areas; on-site, controlled-release, storm water-detention systems with oil-water separators; levies for flood control; prohibition against removing root mats; review and analysis of the existing drainage systems surrounding the development area; grease traps for septic tanks; snow dump for CER; etc. Such regulations should apply to all developers, not just subdividers. 2) Storm water drainage plans are lacking for new subdivisions. New subdivisions built at higher elevations					X			X

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21.10.07	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
		tend to swamp the ones below them. At times, ground erosion runs unchecked. 3) Ensure that waterways, drainage ways, and fisheries are protected. Investigate if municipal stream flow rates should be restricted to no more than 10% of current flow rates and that subdivision developers produce maps showing proper and acceptable surface water drainage rates. Waterways and lakes provide recreational opportunities, beautiful scenery, and habitat for salmon and other species of fish. The rivers and creeks serve as wildlife corridors. Development threatens streams, rivers, lakes and wetlands. With more parking lot and subdivision development, there is more surface water runoff (exposed springs and increased water usage) producing more stream sediment. The resulting deltas could restrict salmon migration which could require costly repairs to re-channelize the deltas. 4) Address who is responsible for arresting flooding and bank erosion.								
	Level 3 #31	21.07.040 Drainage, Storm Water Treatment, Erosion Control, and Prohibited Discharges – Address who is responsible for arresting flooding and bank erosion.					X			
	Level 3 #32	21.07.040 and 21.07.060C. Add a requirement that plans for all proposed schools (elementary, middle, high, vocational, and trade) must include a TIA and drainage plan.					X			X
	Level 2 #33	21.07.060C. Transportation and Connectivity - Traffic Impact Mitigation – On the Old Glenn within commercial areas require the State of Alaska DOT, MOA, and new larger commercial entities to meet more stringent standards for addressing traffic capacity and safety. Also,		X		X			?	X

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21.10.07	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
		requirements for the Traffic Impact Analysis (TIA) are ill-defined and as the developer is the one that is responsible to prepare it there is a conflict of interest. Results may be intentionally skewed. Also, some developers do not produce the TIA until the day before the hearing so no one has time to review it. Develop regulations that specify what is required for a TIA. In addition, require that the MOA prepare the analysis and pass the development cost on to the developer. Require that the completed TIA be submitted 21 days prior to the hearing date to allow review by the Traffic Department and by the public.								
	Level 2 #34	21.07.060C. Transportation and Connectivity - Develop regulations to require developers to maintain a minimum LOS C. In addition, require the developer to build and pay for any improvements needed, caused by the new development, to existing roadway infrastructure in order to continue providing LOS C. The Chugiak Eagle River Long Range Transportation Plan (CERLRTP) adopts a minimum Level of Service (LOS) C for peak hour traffic flow. This LOS provides for traffic flow with speeds still at or near the free flow speed of the roadway. Freedom to maneuver within the traffic stream is noticeably restricted. So far, this level of service has been serving CER well.		X		X				X
	Level 3 #35	21.07.060C. Transportation and Connectivity - Develop regulations to facilitate the development of bus stops and parking areas for commuters using the bus.		X		X				X
	Level 3 #36	21.07.060C. Transportation and Connectivity -- Develop regulations that promote neighborhood connectivity while minimizing neighborhood cut-through traffic. Configuration of local and internal streets and traffic calming measures should be used to discourage use of the				X				X

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21.10.07	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
		local street system for cut-through collector or arterial vehicle traffic. Chugiak developed without an eye toward connectivity and Chugiak is now paying the price for that lack of vision. Adjacent neighborhoods are isolated from each other and it is difficult to rectify the situation once subdivision roadways are established. Neighborhood connectivity knits neighborhoods to each other and to local destinations such as employment, schools, parks, greenbelt trail systems, and shopping centers while minimizing neighborhood cut-through, non-local, vehicle traffic. Neighborhood connectivity also provides choices for drivers, bicyclists, and pedestrians; increases effectiveness of municipal service delivery; promotes walking and bicycling; reduces vehicle miles of travel and travel times; improves air quality; reduces emergency response times; mitigates the traffic impacts of new development, and frees up arterial capacity to better serve regional long-distance travel needs.								
	Level 2 #37	21.07.060D.1. Streets and On-Site Vehicular Circulation, Street Standards -- CER needs its own version of street topology. Street topology identifies the technical standards for how a local road, collector, and arterial should be built. The Anchorage Bowl has its own street topology included in the Anchorage LRTP. Develop a street topology specifically designed for CER. Include standards for "rural arterials" and "rural collectors". Allow narrower roads for non-collectors to maintain the rural character, and allow gravel driveways. Rural collector and arterial standards should include a separated, paved (1-1/2" AC) pathway on one side of the roadway. Also, consider whether it could be possible to not require roadway grades following Anchorage's fire access standards (8%) for areas outside the fire service area (in order to avoid ugly large cuts and fills that cause drainage and erosion issues).	X	X	X	X				X

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21.10.07	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
	Level 2 #38	21.07.060E. Standards for Pedestrian Facilities -- Develop standards for pedestrian facilities that are adapted to the type of zoning. Commercial and urban areas should have the highest standards. Suburban areas should have less strict standards. Rural areas should be the least strict with pathways required along collectors, arterials, and freeways, but not required along local streets. Also, define who is responsible to plow pathways (pedestrian facilities) and which ones. Possible responsible parties include Chugiak-Birchwood-Eagle River Rural Road Service Area (CBERRRSA), Eagle River-Chugiak Parks and Recreation Service Area (ERCPRSA), and ADOT. Close the jurisdictional loopholes between the possible responsible entities so that the pathways can be identified to cleared in the winter in a timely manner.		X	X	X				X
	Level 2 #39	Sec. 21.07.080 - Site Perimeter Landscaping – In C-ER it is not uncommon for homeowners to own several small adjacent lots with one dwelling situated on one of the lots. Taken together, the lots comprise a “home”. Proposed T21 Rewrite regulations would force homeowners to comply with the landscaping, screening, and fence regulations on the unoccupied adjacent lots. Add an exclusion unoccupied lots of such “homes”				X				
	Level 2 #40	Sec. 21.07.080 - Specifications for Site Perimeter Landscaping – Review to see if the requirements are too onerous for rural industrial and business properties.				X				
	Level 2 #41	Sec. 21.07.080 - There should be additional regulations to help preserve the scenic beauty of the “Glenn Highway National Scenic Byway” (passes through the entire length of CER). Requirements should exceed merely having a thin buffer of trees between the highway and adjacent			X	X				X

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21.10.07	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
		development. Regulations should also aim to reduce the amount of telecommunication cell tower construction being done along the Glenn Highway.								
	Level 3 #42	Sec. 21.07.080 - Specifications for Site Perimeter Landscaping – Require buffers to separate and protect residents from land uses incompatible with their chosen lifestyles. This will address the fact that very dense, small lot, new subdivisions do not fit in with surrounding, long-established, large-lot neighborhoods. In addition, the denser subdivisions bring more crime and increase use on existing infrastructure and schools. In addition, the lifestyles of horse-owners and dog-owners in rural neighborhoods are threatened when new dense development butts up them. There need to be buffers that separate and protect residents from land uses incompatible with their chosen lifestyles.	X		X	X	X	X		
	Level 2 #43 This could build on work done by the chamber for the CBD	Sec. 21.07.100. G. Standards for Multifamily Residential – Create a menu with quality design standards to address safety and aesthetics of multi-family residential dwellings. Options could include imaginative architecture and paint jobs, balconies, nicer construction and finish materials, usable open space, wider roadways (driveways), wider-diameter water and sewer mains, on-site snow storage areas big enough to store all the snow, buffers, fit into the natural surrounding with native or installed landscaping, etc. Add restrictions on clear-cutting. CER has many dense multi-family residential dwellings, such as site-condos, Planned Unit Developments, conservation subdivisions, etc. Many of these structures have unattractive or unimaginative designs, skinny road access (driveways) that fire trucks can't easily maneuver through, no or practically no usable open space for children, and little or no natural vegetation or trees. Boringly-painted homes stick out like		X		X	X			Eagle River Chamber of Commerce

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		a sore thumb because there is no buffering or transition of building densities to protect surrounding neighborhoods. Design standards for these structures are severely lacking.								
	Level 1 	21.07.130 Exterior Lighting -- Many rural residents value the night sky and do not appreciate glaring street lights. Some CER communities want to opt out of street lighting requirements for residential zoning districts. Street lighting is a safety issue for densely-built areas or areas with steep topography. However, for other Class A residential districts, allow street lighting to be optional.				X				
	Level 2 	21.07.130 Exterior Lighting -- Develop regulations that, for developers who include subdivision street lighting, as part of the platting process, require the developer to: -- Petition to annex the subdivision into an existing street light service area prior to the time that residents exist -- Or create subdivision covenants that include the establishment of a homeowners' association and which state that it is the duty of the homeowners' association to maintain the subdivision's street lights. In addition, require developers to minimize light pollution by designing lighting to avoid excessive brightness or glare, to properly aim the light, to avoid shining directly onto neighboring properties, and to properly time the light. There is currently a convoluted way to get lighted subdivisions into the Eagle River Street Lights Service Area (ERLSA). The current procedure is that the developer installs street lighting into the new, empty subdivision. Once the developer has completed the development, new residents must decide how to maintain the street lighting. Options include: pay MEA via a Homeowners Association; quit paying for the street lights (lights go out); or enter into the ERLSA. This is a time-consuming process: First the MOA must determine if there is enough interest by residents to conduct a vote to become part of the ERLSA. If there is sufficient interest								

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		(25%), the residents must vote on the issue at the next municipal election. If there are sufficient votes, the properties are charged an annual mill rate by the MOA to maintain the street lighting.								
21.10.08 Chapter Eight Subdivision Standards Includes design standards for subdivisions, outlines the types amounts of dedication and improvements required and who is responsible. Outlines the subdivision agreement process and provides an alternate method of subdividing called Conservation Subdivision. <i>MOA Title 21 Update Status: Adopted by AO 2006-172</i>	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
	Level 3 #45	Sec. 21.08.040.B Develop regulations to prohibit alleys in residentially-zoned districts. Alleys in residentially-zoned districts must be plowed, they encourage crime, get filled up with items (e.g., trash receptacles, boats, RVs, etc.), and land is lost to their development. There is also a question as to who is responsible for keeping them clean, safe and clear.				X				???
	Level 3 #46	Sec. 21.08.040.D.1 Access to Chugach State Park. There is not enough public access to Chugach State Park. Private development threatens existing unofficial public trails and park access. Develop a comprehensive, long-range, area-wide, parking and trailhead plan for Chugach State Park. Planned access should be shown on a designated trail plan that would require that historic access shall be maintained during platting in kind, e.g.: pedestrian traffic; equestrian traffic; motorized vehicles; etc. Plan should consider traffic and other impacts to adjacent properties. Land trade deals should be possible between the MOA and private property owners. Maintenance and upgrade responsibilities must be documented.		X	X	X				X
	Level 1 *	Sec. 21.08.050.B. Improvement Areas Defined – Because of the large amount of vacant land in the C-ER area, potentially adjust these categories (both residential and commercial) based on the C-ER Comp Plan.			X	X				

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	Level 3 #47	<p>Sec. 21.08.050.N Water Supply Facilities -- Chugiak lacks fire hydrants. Structures are at risk for fire damage when the Chugiak Volunteer Fire and Rescue Department (CVFRD) is unable to obtain water in a timely manner. Develop regulations that would require AWWU to install fire hydrants at a minimum of 500 foot intervals as part of any water main upgrade or new water main installation.</p>				X				
	Level 1 <small>(ask Assembly to change citywide as it is a regional problem)</small>	<p>21.08.060G. Warranty required by subsection -Add regulations that require the MOA to start a subdivision's warranty period only when the subdivision is 100% completed. Warranty periods on new subdivisions start too soon. The MOA currently accepts a subdivision and starts the warranty period when the subdivision is "substantially complete". This does not give the MOA enough time to fully evaluate if the subdivision is truly ready to be abandoned by the developer. Several new CER subdivisions were accepted too early and now taxpayers have to pay to fix drainage and road problems that would have otherwise been covered under the subdivider's warranty.</p>								
	Level 3 #48	<p>21.08.070 Conservation Subdivisions – Develop code to:</p> <ul style="list-style-type: none"> -- Allow conservation subdivisions on any parcel that is a minimum of 10 acres in any residential district in which detached single-family housing is permitted. -- Require a site plan for conservation subdivisions. This might include the need for a TIA. -- Require conservation subdivisions to conform to the residential densities depicted on the CER Comp Plan Update Land Use Map. -- Require conservation subdivisions to be compatible with surrounding land use patterns or install buffers between existing large-lot neighborhoods and the new high density housing of conservation subdivisions. -- Require that all roads within conservation subdivisions be public roads meeting the same standards as those located in regular subdivisions. -- There must be sufficient amount of common open space 				X				


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		<p>created in the conservation subdivision process. Conservation subdivision lot sizes can become quite small in area but there is protection to keep setbacks at reasonable widths. Add regulations to require that the minimum lot area be the larger of: 80% of the minimum lot area required in the applicable zoning district; or 5,000 sq.ft. (Module 3, Chapter 8, p.29, lines 30-34). In addition, require that the difference in area of lot sizes in a conservation subdivision from the minimum required lot sizes for the applicable zoning district shall be added to the private open space requirement for a regular subdivision. This sum would be the minimum amount of common open space required.</p> <ul style="list-style-type: none"> -- If there is insufficient protection for the common open space identified in the conservation subdivision process, this open space might be sold or further subdivided. -- Require the common open space to be usable open space. -- Require that all common open space be secured by a deed restriction or other acceptable methods to prevent the open space from being used for anything other than open space. Such deed restriction, covenant, or other acceptable instrument shall survive foreclosure by any private or public entity. -- Require that, if foreclosed upon, the common open space shall remain open space and ownership transferred to the Eagle River-Chugiak Parks and Recreation Service Area (ERCPRSA) as “public open space”. <p>These requirements would address compatibility with C-ER’s rural lifestyle characterized by single-family, detached homes on large treed lots. By contrast, conservation subdivisions offer areas of concentrated development surrounded by trees. Chugiak believes conservation subdivisions would allow an overall grosser density community than would have occurred with construction using standard zoning district requirements. That is because a standard subdivision has less buildable area than the entire subdivision’s area due to topography, water features, easements, etc. so building standard dwellings would result in less dwellings.</p>							
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Chapter Ten – Chugiak-Eagle River										
Chapter Nine – Girdwood (not applicable)										
21.10.11	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
<p>Chapter Eleven Signs</p> <p>Defines the standards and criteria for the construction, installation, maintenance and operation of signs.</p> <p>MOA Title 21 Update Status: Adopted in 2003 and in effect as 21.47 in current code.</p>	<p>Level 2</p> 	Do not allow pole signs, and also create standards for the central business district area								X
21.10.12	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
<p>Chapter Twelve Nonconformities</p> <p>Delineates the rules for those situations where an existing use, lot, or structure does not meet the requirements of the code.</p> <p>MOA Title 21 Update Status: 8-06-07 Review Draft was amended and approved by the Assembly on December 11, 2007.</p>	<p>Level 2</p> <p>#49</p>	Develop regulations so that landowners of new nonconformities do not have to file paperwork and pay fees to legalize their individual situations. Instead, require that the MOA file these applications and seek verification of nonconforming status, at no cost to the landowners. Many landowners might become owners of nonconforming lots, structures, and uses as a consequence of implementing new T21 Rewrite regulations or new T21 Rewrite CER Chapter 10 regulations.	X	X	X	X	X	X	???	X

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21.10.13	Priority Level	Code Reference / Concern	ERV CC	ER CC	B CC	C CC	EV CC	SF CC	MOA	Stakeholders
<p>Chapter Thirteen Enforcement</p> <p>Defines a violation, states who is responsible for enforcement and inspections, lays out remedies and penalties for violations and provides two procedures (public and private) for enforcement actions.</p> <p><i>MOA Title 21 Update Status: Adopted by AO 2006-172</i></p>	Level 3 #50	21.13.020 Responsibility for Enforcement and Inspections - Include and specify the following operational standards and identify the entity responsible for enforcing the standards: vibration, air pollution, odors, electromagnetic radiation, fire, explosion and blasting, and materials and waste handling. Refer to T21 Rewrite, Module 3, Sec 21.07.150, C. Standards, Page 125, Line 17 through Page 126, Line 25, C. Describe the appeal process. This is needed because, as CER is not in ABSSA, state operational standards should apply here but enforcement is difficult because no one is designated to enforce the operational standards. For example Chugiak residents continue to suffer excessive quarry blasting noise and vibration because the MOA maintains it is the responsibility of the State to enforce the standards and the State maintains it is the responsibility of the MOA to enforce.				X				
	<p>21.10.14</p> <p>Chapter Fourteen Rules of Construction & Definitions</p> <p>Supplies the definitions of terms used throughout Title 21.</p> <p><i>MOA Title 21 Update Status: 9-18-07 Review Draft.</i></p>	Level 2 #51	Definition of measuring a lot same as in old Title 21 Code (and not in line with new revised 21.06.030). The measurement should include half the abutting dedicated right-of-way in support of 1 acre lots that can legally have septic systems.			X	X			
	Level 2 #52	Define site condos and row houses and be clear about whether these units can be “stacked”			X					

Other global changes: Remove all references to Anchorage 2020 (and/or substitute with C-ER comp plan reference)