

ACC Work Group Notes - 3rd Meeting,  
August 13-14, 2003 Module 1

Chapter	Group #	Symbol	Verbatim Comment on Issue	Input for Clarion
21.03.050 E 5	1	:(	See next column	Group 1, 21.03.050 E 5: Should add the language: Approval criteria (page 25): "...including on the hydrology of watersheds that supply surface and ground water to natural streams and water bodies". This is not the same as storm water runoff.
21.03.110 9	1	?	Appeals - How is this different then the current process? What is the best way to deal with appeals that allow for public input if appropriate? Short appeal turn around times may make it difficult for Community councils to partake.	
21.03.110 B 1	1	?	Will land use permits be required for remodeling? At what point or expense will it be required?	
21.03.160 C 3 a	1	:(	The whole review and appeal process brings in to question how councils are brought in to the process and how they can be made aware of any Platting/P&Z action in time to take part. No vehicle for notification is available.	
21.03.200 A Chart	1	:(	Clarify that there's no staff authority to make decisions on an application after public notice is given of a hearing before the decision making body.	
21.03.200 H 2	1	?	Lapse of approvals - variance. What does this mean?	
21.03.210 2-4	1	?	Appeals. How does this affect a council's right or ability to appeal? Currently the cost is high and even finding out about the initial decision is difficult in time to appeal. First the notification of a decision must be available right after it is issued- perhaps on the web. Cost is a big deterrent to council's appeals.	
21.03.210 5 c	1	:(	Shouldn't notice of appeal hearing be given to community councils???	
21.03.210 A 2 c	1	:)	GOOD! I favor a BROAD right of appeal: parties, surrounding property owners, persons who comment or testify, organized groups opposing, community councils.	
21.03.210 C 1	1	?	Code may need to clarify appeals from P&Z/Assembly action as well.	
21.03.220 B 8	1	?	Owner who buys land at low price, speculating that he can achieve a rezone, etc., and increase the value, should be compensated only based on true status of the land at purchase - not rewarded for failed speculation.	
	1	:(	See next column	Group 1: Title 21 needs to be seen in the context of the comprehensive Plan (the overarching document). The Comp Plan should be reviewed every 10 years, and should require public input and review.
	1	:(	See next column	Group 1, 21.03.030 Ba-iii and B3 should have simultaneous review. This section is confusing and should be studied and reviewed - I.e., Comp Plan amendments and rezone applications should not be concurrent. Planning should come first!
	1	:(	See next column	Group : There needs to be a clear point when a proposed amendment gets noticed publicly - and that it moves under the jurisdiction of the P&Z (or the decision making body) and out of the control of staff.
	1	:(	See next column	Group 1: The Community Councils are vital to community planning and need to be involved in al land use decision making with at least 35 days notice, and their role should be articulated in Title 21.
	1	:(	See next column	Group 1: Current broad <b>appeal?</b> should not be changed without further study, including public input.

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21.02	2	:(	See next column	Group 2, 21.02: Include all boards and commissions with input in to Land Use Planning (specifically HLB and Parks & Rec Comm) in Title 21 - and include same level of description as those already included (review and decision making, other powers and duties, criteria/qualifications/composition).
21.02	2	:(	See next column	Group 2, 21.02: Each Board or Commission should represent a balanced diversity of interest and viewpoints.
21.02 -1 Table	2	?	See next column	Group 2, 21.02 -1 Table: Variances (e.g., of current AMC 21.40.150H) There are gaps on this table! Is this an oversight, or is the table just not complete?
21.02.020	2	:(	See next column	Group 2, 21.02.020 Not sure which section is appropriate. (Note: 2 Opposed; there was not consensus on this). This section needs to include provision for a community council to request application - even it the Director determines there is no need for one. This gives too much discretion to any given administration and political whims and not enough public oversight on a potential high - impact development.
21.02.020 4 E & 4F	2	:(	See next column	Group 2, 21.02.020 4 E & 4F: This is an area of confusion - "possible conflict". Someone with conflict should be able to debate on vote of group, but not vote. Perhaps change 2nd "decision" to discussion.
21.02.020 B 5 # 2 F	2	:(	See next column	Group 2: 21.03.020 B 5 #2 Footnote A paper trail from the beginning to document what was discussed at the pre-application phase is important for all parties involved. No second-guessing, later confusion and ability for public to see what issues came up early on are important.
21.02.020 B 5 a	2	:(	See next column	Group 2: 21.02.020 B 5 a Would like to add: "including to any public notice, public meeting and public hearing requirements associated with application." It should be clearly stated and emphasized to applicant that public review is a high priority that needs to be adhered to for proposed development.
21.02.020 C 1 c	2	:(	See next column	Group 2 21.02.020 C 1 c: Who all constitutes a "review" body? What about ad hoc advisory groups or community councils, for example, who will be reviewing development proposal? Are they authorized by this section to initiate an application? Needs discussion to clarify possible confusion. Define review and decision making body.

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21.02.020 D 2 & 3	2	:(	See next column	Group 2 21.02.020 D 2 & 3: Either switch #2 and #3, so that "User's Guide" is already discussed and defined before referring to it under Processing Fees section -- or add "as described below" to section #2 so reader knows the User's Guide will be defined in next section.
21.02.020 F 3	2	:(	See next column	Group 2 21.02.020 F 3 How will "Major" Site Plan Review be defined? In other words, what criteria will be used to determine what "major" is?
21.03 - 1 Table	2	:(	Notice Requirements: Several more items on this table need to have mailing/publishing and/or posting required.	
21.03. 020 4	2	:(	Drainage, signage, or other quality of life issues.	
21.03. 020 7	2	:(	Requirements for applicant seem a bit much, especially if the issues are not extreme. I want the community participation, NOT to be prohibitive or have a chilling effect on development.	
21.03. 020 B 2 a vii	2	:(	"...receives written notice of the conclusions within ....days". Second sentence is not practical.	
21.03. 020 B 5 Foot	2	:(	Tracking of projects extremely important, as process tends to sometimes get drawn out over years, due to complexities. Records are/would be invaluable.	
21.03. 020 E1 & D2	2	?	When does re-submitted require an additional fee? All fees should be a nominal as practical.	
21.03. 020 F 2	2	:(	I am VERY sensitive to neighborhood feelings. Depending solely on the Director's determinations makes me uneasy. How about a requirement of AT LEAST notice to the neighborhood and let community council have a voice able to call for meeting?	
21.03. 020 G	2	:(	Published notice. The circulation criteria should be approximately that of the Anchorage Daily News to ensure that notice gets to the greatest number of citizens.	
21.03. 020 G	2	:(	bi. Add to "a designated regional or urban park" the words "or trail".	
21.03. 020 I Footno	2	:(	Public hearings Footnote #14: Once consolidated set of procedures have been determined, they should be in Title 21 - the main document that public refers to for info/guidance.	
21.03. 020 L Footnc	2	:(	Concur with language - inaction should mean denial.	
21.03.020	2	:(	How restricted is attendance/participation at the pre-application hearing? (Anchorage seems to have a problem with open meetings and with prior public notice. (5) At least the results should be publicly noted on muni website.	
21.03.020 B 2 6 i&ii	2	:(	See next column	Group 2: 21.03.020 B 2 6 i&ii Safeguard needs to be in place at early stage to ensure development on non-res and res. Additions LESS THAN 50% of original do not compromise (i.e., eliminate) originally required items, such as landscaping, natural veg. Buffering, distance between lesser zoned on incompatible ad, land use, etc. 50% seems too lax. Should apply if change impacts original requirements.

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August 13-14, 2003 Module 1

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21.03.020 D	2	?	Title 21 User's guide. How ill the Title 21 User's Guide be made available to public? Should it be defined/spelled out? Also is a provision to indicate updates will be made available to public needed?	
21.03.020 F 4	2	:(	Include the following items in paragraph: 1. Impacts on identified significant wildlife habitat (based on GLUT/MOA studies done during comp plan process). 2. Lighting. 3. Air pollution emissions. 4. Odors. 5. Water quality.	
21.03.020 F 7	2	:)	Concur with requirement to have muni staff person required to attend public meeting to answer questions, provide additional information, crate fact to face contact person with public.	
21.03.020 G	2	?	Should notice initiate photographs?	
21.03.020 G	2	:(	Notices...WEBSITE Notifications Requirements. Nothing is this section addresses something currently posing problem: Muni website lists agendas (i.e., notices) for P&Z, Parks, HLB, etc. 21 days ahead of time, then replaces them with the next 21 days advance notices - not retaining the notices on the website until day of meeting/hearing.	
21.03.020 G 5	2	:(	Posted notices currently are very hard to read - in many cases, the writing on the blue and white signs is not legible. Notice signs need to be redesigned so that time, date, place and case # of notice is visible from street nearest the posting, and marking is permanent.	
21.03.030	2	?	Comprehensive Plan Amendments 1 A 1a, b This gives the Assembly veto power over whether or not to amend the plan BEFORE there is a specific amendment to consider. Shouldn't the administration be able to INITIATE the comp plan revision?	
21.03.030	2	:(	A. P. 14. Procedure for Substantive Amendments. Graphic and words don't agree. Words say Assembly decides whether to proceed with review of a proposed amendment. Graphic has staff and P&Z considering and holding hearings before it gets to the Assembly.	
21.03.030 C	2	?	Is Assembly level of review necessary on cosmetic amendments?	
21.03.030 C 2	2	:(	Notice to community appropriate councils should also be a requirement at this time.	
21.03.040	2	:(	Graphics and text don't match.	
21.03.050	2	:(	P. 20. Rezoning. How do we know there has been a change in public policy? It could be argued that an Assembly decision to rezone IS a change in public policy. This needs to be tightened up.	
21.03.050 B 2	2	:(	In anticipation of a separate zoning category for parks and natural open space, these zoning designations should be added after "PLI" here.	
21.03.050 C 6	2	:(	Rezoning. Action by Assembly. This suggests that the Assembly should make its decision based only on the recommendations of the Director and P&Z. What if the Assembly wants to listen to the public too? Needs rewriting to make the Director and P&Z's recommendation part but not all of what they base their decision on.	
21.03.110 E Footno	2	?	Regarding placement of this section - where will it get more emphasis?	
21.03.190 and 200	2	:(	p. 64. Minor Modifications & Variances. Need to come back to this after we review later modules so we know what people may be seeking variances FROM. For example, in some older subdivisions, some small homes do not meet current front yard setback requirements. The purpose (200 A) suggests that these homeowners should not be able to add a room on the back or a second story. Such additions will improve a neighborhood. The variance section should be written to make such home improvements possible if in the judgment of the Board of Examiners and Appeals these will improve both the home and the neighborhood.	
21.03.210 A 2	2	:(	Initiation of Appeal. C. Any person adversely affected by the action. This language is too broad; needs to be defined.	
	2		"Grass Catcher" list	Group 2: To come back to: consider sliding scale for processing fees.

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21.02.020 B 2 a	3	:(	See next column	Group 3, 21.02.020 B 2 a: The amount of money the applicant invests in a project prior to approval shall have not effect on whether a project is approved or disapproved.
21.03.020 4 a	3	:(	See next column	Group 3, 21.03.020 4 a: Change 500 feet notice to 1000 feet notice.
21.03.020 B 2 b I &	3	:(	I. For non-residential development, the proposed increase in building square footage is (less than 50%). More than 25% of the existing sq. footage. For ii; for residential development without a C.U. Permit, (not more than 505) more than 25% of the existing number of units, lots or residents. For iii; for residential development which requires a conditional use permit, any increase in the number beds or occupants.	
21.03.020 B 3, 4, 5	3	:(	See next column	Group 3, 21.03.020 B 3, 4, 5: Add to existing note: In all of these, any community council within 1/4 mile should be invited to have a representative at the conference and receive all reports.
21.03.020 C 1 (p.3)	3	:(	See next column	Group 3, 21.03.020 C 1 (p.3): Section C 1 is too narrow as written. Please fix language to include all appropriate land users such as : social service agencies, prospective occupants, and prospective purchasers.
21.03.020 E 1	3	:(	See next column	Group 3, 21.03.020 E 1: Change Paragraph at end - "If the applicant receives no notice within <b>20</b> days,..."
21.03.020 F 3	3	:(	See next column	Group 3, 21.03.020 F 3: Do you mean "section" or sub-section" in first line of F3? If you mean section, we have strong objection. If you mean sub-section, please make F3 consistent with F2 - Applicability (page 5). Requirement for community meetings.... but not all."
21.03.020 F 5 a, b,	3	:(	See next column	Group 3, 21.03.020 F 5 a, b, c: Please make consistent with group's comments on 21.03.020 F2.
21.03.020 F 6	3	:(	See next column	Group 3, 21.030020 F 6: Give written notice to community council of community meeting - Change 21 days to 35 days prior to community meeting.
21.03.020 F 7	3	:(	See next column	Group 3, 21.03.020 F 7: Delete: and for submitting the additional fee required for staff attendance at the meeting.
21.03.020 G 1	3	:(	See next column	Group 3, 21.03.020 G 1: Change OR to AND describe street address AND legal address.

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21.03.090 B 5	4	:(	See next column	Group 4, 21.03.090 B 5: Please develop stronger standards in this ordinance for locating public buildings. We are whittling away our public lands and open space - that are major amenities. These decisions should have more public input. Include turnkey projects, such as "lease option" projects in this process.
21.03.090 C 5 b	4	:(	See next column	Group 4, 21.03.090 C 5 b: The community would benefit from well defined landscape standards that apply to all new development and construction - both public and private.
	4	?	See next column	Group 4: Should Clarion provide a "road map" illustration of the land use permit process including the building permit, the certificate of occupancy and the other major components?