

**AGENDA**  
**BIRCHWOOD Community Council**  
Wednesday, October 13, 2021, 7-9 PM

*Agenda subject to modification to allow input/action on issues that did not make this notice*

**1. Call to Order**

**2. Approval of previous Minutes**

**3. Announcements**

- a) Boo at the Beach is this Saturday at the Beach Lake Ski Chalet
- b) New Community Clubhouse for Birchwood Shooting Park planned – Administrative site plan review has been requested; comments due by Oct 18<sup>th</sup>. More info from Tara brown, tara.brown@anchorageak.gov

**4. Reports**

- a) FCC Report: Matt Cruickshank
- b) CBERRRSA Road Board Report
- c) Parks and Recreation Report (need a new rep – Lexi’s term up next month)
- d) Chugiak Eagle River Advisory Board
- e) Treasurer’s report
- f) Tim Benningfield - CVFD
- g) Birchwood Patrol Report
- h) Birchwood Airport Master Plan – no report, no meetings since March
- i) Legislative / Assembly reports

**5. Appearances:**

- a) Nancy Clark, Eagle River Library

**6. Old Business**

- a) Elections: Chair, Secretary, Secretary for Publicity, and Treasurer are open  
Also Representative and Alternate for Chugiak Eagle River Parks and Recreation Board of Supervisors  
Nominations so far:  
Chair – none  
Secretary – none  
Secretary for Publicity – Gretchen Wehmhoff  
Treasurer – Val Jokela  
Parks Board Representative – Barbara Trost  
Parks Board Alternate – Lexi Hill
- b) HALO motion – see attached information

**7. New Business**

- a) Live meetings: when should we return to live meetings?

**8. Open Forum**-floor opened to public, any issue

**9. Adjournment-9pm**

**HALO suggested resolution information.**

Debbie received an email just before the September meeting from the president of HALO:

Debbie, there is a rezone happening that the Hillside District Plan said could not happen in an area specifically cited to remain under current zoning. Assembly Representative John Weddleton read into the record the rules for amending Comp Plans and very plainly stated that the Assembly could not legally do what it was doing. Assembly Chair Suzanne Lafrance handed the gavel to the Vice Chair so she could reiterate that position. The Assembly passed the item 6 to 5.

One recurring theme that factored into the decision of six Assembly members to allow this was housing shortage and homeless issues. Those voting for gutting the Hillside District Plan were Allard, Constant, Quinn Davidson, Rivera, and Zaletel. Assembly Representative Allard explained that she hoped for high density in Eagle River and Chugiak.

This creation of new criteria and decision to ignore current Code endangers each and every area, neighborhood or district plan. By ignoring the law and stating that housing shortages or homeless issues override Title 21 protections, the Assembly has staked out a very worrisome position.

What I am asking is that Community Councils create a resolution in support of the legal requirements for Comp Plan amendments as stated in Title 21. This idea should be easy to endorse, as it would not support any side of a current issue. Instead, it should be a statement that the councils wish to uphold current Code concerning Comp Plan amendments. With problematic potential from the newly proposed Title 21 updates, this recourse is especially important.

It is too late to address the case that caused our concern. The "camel's nose" is already under the tent with the gutting of the Hillside District Plan's protections. What is of importance is that this situation should never again happen. Councils should take the lead on reasserting the fact that no entity is above the law.

Attached is a proposed generic draft that could be used as a starting point. If you have any questions, please let me know.

Thank you.

Katie Nolan, President

Home And Landowners Organization, Inc

Suggested resolution:

**A RESOLUTION TO RE-ASSERT AREA, NEIGHBORHOOD AND DISTRICT SELF-DETERMINATION AND THE INSISTENCE THAT THE ASSEMBLY FOLLOW THE REQUIREMENTS OF CURRENT TITLE 21 AND THE COMPREHENSIVE PLAN**

WHEREAS, under Anchorage Municipal Code Section 8.01, the Assembly by ordinance is to provide for establishment of community councils to afford citizens an opportunity for maximum community involvement and self-determination; and

WHEREAS, Title 21.01.080 includes a list of eighteen neighborhood plans and over thirty other planning guides; and the purpose of the Comprehensive Plan is to set forth the goals, objectives, strategies, and policies governing land use development of the municipality, and WHEREAS, Title 21.01.080.D.3 & 4 state rezoning, conditional uses, and subdivisions shall conform to the land use plan map and other applicable comprehensive plan maps of the elements identified, and amendments to this title, rezonings, conditional uses, subdivisions, and other related discretionary action under this title shall be consistent and conform to the Comprehensive plan, and in all the documents it includes, and

WHEREAS on August 24, 2021, the Assembly approved AO 2021-25 to amend the Hillside District Plan without meeting the regulatory approval criteria explicitly laid out in Title 21.03.070.C.2 to amend Comprehensive Plans, but instead used the reasons of a housing shortage and homelessness, which are not germane under Title 21, and

WHEREAS by completely ignoring the laws as laid out in Title 21 governing area, neighborhood or district plans, the Assembly has shown their willingness to ignore the rights of areas, neighborhoods or districts to self-determine the character of their area, neighborhood or district, setting disturbing precedence for the future, and

WHEREAS, we strongly object to the Assembly's apparent belief that an area, neighborhood or district plan has no bearing in the future development in the area and their apparent belief that the protections established in Code can simply be disposed of on a whim and the requirements expressly stated in Title 21.03.070.C.2 can be ignored,

NOW THEREFORE let it be resolved that every area, neighborhood or district has the right under Charter to create an area, neighborhood or district plan; that the Assembly must respect the Code supplied by an area, neighborhood or district plan; that this Community Council respectfully demands that area, neighborhood or district plans be treated as paramount; that governing bodies including the Planning and Zoning Commission and the Anchorage Assembly follow the Code mandated by Title 21 to amend any area, neighborhood or district plan; that excuses such as housing availability are not just cause to ignore any area, neighborhood or district plan, and that area, neighborhood or district plan revisions must comply with the demands of Title 21.03.070.C.2.