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ANCHORAGE MUNICIPAL CODE

TITLE 21 LAND USE PLANNING

Chapter 21.45 SUPPLEMENTARY DISTRICT REGULATIONS*

21.45.210 Stream protection setback.

A. Required. There shall be a stream protection setback conforming to this section along all of the streams and their tributaries located within the municipality, including but not limited to those streams designated on the maps and list accompanying this section.

B. Width. A stream protection setback shall be a minimum of 25 feet wide on either side of the stream, measured landward from the edge of the bed of the stream, identified by the ordinary high-water mark, provided that all stream protection setbacks along streams less than five feet wide at ordinary high water shall be 25 feet wide, on either side of the thread of the stream.

C. Prohibited activities in setback area. Except as provided in subsection D of this section, within the area of a stream protection setback:

1. No vegetation may be cleared or otherwise significantly disturbed.
2. No grading or excavation work may be performed.
3. No structures, fill, paving, vehicles or other materials may be placed.
4. Channel alteration, including culvertization other than for roadway crossings, is prohibited unless a variance is obtained under the provisions of Section 21.15.010, and a flood hazard permit is obtained as per Chapter 21.60 and Section 21.15.020.
5. No storage or processing of hazardous materials or other substances that would constitute a violation of Chapter 15.40 is permitted.

D. Permitted uses and structures.

1. The following structures and uses of land or structures are permitted within the closest 15 feet of the stream protection setback to the stream where it is necessary for them to cross or enter the stream protected by the setback. Appropriate permits may still be required for in-stream or floodplain activities.

- a. Transportation facilities;

- b. Utility facilities. Existing utility facilities constructed within 15 feet of streams are not affected by this section. Maintenance of such lines is a permitted use. Replacement of utility facilities should be considered outside of the creek maintenance easement whenever feasible;
- c. Drainage facilities, with provisions for water quality control devices, and the necessary maintenance thereof;
- d. Public recreation facilities, such as trails;
- e. Stream maintenance, including placement of riprap, revegetation, debris removal, glaciation control, grading and sediment removal, protection of adjacent or downstream land from flooding, and to control erosion or stabilize soils;
- f. Habitat restoration; and
- g. Revegetation of disturbed areas with shrubs, trees and ground cover similar to natural vegetation in the area.

Areas disturbed by construction permitted under this subsection shall be revegetated with trees, shrubs and grasses similar to natural vegetation in the area. Revegetation is to occur during the same growing season, except as otherwise permitted by the administrative official.

2. The following structures and uses of land or structures are permitted to parallel the stream or tributary within the outer ten feet of the protection setback:

- a. Utility facilities;
- b. Drainage facilities; and
- c. Public recreation facilities, such as trails;

provided that such facilities are either buried or involve no impervious surface areas, and provided that all disturbed areas shall be revegetated with trees, shrubs and ground cover similar to natural vegetation in the area. Revegetation is to occur during the same growing season, except as otherwise permitted by the administrative official.

E. Structures and uses otherwise prohibited. This section does not permit any structure, or any use of land or a structure, otherwise prohibited by this title.

F. Exception for streams contained in culverts. Segments of streams or tributaries which are contained in culverts for a contiguous length of 100 feet or more are not affected by this section.

STREAMS PROTECTED BY STREAM PROTECTION SETBACK

Bird Creek
California Creek
Campbell Creek
Carol Creek
Chester Creek
Craig Creek
Crow Creek
Eagle River (including South Fork)
Edmonds Lake Creek
Eklutna River
Elmore Creek
Falling Water Creek
Falls Creek
Fire Creek
Fish Creek
Furrow Creek
Glacier Creek
Gold Creek
Hood Creek
Hunter Creek
Indian Creek
Knik River
Little Campbell Creek
Little Peters Creek
Little Rabbit Creek
Little Survival Creek
McHugh Creek
Meadow Creek
Mink Creek
Mirror Creek
Mystery Creek
Parks Creek
Penguin Creek
Peters Creek
Placer Creek
Portage Creek
Potter Creek
Rabbit Creek
Rainbow Creek
Ship Creek
Skookum Creek
Thunderbird Creek
Twenty-Mile River

Vern Creek
Virgin Creek
Winner Creek

ADD FIGURE page 21.45-74 (Anchorage Bowl)

ADD FIGURE page 21.45-75 (Chugiak-Eagle River and Vicinity)

ADD FIGURE page 21.45-76 (Turnagain Arm)

(AO No. 85-57; AO No. 92-128(S))

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