

# Anchorage Citizens Coalition

## Title 21 Rewrite Project

### Module 2 Consensus Statements

**These are overarching statements that were a result of discussions of individual comments raised:**

1. Regarding Implementations Options: The second option presented by Clarion (adopt code; followed by grace period (one year?) to adopt new map; nonconforming after grace period) is the preferred option.
2. We'd like 21.04 to be descriptive (as opposed to strictly regulatory).
3. It would be helpful to provide an appendix with examples, so we can apply the draft regulations.
4. Changes to Title 21 should be contingent on the completion and adoption of District and Neighborhood plans. Neighborhood Plans
  - Need to be included somewhere
  - Need to have force of law
  - Some believe should override other conflicting provisions of code.
  - Where land use promotes high density, it should also encourage appropriate infrastructure including utilities, public transit, open space, ingress and egress for private vehicles and parking and universal design.
  - Anchorage needs careful planning and infrastructure to support higher density – concerns were expressed about Goldenview area becoming higher density.
5. Density: we have noticed many negative impacts of density (residential) in our current situation; those include:
  - traffic
  - school overcrowding
  - lack of snow storage
  - open space sunlight
  - lack of room for landscaping
  - parking lots and space, dumpster space

The Comp Plan requires a BALANCE between quality of life and higher density. This code should be rewritten to ENSURE that dense development does not occur WITHOUT addressing all of these problems.
6. Where land use promotes high density, it should also encourage appropriate infrastructure including utilities, public transit, open space, ingress and egress for private vehicles and parking and universal design.
7. Natural Open Space needs to have attention in the Definitions and Table of Uses.
8. Design standards should include “universal” and acceptable guidelines to preserve open space for yards/open space for the block and neighborhoods, sidewalks to entrances, arctic entrance with overhangs.
9. Administrative site plan review should be limited to situations in which criteria for development (e.g., quality, design) are qualifiable, clear and measurable. We are worried about discretion without guidance.
10. Anchorage needs a comprehensive plan to ensure an adequate supply of affordable housing.
11. We like the idea of restricting strip commercial development.

12. There should be a buffer between airport and residential uses (and the responsibility should be on the airport).
13. Antenna Farms (AF): As written, it is an “other district” that is a wild card. Where should it go?
  - Antenna farms need to be strictly defined in Title 21 especially for the siting and criteria for establishment.
  - Include creation of municipal communication plan, and the Antenna Farm needs to be developed in accordance with the municipal communication plan.
  - Subject to public process before approval.
  - Require maximum collocation beyond proposed code requirements – “reasonable” i.e., – define reasonable.
  - Carry forward existing height limits to 65 feet for residential districts, and up to 200 feet within an AF District. If greater heights are needed, because of technology, criteria need to be reconsidered. Code should reflect greater restriction in high impact areas such as residential zones.
  - Define AF to minimize impacts on residential or other non-compatible/sensitive areas.
  - There is a concern about how to communicate across MOA, fire, and police; terrain may dictate some impacts in sensitive areas.
14. Marine Commercial and Marine Industrial Districts should provide public access along coastal and inland waterways.
15. Need a category for recycling facility within industrial zones.
16. Minimizing lot sizes in RIA districts will compromise spacious feel, character and diversity of design.
17. Neighborhood Conservation Overlay – design standards – Old overlay very broad uses too – within boundaries adopted by MOA (see Cheryl or Susanne for clarification).
18. Title 17 issues: Table – allow family kennel facilities; integrate Title 17 in to Title 21. Provide for new category for family kennels and facilities. R1, R2, R3, R4: No kennel facilities at all; no more than 4 dogs. R5 and above permitted with site plan review, unless property meets lot standards for R5 and above.
19. Topic of “Temporary storage of live animals” was a concern. Should break out boarding/commercial kennels vs. private kennel. More work needs to be done to identify the districts where private kennels may not be permitted.

**By chapter and page number (the following have been submitted on a CD in the MS Word comment feature):**

20. **21.04.020**, page 2, line 30-33: (A)(8) should apply all over town.
21. 21.04.020, page 2: Does the code intend to enforce the second part of sentence #3? What if someone wants to put 1 house on a 5 acre lot in R-6 or R-2? Are they allowed? Separate the two ideas in #3 in to two sentences #3, #4, and drop the second part.
22. 21.04.020, page 4, R6 lot size: Want other options for large R6 lot beyond subdividing it, i.e., recreational cabins to rent out.
23. 21.04.020, page 4, line 1: D2. There should not be a % requirement for mixed use. Mixed Use Residential on small lots is not appropriate (or realistic). Use this zone judiciously when the new zoning map is created. High design standards will be critical to the success of this zone. We don't want to see this eliminated, yet we have concerns about 1) what land could receive this zoning (what is "urban"?) and 2) this district must include adequate landscaping, traffic, school, snow storage, etc (See # 8 under Purpose Statements).
24. 21.04.020, page 5, Regarding R-7 lots: Strong concern that changing R-7 to R-1 (and therefore only allowing single family detached- i.e., no duplex) will impact potentially  $\pm$  200 property owners, who may have purchased property with R-7 guidelines. The rationale for deleting the zone must be clarified, and there must be an acceptable way to handle the effects on individual property owners. How have other people or other cities handled up-zoning or down-zoning?
25. 21.04.020, page 5, Combining R6 and R7 results in a 1 acre minimum lot size that will reduce the potential for residence to have 2 or 3 reserve septic sites. Remaining land is marginal with steep slopes and less suitable soils. Minimum lot size should remain the largest size i.e., 1  $\frac{1}{4}$  acre not 1 acre as R6 and R7 zones are combined. Leave R6 at current lot size standard.
26. 21.04.020, page 5, line 15: Municipal Code should consider the cumulative effects of traffic on residential districts, especially alpine/slope districts. (If it does, where?)
27. 21.04.020, page 5, line31: (I) R-10 1e: Ensure the soils and subsoil conditions are suitable for excavations, site preparation and on-site sewage disposal. 1f: Change to: provide adequate site drainage to avoid....
28. 21.04.020, page 5: I. Take site design and site engineering standards for R-10 and apply to all residential zones.
  
29. **21.04.040**, Include with the Purpose Statement: Landscaping to buffer between incompatible land uses. #6 page 10, line 20 is good.
30. 21.04.040, page 10, lines 22-24. We like this statement and think it should apply to all District Purpose Statements.
31. 21.04.040, page 10, lines 22-24 to all districts (not just the industrial district, where the statement about minimizing impact is now contained).
32. 21.04.040, page 11, line 1: Pt. Woronzof compost facility should not become an I2 zone, understanding it has grandfather rights with its HLB lease, or the facility should remain.
  
33. **21.04.060** Other Districts: Open Lands is too easily confused with Open Space (in PLI Lands). PLI category as it is defined now is too general; distinctions need to be made. PLI should be reserved for land that needs to be used for future development, and Natural Open Space needs to be designated. Parks should be getting their own category, in conjunction with Parks Plan now being developed.
34. 21.04.060 Other Districts: In Airport District: Create another airport district to protect areas used for public purposes (non-development).

35. 21.04.060, page 15: Land Uses in the airport district should be restricted to uses essential or reliant upon airport operations. Uses such as convenience store, general retail (except within terminal space), hotel/motel, vehicle storage yards should not be permitted in the airport district. (consensus w/ one objection).
36. **21.04.070** page 17 A: Please consider the high percent of non-owner occupied housing in Anchorage when creating the rules/steps for Neighborhood Conservation Overlay district. Note that 39% of Anchorage's homes are non-owner occupied; this is a higher percent than in other cities. Thus the 51% vote requirement may not be appropriate.
37. 21.04.070 page 17 -31: Neighborhood Conservation Overlay districts should not be allowed to lessen or go below minimum base standards.
38. 21.04.070 page 18: Neighborhood Conservation Overlay District (NCO). We like it.
39. **21.05.010** Table: "S"s are problematic because there is no opportunity for public input. We assume there will be a mechanism for public input on "S"s (at a minimum, through Community Councils) THEN we can evaluate the table. Our comments are predicated on the assumption that we will have input.
40. 21.05, page 9: Add new line item: Adult oriented nightclubs, licensed with conditional use – where permitted or site review required today. Unlicensed: no change. Bar or tavern: In commercial districts were permitted, "P", should now go to "S". MU districts should go to "C" where is "S" now. Stand alone convenience stores should not be permitted in airport district because they are not needed for airport functions.
41. 21.05-1, Table: We'd like "C" Conditional Use to be required for Child Care in all residential districts.
42. 21.05-1 Table. Error?? New R-4 (old R-3 and R-4). Doesn't allow single family detached. We don't want apartments in this district.
43. 21.05.010, page 4: We are concerned about allowing (in R10 district defined by slope, remoteness) some out-righted permitted uses such as childcare, elderly care should be Conditional Uses instead. Consensus: Need to address additional issues (i.e., look at them more clearly) in R10 district because steep slopes, remoteness may make a location unsuitable for such uses as elderly, child care.
44. 21.05.010 E Table page 4: We want a community discussion on the density of residents and staff in Group Homes. Have concerns about neighborhoods sharing responsibility/fairness. Impacts on neighborhoods in terms of garbage/well water/septic and traffic patterns. Density is the issue; # residents, staff, homes.
45. 21.05.010, page 5: We are concerned that zoos are permitted in every PLI parcel; should be Conditional Use instead.
46. 21.05.010, page 5: Vocational schools should be a conditional use rather than a permitted use in airport districts, or on airport land. Colleges and universities should not be permitted on airport lands, in airport districts.
47. 21.05.010 Table of Uses: Allow planetariums in all commercial districts and Mixed Use districts.
48. 21.05.010 Table: Table is missing an entire row for Residential Care for 1-6 capacity.
49. 21.05.010, page 11: Table: Liquor stores should be "conditional use" in neighborhood mixed use districts.
50. 21.05.010, page 15: Storage Yard and Warehouses should have a major site review (7 agreed; 1 opposed).

51. **21.05.030**, page 20, line 34: “Modular housing” should be replaced with the term “Manufactured Homes.” Be sure to cross reference mobile homes as equal to manufactured homes. To be clear, may want to add: ‘prefabricated, factory built’, etc., being consistent with whether it’s an IBC material or not. Fewer standards, or lesser, should not apply to these homes.
52. 21.05.030, page 23, line 39: Specify fire hydrant requirements in Mobile Home Parks.
53. 21.05.030, page 26, line 38: Consider changing boundary from 500 ft to 1000ft. Correctional Community Residential Center cannot be built in one mile of each other, but can in 500 feet of a school. Change to 1000 feet from school fence.
54. 21.05.030, page 27; Change to: “may house only residents not convicted of a violent felony/crime against a person.” (We want to relax this language to allow persons convicted of non-violent crimes in the GC zoning district even if they are felons).
55. 21.05.030, page 28, line 26: Assisted Living Facilities: Issue of density is related to safety (roads sub-par); these concerns affect health and safety (water and sewer). DEC and DHHS may have regulations that can be referred to- should be a Conditional use vs “P”, so the public has opportunity to comment on during approval process.
56. **21.05.040**, page 12: Regarding Mixed Use requirement – there was some confusion as to what now is R-3 (to become R-4...old R-2M is becoming R-3??) that is on the Hillside. There needs to be some EXCLUSION for (current) R-3 requirement to be Mixed Use; there are inappropriate areas for this type of use. That is, citizens are opposed to multiple dwellings on small lot sizes. We do not want the current R-3 on the Hillside to have a requirement for Mixed Use. R-4 (current R-3) would allow apartment houses and mixed use. Both are a bad idea in current R-3 zones on the (rural) Hillside (which is now single family only)!
57. 21.05.040, page 30, line 7: Typo: guestooms
58. 21.05.040 page 32, line 36: Allow more permeable surface treatment; do not require only paving.
59. 21.05.040 page 35, line 24: Add; Transitional Living definition; it needs to have its own category. (See Robert Heffle - rheffle@yahoo.com – he may be able to develop some wording that deals with terms, i.e., 18-24-36 months...) Find a place to make this fit. We’re asking for: Standards, public input opportunity, how transitional housing will fit in to different neighborhoods. Group Living is something the community will have to deal with.
60. 21.05.040 page 37, line 26: Add parking as an accessory use at schools.
61. 21.05.040 page 37, line 28: E. Accessory uses at schools also include “meeting areas”. Please add meeting areas to accessory uses at schools.
62. 21.05.040 page 38 line 10 and page 39, line 18: Technicality: Middle schools may also include 6<sup>th</sup> graders!
63. 21.05.040 page 38, line 19-24 E4bii: Change “school facility design and construction manual” to be less specific on title. We currently have three documents: 1) Educational specifications, which define program and areas; 2) Design Guidelines and Standards, which define construction materials and systems; and 3) Instructional Technology Plan, which defines integration of computer technologies in to the curriculum. Change to read “the facility standards of the Anchorage School District.”
64. 21.05.040 page 38, line 27 E4biii: (A) Does this work for urban schools like Denali Elementary at 9<sup>th</sup> and Cordova? We don’t think so; recommend deleting.
65. 21.05.040 page 38, line 27-29: Delete in order to accommodate small campuses for urban schools within walking distance of children’s homes.
66. 21.05.040 page 39, line 11: E4v(A): Delete (A). Sometimes the school district has no other choice than to locate relocatables between principal building and any abutting right of way due

- to construction sequencing especially on multi-phase projects and 2) to site constraints. If MOA wants to pay District for multiple moves, then this is OK. Otherwise, don't mandate.
67. 21.05.040 page 39: Create a use category of "adult education" and allow it to be permitted as the other schools.
  68. 21.05.040 page 43: "Parks and Open Areas": The first paragraph says "includes uses of land focusing on natural areas." But categories H1 (p. 43, line 14) though H4 (to end of page 44) DO NOT include any natural areas!! NEED A CATEGORY FOR NATURAL, UNDEVELOPED LAND! This is a major issue in Anchorage.
  69. 21.05.040 page 45, line 35: viii: Either remove this line or clarify it.
  70. 21.05.040 page 46, line 17: Agree with footnote.
  71. 21.05.040 page 46, line 30: Heliports: A use specific standard is needed for noise buffering, same as listed under "Airstrip, private." (Choppers are noisier than fixed wing aircraft).
  72. 21.05.040 page 47, line 30: Delete opaque....Add "or by screening the facility with 'natural' landscaping."
  73. 21.05.040 page 47-49: Definitions need revamping.
  74. 21.05.040 page 48: Antenna collocation on existing towers should be an "S" instead of a "C" in residential areas.
  75. 21.05.040 page 49, line 13 to page 51, line 24; also 21.05 page 8 Table 1: Do not allow non-concealed antenna towers in residential areas. Freestanding, non-concealed antenna towers would be allowed in all residential zones as a conditional use!!?? This is WRONG.
  76. 21.05.040 page 51, line 37 and 27: Add "unbiased" to outside expert i.e., a mutually acceptable outside expert.
  77. 21.05.040 page 51, line 40: Should towers be considered abandoned and/or required to be removed from AF – a re-zoning process should be triggered. Appropriateness of AF District should be considered.
  78. 21.05.040: Freestanding towers should not be conditional uses in all residential areas. Neighborhoods should not be looking at freestanding towers. Don't need to build towers any longer; can put antennas on buildings.
  79. **21.05.050** page 52, line 34: Add iii. These facilities must have a waste disposal plan. After – Develop performance standards that will eliminate fecal coliform and other pollutants/contamination of creeks and wetlands.
  80. 21.05.050 page 53: Add performance standards for farming and horticulture after line 9 as we recommended for page 52, line 34.
  81. 21.05.050 page 53-54: After line 35, add performance standards for water quality as previously mentioned. After line 10, add water quality standard, as on page 53.
  82. 21.05.050 page 65, line 21: Allowing large retail stores will only be acceptable in Module 2 if big box stores meet MUCH tighter design standards.
  83. 21.05.050 page 65, lines 28-41: eliminate jewelry stores from General Retail Medium. They are smaller than that.
  84. 21.05.050 page 65, line 16: We like the further restriction of convenience stores that sell fuel, per Table 21.05-1, page 11.
  85. 21.05.050 page 71, line 26: Add requirement that camper parks must be located at least 100 feet away from open water body.
  86. **21.05.060** page 72, line 20: Inns and hostels should be permitted in all districts that hotels are permitted, PLUS the ones already listed in Table 21.05.010 page 13.

87. **21.05.070** page 96, line 24: A one time only health certificate may not be appropriate or sufficient for on site well and disposal (there may be increase in usage over time). Consider more than one, especially in R-9 and R-10.
88. 21.05.070 page 105, line 23: Under Purpose and Intent, ensure Use-Specific standards for ADUs follow the Purpose and Intent statement.
89. 21.05.070 page 105, line 26: Purpose and Intent (b) ADD “disabled” to the list.
90. 21.05.070 page 105, line 35: ADD ‘physically’ before accessible, making it clear that this needs to be accommodating for persons with disabilities.
91. 21.05.070 page 107, line 13-20: Re: 20K square feet: Consider making this a lower amount; 20K may be too big.
92. 21.05.070 page 107, line 40: ADU size. 700 feet should be changed to 800 sq. ft., so it will allow more than one bedroom. This is necessary for persons with disabilities – so there is flexibility for 2 bedrooms (one for the owner, and one for a caretaker if necessary).
93. 21.05.070 page 107, lines 26-33: Relax restrictions for familial relationships, but consider regulating parking and/or how it affects other provisions/subsections.
94. 21.05.070 page 107: ADUs above garages – 1) are extremely difficult for wheelchairs and 2) are dangerous due to potential for fumes escaping in to residences. (Is there sufficient protection for health related issues?)
95. 21.06.020 page 12: Want a “floor” or minimum for the primary front setback and secondary front setback so if the front setback changes for a district from 15 to 10 – the secondary front setback stays at 10 feet.
96. 21.06: Minimum lot sizes - This is a concern because the Comp Plan requires a BALANCE between quality of life and higher density. We don’t have a problem with higher density, it just needs to NOT be poorly designed. (In other words, tightly executed design standards will be key here!)