

LAI-ON-THE-TABLE
MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM ____-2023

Meeting Date: August 22, 2023

From: Assembly Member Volland

Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY ADOPTING THE “HOUSING OPPORTUNITIES IN THE MUNICIPALITY FOR EVERYONE” (HOME) INITIATIVE BY AMENDING AND REPEALING PORTIONS OF ANCHORAGE MUNICIPAL CODE CHAPTERS 21.04, 21.05, 21.06 AND 21.07 TO REALIGN THE RESIDENTIAL ZONING DISTRICTS THROUGHOUT THE ANCHORAGE BOWL WITH THE STATED GOALS AND INTENTS OF THE COMPREHENSIVE PLAN AND ANCHORAGE 2040 LAND USE PLAN, PROVIDING FOR STAGGERED EFFECTIVE DATES FOR CHANGES TO GROUPS OF RESIDENTIAL ZONING DISTRICTS, AND WAIVING PLANNING AND ZONING COMMISSION REVIEW OF THIS ORDINANCE.

This Memorandum outlines a proposal for the “Housing Opportunities in the Municipality for Everyone (HOME) Initiative,” including future process requirements, benefits, and challenges of consolidating current Title 21 residential zoning districts into broader, more flexible, and more inclusionary zones that align with adopted 2040 Land Use Plan land use designations, which are already mapped on the 2020 Land Use Plan Map. The 2040 LUP map, as well as a 2040 LUP table that cross references 2040 LUP land designations and current zoning districts, are included.

I request your support for the ordinance.

Reviewed by: Assembly Counsel’s Office

Respectfully submitted: Daniel Volland, Assembly Member
District 1, North Anchorage

Residential Zoning By 2040 Land Use Plan Proposal

Proposal:

Simplify existing Title 21 zoning according to the adopted 2040 Land Use Plan designations by converting some residential zones into new, broadly flexible zones based on 2040 land use designations. Create a code where when people want to build housing, they are able to build it.

Existing Zone	Converts To:
R-5, R-6, R-7, R-8, R-9, R-10	LLR–Large Lot Residential
R-1, R-1A, R-2A, R-2D	STFR–Single and Two Family Residential
R-2M	Compact Mixed Residential - Low
R-3, R-3A	Compact Mixed Residential - Medium
R-4, R-4A	Urban Residential - High

Other zoning districts would remain the same.

What This Would Require:

- *Amending chapter 4:* Zoning districts—creating new purpose statements according to the 2040 land use plan.
- *Amending chapter 5:* Uses--update the primary use and accessory use tables. Also look into any special use restrictions for existing zones.
 - Which uses should be allowed where? What is the purpose of distinguishing between so many use types (especially for residential)?
 - Are there any uses that need to be added or removed? (Short term rentals, for example)
 - Is this the time to look seriously at moving away from use-based zoning towards form-based zoning?
- *Amending chapter 6:* Dimensional standards—Discuss the dimensional standards for each new zone (lot size, height, setback, etc.)
- *Amending chapter 7:* Do we need all these highly specific design standards?
- *Amending other sections of code* with buried references to existing zones.
- *Addressing whether Girdwood and Eagle River want a similar approach* or prefer their existing codes.

Justification:

- This directly implements the adopted 2040 plan. This is the direction in which the MOA is already moving.
- Large swaths of Title 21 create complications without clear benefit, but this allows a chance to start over without a complete code rewrite.
- This proposal does not address mixed use or industrial zones or any of the highly impactful elements of Title 21 related to design and other standards.

Potential Benefits, Obstacles, and Complications:

Benefits

- This addresses the need for change within the existing framework.
- This could be a new approach to zoning which focuses on trying to reach positive outcomes rather than avoid negative potentialities.
- Simplified zoning will allow for expanded property rights and more flexibility for development.
- Simplified zoning provides more opportunities for building different types of housing and other economic activity.
- Simplified zoning makes local land use regulations more accessible and transparent to the public.
- This approach would directly implement the 2040 plan, and likely result in an Anchorage that looks like the plan intended.

Obstacles/Complications

- Existing residents will have less control/influence over their neighbors' behavior.
- MOA might need to be more responsive to dealing with nuisances relating to impactful behaviors on private property.
- Finding consensus on design standards (Chapter 7 of Title 21), or establishing a baseline of what is arbitrary and what is clear and objective, might be difficult.
- Existing bureaucratic structures may be uncomfortable with uncertainty and/or hostile to growth/change.
- This won't make the desire to exclude go away. Those with means might resort to more HOA or other types of restrictions in some areas, but these are more easily changed (and enforced differently) than zoning rules controlled by the Municipality (see lot reform in Texas).

How to Move Forward:

1. Direct Municipal Staff to provide a proposal that combines existing zones into fewer more flexible zones that reflect the 2040 land use plan.
2. Provide a clear timeline for deliverables.
3. Require that any standards be clear, objective, and justifiable under the Title21 purpose statement that zoning “protects the public health, safety, welfare, and economic vitality” (or change that purpose statement if it is no longer appropriate).

Relationship to Land Use Designations in Area-specific Plans

As of 2017, the 14 neighborhood, district, and other area-specific plans adopted for the Bowl collectively used 70 different land use designations to represent future intensity and distribution of land uses. Many of these designations share similar names and definitions. **Map 2-1, Anchorage 2040 Land Use Plan Map**, retains each plan’s land uses.

The 2040 *Land Use Plan Map* illustrates a more general picture of future land use for the Bowl by distilling all 70 land use designations into 18. This provides a citywide land use policy structure which supports and coordinates the various plans with a common terminology.

Figure 2-4 on the following pages cross-references the 2040 *Land Use Plan Map* designations with the corresponding designations applied in the area-specific plans. This system retains the land use designation categories in the neighborhood and district plans, which refine the citywide land use categories in order to address area-specific needs.

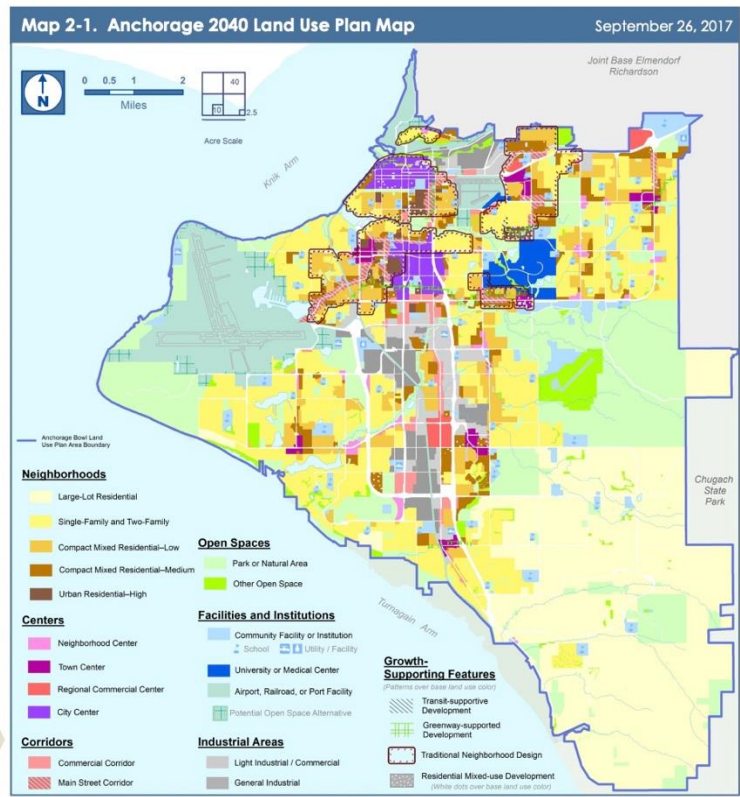


Figure 3-2. 2040 LUP and Zoning District Cross-Reference

Types of Places	Land Use Designations	Potential Implementation Zoning Districts as Established in Section 2
Neighborhoods	Large-lot Residential	R-6, R-8, R-9, and R-10; R-7 where designated in <i>HDP</i> Map 2.1 Land Use Plan for 1-3 units per acre.
	Single-family and Two-family	R-1 and R-1A; R-2A and R-2D in attached and two-family areas.
	Compact Mixed Residential–Low	R-2M; R-2D in transition areas; New compact housing district between R-2D and R-2M.
	Compact Mixed Residential–Medium	R-3; R-2M in transition areas; New R-3A mixed-use variation of R-3 in “Residential Mixed-use Development” areas.
	Urban Residential–High	R-4; R-3 in transition areas; R-4A in “Residential Mixed-use Development” areas.
	Small-scale commercial uses in the Neighborhood designations above	B-1A in existing locations or in new locations designated by a neighborhood or district plan; R-4 allows limited ground-floor commercial space within residential projects.
Centers	Neighborhood Center	B-1A and B-1B; CCO overlay zone. Potential new form-based district or overlay zone in “Traditional Neighborhood Design” areas.
	Town Center	B-3 and B-1B; CCO overlay zone. New form-based overlay or district. R-3 and new R-3A (mixed-use variation of R-3) also possible for housing sites.
	Regional Commercial Center	B-3 District.
	City Center	New DT-1, DT-2, and DT-3 in Downtown; PCD and I-2 in Ship Creek; New seismically-induced ground failure overlay zone in parts of Downtown; B-3 with CCO overlay or other overlay in Midtown; R-4 and R-4A also possible.
Corridors	Commercial Corridor	B-3 primarily; secondarily B-1A and B-1B; RO in residential-office areas; R-3.
	Main Street Corridor	B-3 or B-1-B, or RO in residential-office locations, with CCO overlay or new overlay zone; potential new overlay or form-based zone in “Traditional Neighborhood Design” areas; R-3 and new R-3A mixed-use variation of R-3 also possible; R-4 or R-4A possible in Fairview.
Open Spaces	Park or Natural Area	PR and PLI.
	Other Open Space	PLI or other districts depending on location.
Facilities and Institutions	Community Facility or Institution	PLI and other districts; utility / public works facilities may be implemented by I-1 and I-2, and antenna farms by AF.
	University or Medical Center	PLI primarily; RO in limited locations, subject to special limitations; zoning to implement UMED Village.
	Airport, Railroad, or Port Facility	MI, I-1, I-2, and PLI; new Airport District; Alaska Railroad Corridor passes through a variety of zoning districts.
Industrial Area	Light Industrial / Commercial	I-1 and Ship Creek PCD.
	General Industrial	I-2 and MI.
Growth-supporting Features	Transit-supportive Development	The underlying base color indicates the land use designation. Potential new overlay zone.
	Greenway-supported Development	The underlying base color indicates the land use designation.
	Traditional Neighborhood Design	The underlying base color indicates the land use designation. Potential new overlay or form-based districts.
	Residential Mixed-use Development	R-4A, and new R-3A mixed-use variation of R-3 district; new DT-3 district in Downtown; RO also possible in designated Centers and Corridors.