

Correspondence



RABBIT CREEK COMMUNITY COUNCIL (RCCC) A Forum for Respectful Communication & Community Relations



1057 West Fireweed Lane, Suite 100 / Anchorage, AK 99503

December 4, 2023
(updated 2:25 pm)

Dear Planning and Zoning Commission:

Rabbit Creek Community Council (RCCC) has reviewed proposed Assembly Ordinance AO 2023-103, creating residential development classification for 3-4 dwelling unit construction and related changes. RCCC's Board has approved the following comments on the original version, but learned belatedly of the (S) version, which was not previously on the City Portal. Ordinance AO 2023-103 is complex, and it is nearly impossible for Community Councils and the general public to make informed comments, especially with last-minute substitutions, and in the absence of any illustrated examples. Most of our comments below apply equally to the original and (S) versions.

RCCC appreciates the "Whereas" statements that document the increases in housing prices and the slow rate of new housing construction. However, we request deletion of the references to the 2018 study that show strong support for cottage-style housing, as this does not appear to be equivalent to 3- and 4-plex housing, which can be 180 feet long and three stories high.

In addition, the "whereas" statements quote only two Goals from the Anchorage 2040 Land Use Plan (LUP), while not citing other key guidance from the 2040 LUP regarding infill and increased density. We request citation of the following 2020 and 2040 LUP guidance and goals, and staff analysis about how the ordinance affects the goals cited below. When an ordinance may work against some goals, there should be strict scrutiny and mitigation of the negative impacts.

2020 Plan (cited in the 2040 LUP): Neighborhood Identity and Vitality. Encourage distinctive neighborhoods that are responsive to the diverse needs of residents in urban, suburban, and rural settings, with amenities and infrastructure to absorb growth, such as good access to schools, recreation, natural areas, and services.

How do these guidelines encourage neighborhood identity and distinctiveness, especially in neighborhoods where, for example, distinctiveness may be based on factors such as yards, landscaping, and traditional architecture?

Area-specific plans with R-2A, R-2D, and R2-M zoning: *address any goals and design guidance these area-specific plans may include regarding the quality and characteristics of their neighborhoods.*

Goal 6 of the LUP Accessible land use. Anchorage coordinates transportation and land use to provide safe, efficient, and affordable travel choices. *How will non-motorized transportation be supported in these areas, given that infill may increase density up to 30 units per acre (counting ADUs)?*

Goal 7 of the LUP: Compatible Land Use. Infill development is compatible with the valued

characteristics of surrounding properties and neighborhoods . . . Compatible design is a key part of successful infill and redevelopment. “The scale or physical appearance of buildings, noise, glare, shadowing effects of taller buildings, parking, and other characteristics can impact neighboring properties . . . ‘Placemaking’ upgrades—including well-designed and maintained streets, sidewalks, parks, and open spaces—improve cohesion between uses, mitigate the effects of higher densities, and contribute to neighborhood value.”

Has there been any modeling to show the public how 180-foot-long 3- and 4-plexes will fit onto 6,000-sf lots, and the effects of shadowing, run-off, parking, etc. on the houses next-door? We struggle to envision this. In the past, Municipality of Anchorage (MOA) Planning staff have produced excellent diagrams and photo examples. These should be part of the analysis and review, for the public and for decision-makers.

LUP 7.1. Preserve, accommodate, and contribute to the character, scale, and identity of established neighborhoods as new infill housing and mixed-use development occurs. Protect and restore the natural environment as development occurs in these neighborhoods.

LUP 7.2. Ease the transitions between more intensive uses and adjacent lower-density neighborhoods—in terms of the built scale, height, level of activity, and character.

The broad re-zoning for 3- and 4-plexes is a complex issue that has not benefited from detailed staff analysis typical of past Title 21 re-writes. This re-zoning has not been analyzed regarding the combined effects of numerous changes to density, building dimensions, setbacks, and design and construction standards. The Staff report does not have explanations or illustrations that enable the lay public to understand the proposed changes. RCCC has done its best to review the changes.

Muni staff has identified ways in which the proposed ordinance results in conflicts within Title 21 chapters which should be fixed: we support most but not all of those, and we raise additional concerns, as noted below.

We support the carefully constructed guidelines of our 2040 LUP and Title 21.07 which provides for well-designed, targeted infill and development in areas where there is supportive transportation and public utilities and services. We are particularly concerned that changes proposed by AO 2023-103 sever zoning decisions from planning decisions. Major changes in density should be based on a planning analysis and a plan amendment process that precedes or is concurrent with the density ordinance. MOA Planning Staff note that AO 2023-103, by allowing 3- and 4- unit dwellings on 6,000-sq-ft lots exceeds the intended density of 5-15 DUA in Anchorage 2040 LUP for the R2- “compact mixed residential-low land use designation.” MOA’s staff report found that the density would effectively be 20 DUA. In fact, because Accessory Dwelling Units (ADU) have not been included in this calculation by MOA Staff, the actual density could be over 30 DUA in the R-2M, which would be *more than double the intended density of the Anchorage 2040 LUP*.

We agree with the (S) version that the resulting future density could be up to 30 DUA in the R-2M, but we disagree with the fix suggested by MOA Planning Staff that the only implementation needed is to change the definition of the R-2M district from “densities between five and [15] ~~25~~ 30 dwelling units per acre.” We request that:

1. The potential density of 30 DUA should be targeted for specific locations with frequent transit and convenient walking connections to services including neighborhood parks and schools.
2. Density calculations for all future planning and zoning purposes should count ADUs as housing units, by revising *Title 21.05.070 D.1.b.iii.(D)* to include, rather than exclude, ADU from density calculations. An ADU can be 900 feet or greater, house any number of occupants, and generate trips at rates similar to any other type of housing.

3. We are confused by Staff comment 11, regarding changing 21.07.110E.2.b, as this section of Title 21.07 appears on the website with the wording: *E. Prohibited Structures [RESERVED]*. This probably is a reference to 21.07.110F.2.b., *Site Design*. We advocate different wording from MOA Staff, so that ADU will be counted as a structure: “this section applies to the development of ~~five~~{THREE} or more principal residential structures on a single lot. A detached ADU or caretaker’s unit will be counted as a principal residential structure. [IT DOES NOT APPLY TO THE DEVELOPMENT OF AN ACCESSORY DWELLING UNIT OR A CARETAKER’S UNIT.] It does not apply to developments in the R-4A District.”

We agree with the staff report recommendations to:

- Remove “Dwelling, Small Multifamily” as a new use, based on the explanation of overlapping definitions provided by Muni planning staff.
 - Retain the Marine Commercial district for non-residential uses.
 - Retain snow storage area requirement for 3- and 4-plexes – certainly recent years justify the need for adequate snow storage.
 - Retain standards of AMC 21.07.110C.7., *Landscaping*, for 3 and 4-dwelling units as this will help hide increased density by providing a more appealing outside appearance.
- A. Additionally, we recommend that side setbacks should be kept at 10-ft to maintain access to daylight and sunlight and to maintain a measure of privacy valued in many R2A and R2D neighborhoods. Access to sunlight is in accordance with guidance cited in both the 2020 and 2040 plans: “Develop in harmony with the natural setting . . . mindful of its northern climate.”
- B. We recommend that the Three-Story Entitlement in the R-2A, -2D, and R-2M Districts (21.07.110.D.7) should not be granted to 3- and 4-plexes in the absence of lot size and locational criteria in a transition area or non-residential area, etc. Therefore, the (S) version should state that three stories are allowed if conditions b.i, b.ii, and b.iii are met and (not OR) “the site is multifamily and or townhouse developments with less than five units.” Given the very careful analysis that went into initial adoption of Title 21.07 design standards, the public should be wary of abandoning these design standards without similar careful analysis and scrutiny of the impacts. We advocate that the Building and Site Orientation standards and Northern Climate Weather Protection and Sunlight design standards of 21.07.110.C.6 and -C.7, currently required for 3- and 4- unit buildings, continue to be applied. These are a specific, measurable tool to reduce the crowding effect that denser development could otherwise have on neighbors in the R-2M and R-2D zones.
- C. We advocate targeted density, so that the density can be supported by upgraded infrastructure and public services, to ensure a high quality of life and be a great Northern City. The 6,000-sf lots with greatly increased density (150 or 200%) need to have additional services and careful design standards, not fewer. Changing entire zoning districts does not necessarily achieve the walkable neighborhoods and harmonious infill envisioned by the 2040 LUP. Instead, it is likely to create scattered pockets of density without an efficient way to increase infrastructure. For example, if two 6,000 sf lots in the same block are developed with fourplexes and ADUs, the 10 units might result in 20 more cars parking on the street—but no hope of a transit line if the block is outside a neighborhood center or transit corridor.

In sum, AO 2023-103 should be revised to account for staff recommendations that remove conflicts it now presents in our planning code, and to ensure that 3- and 4-plexes are located in targeted areas with appropriate infrastructure and transit hubs, while retaining design and setback

requirements that create attractive, desirable, and distinctive neighborhoods. We also reiterate the need to change T21.05.070.D.i.3.iii.b so that ADUs will be counted in density calculations.

Thank you for your attention to our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "A. J. Rappaport", written over a horizontal line.

Co-chair

cc: All Assembly Members