

Correspondence



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



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

February 27, 2024

RE: PZC Case 2024-0006 - Assembly Ordinance 2023-87(S)

Dear Planning and Zoning Commission:

The Rabbit Creek Community Council (RCCC) has closely followed Assembly initiatives to respond to Anchorage's housing shortage over the past year. Our members attended Housing Summit Week in November. As a Council we routinely seek data and information on land use and planning from Municipal Staff. RCCC carefully analyzed AO 2023-87(S) [87(S)] and compared it to the 2020 Comprehensive Plan (Comp Plan), the 2040 Land Use Plan (LUP), the Hillside District Plan (HDP), and Anchorage Municipal Code Title 21.03.160 (Rezoning) and other sections of municipal code.

RCCC voted at our February 8, 2024, meeting to oppose the implementation of 87(S) on numerous grounds, as summarized in this letter and fully presented in our Attachments.

87(S) is not ready for a decision - Title 21.03.160 Rezoning

87(S) does not give complete and accurate information regarding the proposed rezoning action and thus cannot be given due scrutiny under the rezoning criteria of 21.03.160.E. Among the missing information: data demonstrating that current zoning constrains housing; effect on property appraisals/land costs; and future infrastructure costs and capacities.

87(S) does not meet primary purposes of Title 21 - Title 21.01 General Provisions and Title 21.04.020 Zoning District purposes – 87(S) fails to comply with many of the stated purposes of Title 21 planning and zoning, including: efficient use of existing infrastructure; promoting development in city centers and infill areas for efficient travel patterns; and promoting development patterns that protect and enhance a variety of appealing and distinctive neighborhoods.

87(S) does not meet rezoning approval criteria - Title 21.03.160.E

- E.1. Public health, safety, and general welfare
- E.2. Conform to Comprehensive Plan and Map
- E.4. Compatible with surrounding development
- E.5. Sufficient infrastructure and services
- E.6. Avoid or mitigate significant environmental impacts
- E.7. Avoid significant impacts to adjacent land uses

E.8. Avoid a land use pattern that is contrary to the Comprehensive Plan

87(S) does not comply with the 2040 Land Use Plan

The LUP calls for targeted rezoning and explicitly “does not recommend areawide rezoning.” LUP Map 2-1 (p 31) has been misrepresented as the reason for areawide rezoning: but Map 2-1 is a land use patterns map, not a zoning map. The recommended actions of the LUP are shown on the LUP Map 3-1. Actions Map (p. 94) and Appendix A: Planning Atlas Map PZ-2 Zoning Map Amendments (p. 111), and LUP Strategy 6 (p. 75). These maps plus other LUP language, explicitly call for targeted rezoning. See Attachments, Map 1 and Map 2 at end of this letter.

87(S) does not comply with the Anchorage 2020 Comprehensive Plan

The Anchorage Comp Plan calls for targeted rezoning in specific commercial and residential areas, not ubiquitous areawide rezoning and re-combining of all residential zones. The 2020 Comp Plan cites design standards as an essential tool for compatible infill and for distinctive neighborhoods.

87(S) does not comply with the Hillside District Plan

87(S) would rezone the entire Hillside into one zone. The HDP growth policy has strong justifications for varying residential zoning and density based on existing infrastructure, onsite well and septic, and natural constraints such as slopes, soils, and hazards. The HDP provides for: selective infill in areas of the lower Hillside near existing infrastructure; maintaining current zoning and densities in the Central Hillside, downzoning in a few parts of the upper Hillside; and a Conservation Subdivision approach to sensitive environmental areas. 87(S) provides no justification for undermining the HDP.

Recommended actions in lieu of a Planning and Zoning Commission decision on 87(S)

Our recommendations, expanded in the Attachment are:

- 1) Obtain a legal determination whether 87(S) can be evaluated under Title 21.03.060 as a standard rezoning action.
- 2) Suspend the 87(S) rezoning effort and fund a 2050 Comprehensive Plan with broad public outreach and data-driven staff analysis.
- 3) Suspend the 87(S) rezoning effort until we have all the pieces (e.g., design, dimensional, and development standards; allowable uses; needed code/plan amendments, etc.).

Recommended actions if PZC moves forward on 87(S)

- 1) Retain the details of the purpose statements for all current districts: R6, R7, R8, R9, and R10 zones. These purpose statements give invaluable guidance during rezones, variances, conditional use permits and other administrative decisions.
- 2) Rezone the R1-A in Upper Potter Valley low density to R8 or R9 as recommended in the HDP and LUP. This is a high elevation, roadless area with wetlands, and does not meet the proposed R1A/STFR description in 87(S). The setting is not “urban/suburban” and is

located far from “well-developed infrastructure, public water and sewer, and municipal services.” The 2040 LUP recommends downzoning this parcel (Planning Atlas Map PZ-2).

- 3) If the Assembly pursues a change to the R3, then the logical conversion of R3 within RCCC would be Single- and Two-Family Residential (STFR) under 21.03.160.E.3. The 2040 LUP recommends downzoning the R3 parcels within RCCC (Planning Atlas Map PZ-2). R3 on the southeast Hillside does not fit the proposed Compact Mixed Residential-Medium (CMR-M) zone. RCCC’s R3 is mostly within the Golden View Bridge subdivision. It is already built out with homes that have a fairly high lot coverage. This R3 is unlikely to be retrofitted with multifamily apartments, condominiums and multi-story townhouses. It does not meet the purpose of “efficient use of residential land near commercial, community activity centers, town centers, and areas well served by transit.”
- 4) Retain design guidelines for Mixed Use districts, such as those in the current R3A Mixed-Use Development Standards. It is easy for commercial areas to feel uninviting and unsafe for residential occupancy. Many of the standards under 21.04.020.H.2.d are common sense and need not be expensive: e.g., parking lot placement, visible primary entries, shadow effects, and street-facing windows all provide for security and health of occupants. Other standards in the current Mixed-Use district should be retained to protect the long-term value of properties, such as important viewsheds.
- 5) Require a condition of approval in Title 21.05 to include Accessory Dwelling Units in calculations of residential density. Currently 21.05.070.D.1.b.iii(E) does not require ADUs to be counted in site density. There is no logical or legally defensible reason not to count ADUs. ADUs have the same housing benefits as any other housing type, and they create the same need for services and infrastructure as any other housing type.
- 6) Require a condition of approval that a single-family home plus an ADU should be defined as a two-family development under zoning district definitions. Under the proposed 87(S), all single- and two-family residential lots are de facto triplex lot or four-plex lots. 87(S) does not allow predictability of future density of individual blocks or neighborhoods. High uncertainty does not serve individual residents and investors, nor public planners and administrators.

Incorrect Inferences from 2040 Land Use Plan Map 2-1. Anchorage 2040 LUP Map (p.31)

RCCC requests that the Planning and Zoning Staff and Commission carefully review the 2040 Land Use Plan maps, which the Assembly sponsors have cited to justify creating five new residential zones.

LUP Map 2-1 illustrates broad themes, with 70 zoning districts simplified into 18 *for map legibility*. Map 2-1 used five colors to show residential *designations*, not zoning. Map 2-1 is accompanied by multiple text explanations such as Actions Check List, Strategy 6: “an areawide rezone is not recommended” (p. 75).

Zoning Districts are more detailed than land use designations, as explained on page 29, LUP:

“Most every land use designation has a corresponding set of zoning districts which implement it. This allows for a range of possible zoning densities to reflect local conditions and characteristics of the site and surrounding area. The area’s land use designation does not imply that the most intense corresponding zoning district is recommended or is the most appropriate for every parcel.”

The 2040 LUP Map 3-1. Actions Map (p. 94), shows where rezoning is recommended. The Actions Map, and accompanying Strategies, clearly recommend targeted rezoning to encourage infill and redevelopment in commercial centers, in and near neighborhood centers, and near transit corridors. The 2040 Planning Atlas, Map PZ-2, has the most detailed recommendations for rezoning (see Attachment). The Planning Atlas shows that some compact residential areas should be up zoned, and some should be downzoned to match infrastructure capacity and natural constraints.

Scenario: how “simplified zoning” can lead to urban sprawl

RCCC offers an example of how simplified zoning can backfire on the “WHEREAS” claims in 87(S), that “simplified zoning” creates efficiency and predictability. If 5,000 new housing units are built in the next 5 years under simplified zoning, and 1,000 of them end up in the back of Bear Valley or Potter Valley, and the other 4,000 are scattered like confetti everywhere in the Bowl, that land use pattern is the opposite of efficient. That land use pattern is urban sprawl. The new customer base for both private and public service is scattered, rather than concentrated. This means high demands to extend new infrastructure, and thousands of new vehicle miles traveled. There are major negative impacts on public health, on carbon emissions, and the natural environment. On the Hillside, wells and septic capacity may be outstripped. If “simplified zoning” allows all lots to have 30 or 40 percent building coverage, even in steep upper watersheds such as Bear Valley and Potter Valley, there will be major adverse impacts to hydrology, drainage, and valued elements of the natural environment such as wildlife, scenic views, and forest coverage. In addition, more residents will be vulnerable to high winds and wildfire in high hazard zones.

In contrast to “simplified zoning,” Anchorage’s current zoning and adopted plans would guide the 5,000 new housing units to cluster near commercial and neighborhood centers, and along transit corridors. This targeted infill and redevelopment will enable efficient use of infrastructure, walkability, higher use of transit, and a concentrated customer base that will support mixed-use development. All residents will have a choice of urban versus suburban versus rural neighborhoods in Anchorage ***as intended in adopted land use plans***. The 2040 Land Use Plan calls for small, localized adjustments to zoning to achieve targeted infill and redevelopment. By contrast, 87(S) is an areawide rezoning to disperse new growth, under the incongruent claim we have heard of “density everywhere.”

The attached summary of our recommended actions and concerns is followed by a detailed review of 87(S), documenting where we believe it negates our data-based, publicly developed, cost-efficient 2020 Comprehensive Plan, 2040 Land Use Plan, and area-specific plans. We expect to hold Assembly members accountable to their promise that over the next several months, the upcoming March 4th webinar, March 18th Planning and Zoning Commission hearing, and proposed meetings with community members will truly be opportunities to substantially modify 87(S) and result in a proposal in June 2024 that can contribute to housing affordability through targeted infill matched to existing infrastructure, without encouraging urban sprawl or diminishing the variety and distinctive characters of individual neighborhoods throughout Anchorage.

Sincerely,



Ann Rappoport, Co-chair



John Riley, Co-chair

Attachments

Attachment 1. Anchorage 2040 LUP Map (p. 31) and 2040 LUP Map 3-1. Actions Map (p. 94)

Attachment 2. 2040 LUP Planning Atlas PZ-2. (p. 111)

Attachment 3. Analysis and Justification for RCCC Recommendations and Comments on AO No. 2023-87(S) in seven sections:

1. 87(S) is not ready for a decision under Title 21.03.160
2. 87(S) does not meet primary purposes of Title 21 - Title 21.01.03 General Provisions, Title 21.01.130, and Title 21.04.020 Zoning
3. 87(S) does not meet rezoning approval criteria: - Title 21.03.160.E Approval Criteria
4. 2040 Land Use Plan - 87(S) does not comply
5. Anchorage 2020 Comprehensive Plan – 87 (S) does not comply
6. Hillside District Plan – 87(S) does not comply
7. Recommended actions in lieu of a Planning and Zoning Commission decision on 87(S)

cc: MOA Planning Department