

Anchorage Citizens Coalition
Title 21, Module 2

Questions (third set, as of 4/11/04)

1. 21.05.040 page 39: What does Clarion recommend in the code to protect pedestrians i.e., provide safe pedestrian passage to schools using facilities that are at least equal in accommodation to cars? Can we add this example? Public rights of way adjoining all school properties shall provide for safe and direct pedestrian passage. (language here can be improved).
Pedestrian access and amenities will be addressed in Module 3, Chapter 7: Development and Design Standards.
2. 21.06.020 page 16, line 31-36: In which circumstances would a landowner construct “upon or over” a lot line?
In the case of building attached single-family housing or townhouses, strip malls, or connected or attached commercial buildings (such as downtown).
3. 21.06.020 2aiii page 15, lines 23-25: In what circumstances would a property owner attempt to include a setback or open space ‘for another building, or structure or lot?
In a circumstance where a property owner owned two adjacent lots, the setbacks or open space on “lot one” may not count towards the requirements of “lot two”.
4. Why is Clarion recommending free standing antenna towers as a conditional use in residential areas? (We do not see need for high communication towers in residential areas. New technology allows antennas on existing buildings).
Demand for personal communication devices will require more antennas nearer the service users, but these types of towers are not high towers. The tall towers are for broadcast TV and radio. In order to have "line-of-sight" coverage the broadcast towers have to be tall. However, these towers can be lower if the ground elevation is high. Much of Anchorage's higher ground is zoned residential. The conditional use process will give nearby property owners an opportunity to examine and comment on the tower proposal.
5. How many un-built lots are there in R1A? How many lots of 12,000 feet or greater are there that accommodate for reconstruction in R1A districts?
The last residential land-use inventory was made in 1998. We do not have current information as to the number of vacant parcels in any particular zoning district, but we are working on gathering this information.
6. There is an effort to create density here....where is the effort to protect open space?
The effort to protect open space comes in at many different places. The design and development standards in Module 3 will discuss required open space, tree protection, stream setbacks, etc...
7. Are marine vehicle sales allowed in the Airport District?
Yes.

8. What are the income opportunities or other permitted uses for larger parcels of land that would be compatible with the neighborhood – as an option for owners of large parcels (5-15 acres) who don't want to subdivide?
Large parcels may be developed in accordance with the zoning. Multi-family zones would allow condos or apartments on large tracts. Mixed use zone may allow residential and commercial or industrial and commercial on one tract. However, income is market driven.
9. 21.04.020 page 4, line 14 D2aiii: Once meeting the 3 types requirement why is the minimum number” applicable to additional types? (e.g., 4th dwelling type is desired in a quantity of one).
Good question. We will include it as a comment to the consultants.
10. 21.04.020, page 3, line 6: R-1- We understand about keeping the minimum but how do you protect larger lots in more rural-urban areas of R-1?
Ideally, rural areas should not be zoned R-1. Some areas zoned R-1 may have special limitations that increase the minimum lot size. The department has not yet determined whether or not existing special limitations will carry over into the new zones. During areawide rezoning, new zones will be applied to existing residential areas in ways that best preserve the character of the neighborhood.
11. 21.04.020, page 3. line 20: Do PUD's fit in to this? Multi on perimeter and single toward center?
The “Planned Unit Development” concept is being replaced with a “Master Planning Process” that could be applied in many different districts.
12. 21.04.020, page 3-4: R-3 and others- what will be the process for reassigning zones where changed? We don't want new R-3 to apply to old R-3 in our area!
While the process of implementation/rezoning has not yet been finalized, the department recognizes that in many cases, a “straight-across” rezoning (i.e., all old R-3 becomes new R-3) is not appropriate. The department will work to make sure that the new zone proposed for an area is the best suited to that area, and the rezoning process will have many opportunities for public input.
13. 21.04.020, page 4, line 33: Where does R-7 fit in to this?
If R-7 is eliminated it could be placed in the R-1 single family or R-2 duplex category for urban setting and most lots would be conforming. A second option would be place them in the R-6 category in which they would be single family, but non-conforming as to lot size. With the R-6 option no existing lots could be subdivided.
14. 21.05.040, page 49, line 32 K2cii: This does not explain the computation of bonus height as described in k2ci(A). Should bonus height even be allowed?
We will pass this comment on to the consultants.

15. 21.04.060 Other Districts: Open Lands district: we need more info on intent by staff to add this. Are you thinking of particular parcels? Why not include them in other districts instead of leaving the zoning open?

When revising the zoning districts, a major goal of the department was to eliminate the “T” (Transition) zone. The areas that are currently zoned “T” are the military reservations, parts of the Anchorage International Airport, some large tracts in Eagle River, and Fire Island. While the airport will move into a specific airport zone, the future uses of Fire Island and the military reservations (if they ever revert to the city/state) are not yet known. Thus the department wished to develop a holding zone for these areas that did not prevent all development (that would be a “taking”) but would encourage rezoning when the time came to develop the areas. The Open Lands district is intended for these areas.

16. 21.05.010 page 10, Financial Institution: Should small-scale bank services be allowed as “S” in NMU district?

We will pass this comment on to the consultants.

17. 21.05.010 Table: Entertainment, Indoor: Why does General Commercial prohibit fitness center, movie theater and dinner theater, yet allow nightclub?

The impacts of a nightclub, specifically noise, are greater than those of the other uses listed in the question. Thus it may be appropriate to have nightclubs in the General Commercial, which is an auto-oriented zone, and less likely to be in proximity to residential areas. The fitness centers, movie theaters, and dinner theaters are encouraged in the mixed use zones (rather than the General Commercial) in order to help create dense, pedestrian-friendly activity centers.

18. 21.05.010, page 10, MC: Why is Office “conditional” but Restaurant not allowed?

There is very little Marine Commercial land—the only accessible coast in the Anchorage Bowl is in Ship Creek. The MC district “is intended primarily for water-dependent and water-related commercial uses.” (21.04.030.G, page 9) The department determined that there could be office uses that would be considered water-dependent or –related, but that no restaurant would require that proximity.

19. 21.05.010, page 10, Bar or Tavern in PLI: what is “A”?

“A” stands for Accessory, and the inclusion of an “A” in the Table of Allowed Uses is an error. Accessory uses are listed in their own table and section, starting on page 90 of chapter 5. This accessory use (i.e., O’Malley’s on the Green) should be moved to the accessory use table.

20. 21.05.010, page 15, Composting facility – Why is this not permitted in many of the same areas that snow disposal is permitted?

Composting facilities have more impacts than snow disposal sites. Composting facilities are year-round operations and can have unpleasant odors. For these reasons, they are more restricted in their location.

21. 21.05.010, page 6 Table: Government facility: Police Stations in residential neighborhoods – why are community or police stations automatically allowed in all residential districts? Shouldn't they be “conditional” in lowest density?

We will pass this comment on to the consultants.

22. 21.05.010, Table: Agricultural Uses. Are there any mixed-use districts that could accommodate agricultural and/or paddock or stable?

The mixed-use districts loosely correspond with the Town Centers, the Neighborhood Commercial Centers, and the Major Employment Centers on the Land Use Policy Map of Anchorage 2020. These areas are intended for denser development and the creation of compact, pedestrian-friendly areas. They do not accommodate the type of large lot development required for agricultural or large livestock uses.

23. 21.05.010, Table: Park and Open Space. Nursery, Public is only allowed on PLI Lands. Should it not be similar to Botanical Garden? Isn't it also substantially the same as Community Garden?

Definition of Botanical Gardens: Facilities for the demonstration and observation of the cultivation of flowers, fruits, vegetables, native, or ornamental plants.

Definition of Community Garden: A private or public facility for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one individual or family.

Definition of Nursery, Public: A non-commercial establishment for the growth and/or display of plants, shrubs, trees, and materials used in indoor and outdoor planting, conducted within or without an enclosed building.

Community Garden is a place where multiple people/families who have no garden space at their residence may garden (i.e., on the west side of C Street just south of Chester Creek).

It does seem that Botanical Garden and Public Nursery could be combined.

24. 21.05.030, page 19, line 11: Why is a firewall not required here but is it for a townhouse?

The firewall requirement is a building code issue, not a land use issue. We will ask the consultants why it is included in the standards for “Townhouse”.

25. 21.05.030, page 19, line 20: Comparing 3b and 5b (page 20)– Why are paint and trim colors for SF attached not the same for townhouses and 2 family? This should be consistent...

We will pass this comment on to the consultants.

26. 21.05.030, page 21, line 3: Confusing issue: Consider getting updated regulations from the Federal Regulations for Manufactured Homes, and incorporate that. But does it belong in Title 21? Shouldn't it be in the IBC? If IBC is going to change, Title 21 will have a hard time being kept up to date. What is the rhyme or reason for mentioning it here?

In order to regulate Mobile Homes, we need to make a distinction between different types of “moveable” dwellings. The manufactured house issue is also to be addressed in Module 3 concerning residential design standards.

27. 21.05.030, page 27, line 34 b3: should definition include when any resident is located therein as part of a court-ordered program?

We will pass this comment on to the consultants.

28. 21.05.030: Where is issue of hydrants and fires safety addressed?

Hydrants are not a Title 21 issue. There are specific standards as to distance between fire hydrants. AWWU installs them as required on capital projects, and contractors install them in new subdivisions. AWWU maintains all of their own hydrants, and some private hydrants as well. In Module 3, there is a proposed section on Wildfire Hazard Areas, which cross-references the Urban-Wildland Interface Code developed by the Fire Department (but not yet adopted).

29. 21.05.040, page 33, B Child Care facility: How does one handle a Child Care facility when is it housed in a church?

When child care is provided for persons while they are attending religious functions, it is considered a normal accessory use and does not require any review or standards beyond those of the religious assembly itself. If there is child care or an educational program that takes place at times other than the religious services, then the child care or "school" must meet the use-specific standards for that use, as if it was a separate use.

30. 21.05.040, page 35, line 8-13: Please review this; it does not seem to make sense! What does it mean?

It means that the users of the "Family Self-Sufficiency Service" must be clients of the agency operating the service, but they don't actually have to reside in the same building as the service. The one example of an existing Family Self-Sufficiency Service is in a multi-family residence in Fairview.

31. 21.05.040, page 35-6 line 38, religious assembly: What about day care use of churches during the week? Should regulations be different than a site "S" plan review process?

See question 29.

32. 21.05.040, page 44, line 26 and 30: Could Community Garden and Nursery, Public be combined?

See question 23.

33. 21.05.070, page 107, line 34-37: Do building code requirements ensure accessibility for persons with disabilities?

This is a question for the Building Safety Division. They told me that Chapter 11 of the IBC is directed to try and meet the requirements of the American with Disabilities Act. For a more detailed answer, call the Building Safety Division at 343-8347.

34. 21.06, page 2 Table: Minimum lot dimensions, residential. 3500 sq. ft – Are they decreasing and if so, why, and by how much? This is a concern because the Comp Plan requires a BALANCE between quality of life and higher density.

I'm not sure I understand the question, but allowing attached single-family dwellings on 3,500 sf lots is visually the same as allowing two-family dwellings on 6,000 sf lots. The difference is that the attached single-family dwelling owners own their own land (each owns 3,500 sf), while there can be only one owner of a two-family dwelling (who owns the structure and the 6,000 sf lot).