

March 22, 2006

Please accept the following comments from Anchorage Citizens Coalition on Draft 2 of Anchorage's Title 21 revision.

Hundreds of citizens helped write Anchorage 2020, the city's comprehensive plan, and attended public meetings to review it. They developed a clear vision of what they wanted the city to become:

- A **true northern city** built in harmony with its natural resources,
- A **thriving, sustainable, broad-based economy** supported by an efficient urban infrastructure,
- A **safe and healthy place to live** where daily life is enriched by a wealth of year-round recreational and educational experiences,
- A **caring, responsive government** that is accessible and equitable for all its citizens.

Subsequent public meetings to define "Town Centers" at Northway Mall and Lake Otis and Abbott showed that Anchorage 2020 values are widely shared. Hundreds of people from East Anchorage and the Hillside asked for attractive buildings and streets, safe pedestrian access and landscaping.

Title 21 education meetings are needed

ACC is concerned that the Title 21 approval process is beginning to leave the general public behind – even those who have invested many hours studying and commenting on the document. The next draft will be released in May and taken to public hearing soon after that.

ACC does not understand how staff can bring forward a "public hearing draft" before building design, landscaping and nonconformity standards are illustrated and generally understood.

It is essential that interested persons understand the changes that have been made since they reviewed the first draft in 2003 and 2004. If the public does not understand Title 21 at least as well as they understood Anchorage 2020, the code will lack sufficient support for its adoption and implementation.

The Municipality should offer a number of meetings to explain Title 21's content and plan map, beginning with a staff presentation, followed by question and answers. These meetings should be held well before public hearings begin. Topics should include

- Tradeoffs between proscribed design standards and "streamlined" public process
- Wildlife habitat protection
- Landscaping standards
- Northern design standards for land and buildings

- How Anchorage will continue to be a great place and affordable for young families
- Working with nonconforming uses and structures
- How the Land Use Plan Map implements Anchorage 2020

As part of the presentations, staff should provide illustrated examples of how new landscape and building design standards would affect (a selected number of) built projects.

Anchorage Citizens Coalition supports Anchorage Title 21 insofar as it implements Anchorage 2020. The following comments focus on the sections of Title 21 that we feel need to be strengthened to meet the comprehensive plan standards.

Developers should set aside public open space in new construction 21.07.030 B

The current draft completely eliminates public open space set asides in new residential development even though the municipality's zoning experts, Clarion Associates, tell us set asides are typical across the nation.

The 2004 draft required developers to dedicate 10 acres of public open space for every 1000 new residents or pay a "fee in lieu." This is the accepted national practice and is within the standard proposed in Anchorage's Draft Park Plan. This standard should be restored in the next draft.

By eliminating this requirement, the municipality shifted the cost burden of providing park space for new residents from the developer to community wide taxpayers.

Standards for public open space should be restored and ensure that 50 percent of the set aside space is relatively flat and dry and "useable," especially by children.

Private open space standards should be restored. 21.07.030

There was no explanation why private open space standards were reduced from 800 square feet per housing unit to 600 square feet, or why development in the central business district is exempt from this requirement.

To keep Anchorage livable, people need attractive, natural or landscaped open space. This is what makes us special, and we need to protect it. In urban areas, while not every building will have its own open space, open space should be available within walking distance.

Commercial development should also contribute to the city's open spaces, if not by on-site dedication, then by contributing a fee for purchasing other land. Industrial employees need relief from asphalt and buildings and pleasant places to have lunch outdoors, just like other people. Again, the 2004 proposed standards are appropriate.

Anchorage's wildlife needs habitat protection

Anchorage's magnificent natural setting and wildlife make this city special and notable among other cities. Citizens made it clear as they developed their vision for Anchorage 2020, that they highly value Anchorage's natural open spaces and wildlife habitat. It is essential that we protect these wild places for future generations. Four sections that protected habitat have been eliminated since the 2004 draft:

- 21.07.020 E Wildlife Habitat Protection
- 21.07.020 F Wildlife Hazard Areas
- 21.07.020 G Tree Retention eliminated
- 21.07.030 B Public Open Space Dedication

Since previous comments asking these protections to be restored have been ignored, ACC asks for a written report on how well the current draft Title 21 protects wildlife habitat compared with the original development and design standards found in the 2004 draft. This report should be presented as part of the previously requested public education meetings.

ACC asks that Title 21 meet Anchorage 2020's vision of "a true northern city built in harmony with its natural resources," and include wildlife habitat protection standards.

Mature trees, shrubs and groundcover should be preserved 21.07.080

Mature, native trees and plants provide important wildlife habitat. This draft incorporates tree and foliage retention into landscaping requirements and eliminates 21.07.020 G Tree Retention. Therefore, landscaping "purposes" should include fish and wildlife habitat retention in addition to those stated on page 377.

Landscaping is to be managed through point counts, but the system starting on page 379 does not do enough to prevent bulldozing natural growth and replanting with immature and non-native species. The system also seems to diminish the importance of trees over 10 feet tall.

We recommend the landscaping system be applied to actual projects to see whether it is sufficient to "promote the use of existing vegetation and retention of the municipality's trees, woodlands and urban forest."

Wildlife habitat protection needs to be restored 21.07.020 E

The 2005 Draft limits protected wildlife habitats to only the first 200 feet along a few selected creeks and rivers. This standard focuses on bear protection, leaving other species at risk, especially birds, small mammals and other flora and fauna that is part of the local food chain. In contrast, the 2004 Draft gave some protection to all "critical wildlife habitats."

The 2005 Draft identifies limited “Wildlife Conflict Prevention Areas” in 21.07.020 D but then offers weakens protection standards in these 200 foot strips, for instance it

- “discourages” fences,
- “encourages” new buildings outside the setback, and says
- trash containers “should” be bear proof,
- trails “should” be sited outside the buffer,
- pets and livestock “should” not be kept in the buffer.

The next draft should restore section 21.07.020 E 3 c that says to protect wildlife habitat:

“Mimic features of local natural landscape in developed areas by:

“Retaining as much pre-development habitat as possible, including large areas of high plant diversity and natural vegetated areas that have not yet been fragmented by roads or residential development;

“Minimizing disturbance to trees, the under story, and other natural landscape features during construction;

“Designing house lots in a fashion consistent with local natural habitats, for example, by preserving and landscaping with natural, native vegetation;

“Enhancing the habitat value of degraded pre-development landscapes with selective plantings.”

Stream setbacks should be expanded from 25 feet to 100 feet 21.07.020 B.4.a.iii to protect properties from eroding and flooding, streams from contamination and wildlife from habitat destruction. Current research shows that pollutants fall out over a 100 foot setback, thus improving stream water quality.

Note that Anchorage’s current NPDES (National Pollution Discharge and Elimination System) permit requires expanding or enhancing stream setbacks. Therefore, stream setback expansion and enhancement should be part of Title 21.

Where landowners have legally built inside the 100 foot setback, incentives such as tax abatement and waivers of platting and permit fees can encourage stream and wetland restoration.

Wildlife Hazard Areas 21.07.020 F

This draft eliminates the 2004 concept of Wildlife Hazard Areas, that protected wildlife based on the “Urban-Wildland Interface Code” as developed by the Anchorage Fire Department in 2001. No substitute protections are offered.

ACC urges this section to be included in the next draft.

Residential, Commercial and Institutional, and Large Commercial Design standards 21.07.100, 110 and 120 – are significantly changed from the 2005 draft and are sufficiently complicated that they should be illustrated and explained in meetings before the public – and probably developers as well – can reasonably comment on them.

Parking requirements work against Anchorage 2020 goals 21.07.090

When parking is excessive, it creates “dead zones” in what should be active neighborhoods and commercial districts filled with buildings and landscaping.

In its January 2006 publication, *Public Spaces / Community Places*, the US Environmental Protection Agency explains on page 6:

The most commonly used guidelines, issues by the Institute of Transportation Engineers...are based on observations \of peak demand for parking at single-use developments in relatively low-density settings with little transit (Shoup, 2005). In such places, the destinations are widely separated, parking is typically free, and walking, biking, and transit are not available. As a result, planners assume in effect that every adult has a car, every employee drives to work, and every party visiting a restaurant arrives by car. Under these conditions, parking can take up more than 50 percent of the land used in a development.... For more compact, mixed-se, walkable places, these standards end up calling for far more parking than is needed.

We are told that these ITE standards are the basis for Anchorage’s parking standards.

Two local examples illustrate that Anchorage’s standards call for more parking space than is needed:

Homes in the South Addition neighborhood adjacent to downtown were built during the 1930’s through the 1950’s. Many homes have one car garages, and others have been turned into duplexes. It is common for cars to park on South Addition streets, and has not been a problem for residents there.

If Title 21 parking standards were applied in South Addition, many variances would be needed. In addition, new construction applying these standards is out of character with other homes on the street. Note the large asphalt driveways of five new duplexes built on Scenic Way next to Westchester Lagoon.

The second example is in the proposed code where “mixed use” development is required to meet parking regulations, minus 5%. Where did the number 5% come from? It seems arbitrary and much too low based on current experience.

Downtown Anchorage is as close to mixed use development as can be found in the city. Already, we know that 31% of downtown residents walk to work, and 14% take a bus. These numbers alone argue for more than a 5% parking reduction for mixed use districts.

Furthermore, Seattle’s transportation director indicated that families moving into Belltown condos typically requested two parking spaces, and that many gave up one of the spaces after their first year, because of reduced car use.

In Portland, the convention center and adjacent sports arena located next to frequent, convenient transit service. With a combined capacity for 33,000 people, there are only 2600 parking spaces “on campus,” with another 1700 spaces a shuttle ride away.

As evidenced by its new Long Range Transportation Plan and this draft Title 21, Anchorage does not yet understand how urban housing, transit and parking work together to reduce reliance on the automobile. It is critically important that Title 21 use current information to set its parking requirements and not rely on outdated standards.

ACC asks for an independent contractor experienced in developing parking standards for compact, mixed use development and older residential districts to work with citizens and traffic engineers to develop appropriate Title 21 parking standards.

Brief comments on a variety of other topics:

ACC welcomes the **clarified and expanded role for the Urban Design Commission**. 21.02.080.

ACC is intrigued by the concept of **affordable “cottage homes”** to replace mobile home parks as they are redeveloped. We look forward to an array of strategies to maintain affordable housing in Anchorage. 21.07.100.D

It is unclear why **pedestrian connectivity** is specially called out only for the high density RM4 district, when such connections are essential throughout town, even in large lot residential districts. 21.03.030.H.1.

We urge elimination of the requirement for **ornamental fences** around parking lots 21.07.080.F.6.c.i.(B) and (C). Landscaping should be sufficient to provide visual relief, and many times, pedestrians cut through parking lots to get to their destinations. Ornamental fences work well in selected locations such as along Christensen Street and

5th and 6th Avenues downtown. It seems excessive to require them along every parking lot.

The benefits of **prohibiting snow storage in parking lots and landscaping areas** are not clear to us. Typically, it is better for precipitation to remain where it falls, providing consistent moisture for the surrounding plants and animals. Also, it is expensive and polluting to haul snow. While hauling snow is necessary along many roads and sidewalks, parking lots can and should be designed to accommodate snow storage. 21.07.090.H.6.iii.

We are not sure why the AC (**auto-oriented**) zoning district was created. The explanation given is that Anchorage needs car sale lots. We agree. But why should car lots get their own district? Wouldn't it be more appropriate to have them as a permitted or conditional use in other districts?

In the general purposes of Development and Design Standards, 21.07.010, water quality merits its own purpose statement. **Air quality and wildlife habitat** are equally important in the comprehensive plan. Please include purpose statements corresponding to those two goals.

Thank you for excluding **Quonset huts and inflatable domes** from commercial and mixed use districts. Perhaps the prohibition should be expanded so they cannot be viewed from arterial or greater roadways. 21.07.110.D

Please explain why this draft allows commercial **building facade setbacks** to vary so that only 30% of a façade must be close to the street. This seems to contradict the purpose of pushing buildings closer to sidewalks to create a more lively urban street. Why aren't 100% of the facades required to be in the maximum front setback? We are reminded of Shucks auto store on Northern Lights east of A Street where much of the building front is set back and becomes a parking lot that challenges pedestrians trying to use the sidewalk. 21.06.010.C.

Thank you for a thorough description of "**On-site Pedestrian Connections.**" We are not clear, however, why single and two-family developments are exempt from safe pedestrian connections. If it is a matter of cost in comparison with the number of walkers, cars and pedestrians may share the same right of way where speeds are low and there are few cars, thus keeping down construction costs. 21.07.060.E.2.b.

Pedestrian safety is important in all districts, and along all roadways. Please provide a **standard for safe pedestrian access** in districts "where minimum lot size is 40,000 square feet or greater" so that it will be a required element in district plans. 21.07.060.E.1.b

Please substitute the word “transportation” for the word “roads” in the purpose statement for development and design standards: “To provide **transportation** connectivity for the safe and efficient movement of people, goods, and services.” 21.07.010.A.9

We are concerned that block length can be as 1,320 feet long in class B improvement areas. Please provide for **non-motorized access** every 300 feet when blocks are longer than 300 feet.

Finally, we find the proposed language for 21.11 Nonconformities confusing. It appears that **virtually all nonconformities will be “grandfathered,”** and that nonconforming uses and structures can be expanded in ways that are not allowed today. This is important enough for a complete public discussion so that property owners fully understand all sides of the issues.