



Municipality of Anchorage
Planning Department
Memorandum



Date: September 18, 2024

To: Graham Downey, Special Assistant to the Mayor - Housing & Transportation

From: Ryan Yelle, Long-Range Planning Manager

Thru: Craig Lyon, Planning Director

Subject: Initial Comments on Proposed Transit Supportive Development Overlay Ordinance sponsored by Assembly Member Martinez

Planning leadership has conducted a brief and cursory review of Assembly Member Martinez’s proposed ordinance to establish a Transit Supportive Development Overlay District. We recognize that our current land use code lacks adequate regulations or incentives to properly bolster the effectiveness of our Transit-Supportive Development Corridor land use designation as established in the Anchorage 2040 Land Use Plan. Because of this, we are excited to see the attention and emphasis being placed on this issue. However, upon review of the draft ordinance, Planning noticed some items of concern that could negatively affect the implementation of the ordinance. A summary of our comments and concerns by section and line are included below:

Section 1.

Title 21 has an established process for amending the comp plan, and this amendment to Anchorage 2040 (although minor) would be no exception. Additionally, amendments to any adopted element of the comp plan must be done through an independent AO separate from any related Title 21 text amendment. Given the minor nature of this amendment to Anchorage 2040, we would recommend removing it entirely. There is also likely a severe imbalance of the functional benefit of this amendment compared to the process to adopt it.

Section 2.

Line 4 – “Applicability” is more appropriately titled “Eligibility.” Could be semantics, but this subsection is intended to point out where is this district can be located based upon a parcel’s designation within the land use plan map. If a parcel does not have that designation it is not eligible for this overlay.

Line 9 – This subsection can be deleted for brevity. Allowed uses will be shown in the amended table of allowed uses. Addressing allowed uses in two separate locations in code can lead to confusion in the future if they are only amended in one part of code but not the other.

Line 13 – Many of the provisions under the “Development and Design Standards” section are not standards but rather exemptions. Because of this, it would be easier from a design and review standpoint to include each of these exemptions within their respective subsections in code (i.e. open space exemptions should be located under the open space standards, and so on)

Line 17 – This provision should be incorporated into Table 21-07-5 rather than listed as a standalone provision.

Line 20 through 26 – These subsections can be deleted for brevity. They are unnecessary to specify.

Line 38 – This provision should be more appropriately addressed through an amendment to Title 23, rather than using Title 21 to override Title 23. It creates enormous confusion when one Title attempts to override another.

Section 3.

In general, we do not have any major concerns with this section. The author appears to have taken a conservative approach to allowed uses within the overlay. However, a more detailed analysis of all our established uses would be needed to confirm the appropriateness of all the proposed uses.

Section 4.

We would recommend that the dimensional standards be amended as follows so adequate lot width is provided for the installation of water and wastewater utilities, and allowed height is not entirely disproportionate to the underlying districts.

Minimum Lot Size: 2700ft²

Minimum Lot Width: 30ft

Maximum Lot Coverage: N/A

Setbacks: Front 10ft, Side: 0ft, Rear: 0ft

Maximum Height: 45ft

Additional notes:

Given that we are trying to establish regulations for corridors, the approach of establishing an overlay district has the benefit of being able to span numerous underlying zoning districts along the length of the corridor without having to change the underlying zoning. This would help with implementation because large areas can be rezoned to the overlay through a single legislative action. The establishment of an overlay district does require going through the rezoning process outlined in AMC 21.03.160.