



Municipality of Anchorage
Planning Department
Memorandum



G.1.

Date: December 12, 2022
To: Planning and Zoning Commission
Through:  Craig H. Lyon, Director
From:  Kristine Bunnell, Manager, Long-Range Planning Division
Subject: Case No. 2022-0129, Title 21 Text Amendments to Update the Downtown Code

Request

The Planning and Zoning Commission is scheduled to take public comment on the public hearing draft of Title 21, *Chapter 11: Downtown* zoning code on Monday, December 12, 2022. The public hearing draft code, minor amendments, and staff recommendation are included in this packet for your review and information. The Commission will conduct a public hearing, deliberate the matter, and forward its recommendations to the Assembly for consideration.

Background

The *Chapter 11* zoning code update was identified as an action item in the *Anchorage 2040 Land Use Plan (2040 Plan)*. The public process outlined in AMC 21.03.210 Title 21—Text Amendments was followed to update this code. This project was part three of a 3-step process outlined in the *2040 Plan*: Step 1, the reformat of the downtown (DT) zoning districts (B-2A, B-2B, and B-2C) from the Old Code format to current code format; Step 2: Perform a “Targeted review and update,” of the Downtown Comprehensive Plan; and Step 3: Update of the Downtown Zoning Districts.

- Step 1: The DT zoning districts reformat was adopted on April 28, 2020 (A.O. No. 2020-38), which created the new *Chapter 11: Downtown* in Title 21 code. *Chapter 11* was limited at that time to a reformat of the Old Code with the inclusion of some additional development code tools not previously available for downtown.
- Step 2: Downtown Comprehensive Plan targeted update was completed simultaneously during Step 1. *Our Downtown: Anchorage Downtown District Plan 2021 (Our Downtown Plan)* was adopted on April 26, 2022 (A.O. No. 2022-27).
- Step 3: Downtown zoning districts update was initiated in January 2022 and is intended to “advance the general welfare of the municipality while reflecting significant public input and engagement.”

AMC 21.03.210 – Text Amendments

AMC 21.03.210 directs text amendments in code to “promote public health, safety, and general welfare.” Amendments must be consistent with the comprehensive plan and stated purpose of Title 21. Amendments must also be necessary or desirable “because of changing conditions, new planning concepts, or social and economic conditions.” The proposed public hearing draft meets the approval criteria as noted in AMC 21.03.210, explained further below in the overview of the working group process.

Chapter 11 – Working Group Process

Long-Range Planning, with assistance from Current Planning, initiated the code update with a working group comprised of several known experts in code use with architectural, landscape architecture, and engineering expertise. These experts volunteered their time and lessons learned to a seven-month working group process. For each working group meeting, a white paper was developed to discuss specific issues. The white papers included background research on several known issues, including allowed and accessory uses, dimensional standards, designing for safety, solar and view access, reducing wind impacts, creation of flexible design requirements with options for building articulation, siding textures, window placement, lighting, and public accessibility. Eleven working group meetings were held. The working group draft of the code was used for the internal review process by the Planning Department as the second step in developing the public hearing draft.

Working Group Research and Analysis – AMC 21.03.210 Alignment

Inputs to the working group research and analysis included the following:

- **Public Health, Safety, and General Welfare:** A buildable land capacity study completed by Bettisworth North was completed to determine the amount of new development that could occur in downtown. The study also determined how the code update would support the capacity determination and what types of design guidelines were needed for a safer downtown.
- **Comprehensive Plan alignment:** The working group process acknowledged the goals, policies, and themes from the *Our Downtown Plan*. This code will encourage new development of all types that can support the future envisioned by the *Our Downtown Plan*.
- **New Planning Concepts:** An in-depth study of code trends was considered from other similar cities, including Denver, Colorado, and Columbus, Ohio.
- **Social or Economic Conditions:** Changing demographic and economic conditions were discussed, including the potential for existing buildings to be repurposed for other uses to help reduce costs and to potentially save iconic buildings in Downtown. New housing of all types that can be made available in existing or new buildings, for current and future residents and workers, is a top priority for our community.

Code Amendments Summary

Briefly, proposed amendments to *Chapter 11* include the following:

- Some **allowed uses** (Table 21.11-2) were added, and some existing uses were amended from permitted that were perceived to need some additional community input.
- Amendments will allow **all types of housing** and small-lot development to encourage infill and reuse of vacant and existing parking lots. Single-family attached is now allowed in B--2C.
- A few **accessory uses** (Table 21.11-3) were added as permitted.
- **Dimensional standards for sites and buildings** were significantly changed in 21.11.060 to delete rear and side setbacks. Limitations on building height and bulk were deleted. Lot size minimums were deleted along with required placement on the lot. The bonus point table (Table 21.11-5) was deleted because it was hard to interpret and only incentivized more parking. Solar and view access is maintained for Town Square Park with Peratrovich Park protections added (Table 21.11-5).

- **Development and Design Standards** were significantly updated in section 21.11.070. The intent of the revised standards is “to enhance the appearance, character, activity, and economic vitality of downtown, and to provide a downtown environment that reflects our northern lifestyle, diverse climate, and regional identity.”
- A **standard height allowance** is introduced across the three separate DT districts to remove the question early on regarding how high a building can be built. Coupled with the deletion of the bonus point table, designers and developers now have certainty on mass and height.
- **Tower mass reductions “step-backs”** are introduced on a percentage reduction basis (Table 21.11-6 Tower Mass Reduction Calculations). The reduction is dependent on either street width or adjacency to outdoor open spaces. The reduction is to be measured from the centerline of the street. This enables the “step-back” percentages to provide a more comfortable connection between the pedestrian and the building and to retain solar and view access while reducing wind impacts.
- **Pedestrian-oriented frontage** standards are introduced to keep minimum widths or encourage wider sidewalks when development occurs.
- New **visual access standards** for window placement (Table 21.11-7 Window Standards) were developed as one of the pedestrian-oriented frontage standards, coupled with building entry standards to provide street level design continuity and safety.
- New **building entry standards** includes a menu of options to choose from (Table 21.11-8 Frontage Standards Design Menu) and give designers several options for incorporating textured siding, building articulation, public art, landscaping, decorative lighting, plazas, and canopies.
- A **building recess design** is included to provide increased visual access from the sidewalk where recessed building entries are required or needed.
- **Parking lot landscaping** saw very little change. However, a parking area serving single-family, two-family, and three-family dwellings is now exempt.
- **Downtown street landscaping** is updated to introduce the lessons learned from the 4th Avenue lighting upgrade project recently completed by MOA Public Works. A new table with specifications is provided (Table 21.11-9: Landscape Specifications for Downtown Districts).
- **Private open space** is no longer required between 9th and 7th avenues. Only buildings with new multifamily (4 units or more) are required to provide private “common” open space at a reduced percentage.
- **Parking stall dimensions** and the related table (Table 21.11.10) did not change.
- Deletion of the **Standards for Urban Design Amenities** found on pages 45-60 were replaced with the standards noted in the previous bullets.
- 21.11.080 **Skywalks** was amended to delete requirements for reporting that was deemed only guesswork and that wouldn’t have informational facts readily available.

Public Engagement

The *Chapter 11* code amendment was directed by a public engagement process initiated in October 2019 with Step 1. In addition to public input in public forums, important guidance came through in one-on-one interviews, a public online survey, three subcommittees, and the code working group established in January 2022.

Interviews

The planning team held one-on-one interviews with developers, all Downtown agencies, MOA departments, AMATS, and the Downtown and Fairview community councils. The interviews identified issues to be addressed in the downtown zoning code update.

Subcommittees

Three subcommittees were formed to assist the Planning Team in discussion of known issues related to the cost of development. The subcommittees provided invaluable input as utility providers and private-sector partners in making Downtown great, but more importantly contributed several ideas that may help development be more financially feasible with certain code amendments such as the deletion of building setbacks and tower massing requirements.

Online Survey (4/8-4/12/2021)

Over 300 people participated in the online survey, providing over 1,200 comments. Many comments were focused on pedestrian and bicycle use, trail connections, and urban design.

Project website and MOA project webpage—www.ourdowntownanchorage.com

The project website provided links to reports, meeting recordings, and documents. It is a one-stop place to find out about the 3-Step process including community announcements and events. Email blasts were sent to people registering on the website, providing up-to-date information and status reports. A project webpage is also available at [Planning Department \(muni.org\)](http://Planning Department (muni.org)).

Comments Received

Two public comments were received and are addressed in Attachment 3, the Comment-Response Table. Five agency comments of *no comment* or *objection* were received from (1) the Alaska Department of Transportation and Public Facilities and MOA's (2) Traffic Department, (3) Development Services' Right-of-Way Section, (4) Development Services' Private Development Division, and the (5) Anchorage Water and Wastewater Utility. Comments are included as Attachment 4.

Department Recommendation

The Planning Department recommends approval to the Anchorage Assembly of Case No. 2022-0129, the Title 21 Text Amendments to Update the Downtown Code.

Recommended Findings

1. The code amendment meets the three approval criteria of AMC 21.03.210, Text Amendments, by providing design guidelines that will promote the public health, safety, and general welfare of those choosing to develop, live, work, or recreate in downtown.
2. The code amendment used a robust public and internal engagement process started early on with listening sessions, an online survey, several subcommittees, and a working group of recognized local design experts.

3. The code amendment process produced working group and internal review drafts that were vetted by community council representatives, business owners, and the construction and design community.
4. Recommended design guidelines from comparative cities factored into the amendment which will allow construction on the varied lot sizes located in downtown to support new housing of all types and sizes.
5. Creative and varied building design is encouraged to meet the needs of the public that provides such elements as accessible and pedestrian-friendly building facades, entries, lighting, and landscaping standards.
6. The updated code considered quality of life and urban design strategies and policies found in the *Our Downtown Plan*, meeting Approval Criteria #2 in AMC 21.03.210C.
7. The planning team has been thoughtfully engaged in communicating with many groups, agencies, residents, businesses, and developers to bring a plan forward that fully reflects the desires of the community while providing proven methods to bring new and redevelopment to Downtown with the intention to enable more cost-effective development.
8. Minor edits to correct deletions or typos in the public hearing draft code were highlighted in time for the PZC to make their recommendation to the Assembly.

Attachments: 1. Public Hearing Draft Assembly Ordinance
2. Clean Copy of Ordinance
3. Comment-Response Table
4. Comments Received