

No More Compromise.

**ADOPT TITLE 21**

## **A CHRONOLOGY OF COMPROMISES**

- The Title 21 Rewrite project was started in 2002 to implement citizens' vision for Anchorage's future as presented in our adopted Comprehensive Plan.
- There have been five drafts. Countless staff and volunteer hours have gone into reviewing and changing the various drafts. The extensive public process has been open to everyone. Along the way, many, many compromises were made that took us far from the aspirations of our Comprehensive Plan.
- There have been multiple public hearings at the Planning & Zoning Commission and the Assembly. At each stage, compromises were made that usually had the goals of the Comprehensive Plan in retreat including public open space, access to sunlight, protection of mature trees, safe and convenient walking.
- The Assembly's Title 21 Committee painstakingly reviewed, analyzed, and frequently changed drafts of the code.
- By the summer of 2010, all but one of the fourteen chapters had been provisionally adopted by the Assembly.
- "Provisionally Adopted" means the final draft was found to be acceptable to the Assembly.
- In the summer of 2010, the mayor hired Dan Coffey to review the Provisionally Adopted code. Mr. Coffey turned in his report in June of 2011.
- On October 19, the mayor released his long awaited proposal to amend the Provisionally Adopted Title 21 based on Mr. Coffey's work.
- Most of Mr. Coffey's proposals were rejected. Out of 37 "major issues," the mayor recommended "no change" from the Provisionally Adopted code for 22, and another 3 have only minor changes. Other recommendations will significantly erode Title 21's support for the type of town citizens expect.
- As we move forward, we must avoid the myopic focus on immediate small cost increases and look instead at the lower long term costs and the improved quality of life. The past approach has proved unsustainable and has not been supported by citizens of Anchorage, nor has it proved to be successful across the country.

## **WE DRAW THE LINE HERE**

- Reject the mayor's proposal to delete all of the design standards for single family homes.
  - The standards are minimal as they have been continuously chopped away through 8 years of public process.
  - Most builders already far exceed proposed minimal standards.
  - The lowest quality builders create a competitive environment that drags down the quality of all builders.
  - The standards allow choices through a (already watered down) menu system.

- Innovative designs are allowed under the “Alternative Compliance” routine.
  - Allowing “the market” to decide the minimums will not protect the value of your home from “snout houses.” Plain boxes that look like homes for cars can be built in established traditional neighborhoods bringing down the value of all the homes.
  - The intent of the standards is to offer minimal protection to neighborhood aesthetics and home values.
  - Required vegetation is increasingly needed as we clear and develop every available lot.
  - Design standards are specifically required in the Comprehensive Plan.
  - (And no, there are no rules on paint colors!)
- Reject the mayor’s proposal to decrease setbacks from streams to 25’ from the proposed 50’ to 100’ in the Provisionally Adopted code.
    - After considerable research, discussion, review and compromise with the T21 subcommittee, the provisionally adopted 50-foot setback is much lower than the 100 foot minimum recommended in scientific literature.
    - Stream setbacks average 100-feet nationwide.
    - In Alaska: Soldotna has a 100-foot setback, the Mat-Su Borough has a 75-foot setback, and both Juneau and Homer have 50-foot setbacks.
    - Stream setbacks are necessary to control floodwaters, provide water quality treatment by capturing and filtering pollutants, protect base stream flows to reduce threats of flash floods, maintain stream stability preventing channel migration and maintain stream health for fish and wildlife habitat.
    - Anchorage’s existing 25’ setback came about because of politics, compromise and what was acceptable in the mid 1980’s—not from scientific or practical findings.
    - Nationally, the economic benefits of streamside protection are well documented indicating higher home values near streams and greenbelts (15% higher in Anchorage) and better quality of life rankings, which attract potential businesses and homeowners.
    - Reduced setbacks create issues of increased peak runoff (floodwaters, storm water) entering streams resulting in flash floods increased erosion and sedimentation.
    - The proposed change causes increased financial hardships for property owners and the Municipality, as well as being detrimental to property, infrastructure and habitat.
  - Reject the mayor’s proposal to delete height restrictions in the B-3 zones in Midtown unless strong protections for residential sunlight are in place.
    - Allowing tall buildings to cast shadows on homes picks winners and losers and the losers are homeowners.
  - Reject the mayor’s proposal to increase the allowed commercial uses (that means “stores”) in the Industrial I-1 zones. Wait until completion of the Anchorage Commercial Land Study and adoption of the Anchorage Bowl Land Use Plan Map, to reexamine the uses allowed.
    - Anchorage 2020 Policy #26 clearly states: “Key industrial lands, such as the Industrial Reserves designated on the Land Use Policy Map, shall be preserved for industrial purposes.”
    - Commercial and other non-industrial uses in industrial zoning districts can be incompatible with neighboring properties.
    - The provisionally adopted Title 21 already allows a limited number of commercial uses to occur within the I-1 district that support or are compatible with industrial uses.
    - Allowing certain commercial uses such as offices and grocery stores to locate in industrial zones results in further sprawl and traffic congestion.
    - Anchorage 2020 policy #21 directs new commercial development to locate primarily within Major Employment Centers, Redevelopment/Mixed-Use Areas, Town Centers, and Neighborhood Commercial Centers.

- Reject the mayor’s proposal to reduce private open space requirements. An earlier compromise allowed nonresidential developments to reduce their parking requirements if they provide some additional private open space. The mayor proposes deleting this and modifying other wording regarding open space.
  - The provisionally adopted section replaces the current Title 21 “usable yard” regulations with a “private open space” requirement that focuses on improvements in quality and usability, and avoids requiring more area than current code.
  - The provisionally adopted Title 21 does not substantially increase the amount of area required, and allows less space but encourages higher quality space
  - The provisionally adopted code also explicitly allows rooftops, balconies, and atriums to count as private open space.
  - We still need to see the precise language that is proposed.
  
- Reject the mayor’s proposal to delete the connectivity index needed for easier walking and biking. Approve T21 as it is and propose a clearly written alternative later.
  - When neighborhoods are connected, it encourages more walking and biking, better health for its citizens, and a greater sense of community.
  - Administrative relief is written into the provision to account for situations that make it impossible to meet the standard.
  - The connectivity index makes sure there are adequate vehicle routes in and out of neighborhoods so traffic does not clog just a few routes and intersections. The index also provides more options for bicyclist and pedestrians to move in and between neighborhoods.
  - The connectivity index allows the subdivision designer great flexibility to design the road system, as long as the number of intersections and the number of links meets the required ratio.
  - (C’mon, the math required is really simple. You can do it!)
  
- Reject changes that diminish neighborhood protection height transitions.
  - In Alaska’s northern climate, tall buildings have more extreme shadowing and day-lighting impacts to surrounding areas that affect gardens, warmth, and how we use our yards. Height transition standards between different building types protect property values and investments in residential property, and full enjoyment of residential lots.
  - Neighborhood protection transitions become more important as the demand for infill and redevelopment grows next to existing residential neighborhoods.
  - The height transition standard improves the compatibility of higher intensity development with adjacent lower density neighborhoods by guiding where building bulk is placed on a lot. It protects property values on both sides of the fence.
  - Years of testing and refinement over a series of drafts have calibrated the height transition to avoid impacting the development potential of a subject commercial lot.
  - Experience elsewhere demonstrates that an infill/redevelopment strategy has a greater chance of success if neighborhoods have confidence they will be protected through better building and site design.
  
- Reject the mayor’s proposal to decrease sidewalks on cul-de-sacs.
  - Removing sidewalks is a setback to Comprehensive Plan policies for pedestrian environment and connectivity.
  - Sidewalks should be required along both sides of public streets for all types of developments in class A zoning districts, including cul-de-sacs.
  - Public streets through areas of institutional and industrial developments will have pedestrians as well as commercial or residential areas. Institutional uses, in particular, such as churches and schools, can have fairly high levels of pedestrian activity.

- Reject any language that would decrease landscaping standards when the mayor’s proposal to rewrite the section is implemented.
  - The provisionally adopted landscaping section is the result of hundreds of hours of citizens’ time spent reviewing and commenting on the section, staff research and review of drafts with a committee of landscape architects, response to comments received from the public, including comments from the American Society of Landscape Architects, and review and changes to the section made by the Urban Design Commission, Planning & Zoning Commission, and the Municipal Assembly.
  - Building design standards were decreased over the years in exchange for increased landscaping. The balance of the compromises will be destroyed if both landscaping and design standards are reduced.
  - A new landscape ordinance is a key Comprehensive Plan strategy to improve our city.
  
- Reject language that decreases standards for multi family and townhouse development.
  - The Anchorage Police Department recognizes and encourages the public safety value in street facing windows and visible and accessible entries.
  - “Eyes on the street” help deter criminal activities in neighborhoods.
  - A 15 percent window requirement is modest and practical. It can be easily met, and represents the lowest percentage that achieves the objectives for the project.
  - Developers who propose multifamily projects near existing neighborhoods face opposition from the local community because there are few minimum standards to guarantee development will be compatible with the existing neighborhood character.
  
- Watch out for language that would allow expedited changes to the code in cases where clear mistakes were made in the rewrite.
  - This change could be good if worded so the cases where it would be applied are limited. Changes would be made case by case, and not allowed to apply sweepingly across all other sections of the code.
  - Major changes to the code should use the approved amendment process.
  
- Watch out for language allowing Single Family homes in R-3 zones
  - With the low vacancy rate for rental housing in Anchorage today, all multifamily zoned lands need to be preserved to meet future housing demands.
  - The Comprehensive Plan requires an “amendment of multifamily zoning district regulations to eliminate low-density housing. Design standards for minimum residential density development will be developed before this strategy takes affect.” The provisionally adopted code recommends a baby-step towards meeting this policy—namely the removal of detached single family housing as an allowed use in the R-3 district.
  - While there are several areas currently zoned R-3 that should be designated for a lower density, these are a geographic issue to be addressed by the draft Anchorage Bowl Land Use Plan Map.

## **WHAT SHOULD BE DONE?**

### **GET OUT AND SHOUT! NO MORE COMPROMISE!**

The mayor’s recommendations are scheduled for a public hearing at the Planning and Zoning Commission on February 13, 2012 and sometime later at the Assembly.

More info is at [accalaska.org](http://accalaska.org). This information is provided by a coalition of groups concerned about the progress of Title 21. See Free Title 21 on Facebook.

Also see <http://www.muni.org/Departments/OCPD/Planning/Projects/t21/Pages/Title21Rewrite.aspx>