

Turnagain Community Council Resolution on Proposed Amendments to the Provisionally Adopted Title 21 Rewrite

Whereas, a rewrite of Anchorage's Title 21 land use code was started in 2002 to implement citizens' vision for Anchorage's future, as presented in the Anchorage 2020 Comprehensive Plan;

Whereas, during an extensive, multi-year public process, there have been five drafts and multiple Planning and Zoning Commission and Assembly public hearings;

Whereas, the Assembly Title 21 Committee thoroughly reviewed, discussed, analyzed and amended various drafts;

Whereas, by the summer of 2010, all but one of the fourteen chapters of Title 21 had been provisionally adopted by the Assembly;

Whereas, after hiring former Assemblyman Dan Coffey to review and propose amendments to the provisionally adopted code, Mayor Dan Sullivan provided direction to the Municipal Planning Staff to release his (Mayor's) proposed amendments;

Now, Therefore, be it Resolved, that Turnagain Community Council recommends that in order to protect the integrity of the public process and Anchorage's vision, goals and objectives, as outlined in the Anchorage 2020 Comprehensive Plan, **the following actions be taken** with regard to select proposed amendments to the Provisionally Adopted Title 21 Rewrite. The absence of TCC recommended actions on other proposed amendments should not be interpreted as support or opposition of those amendments; the following reflect TCC's main areas of interest:

- **Amendment #4 — 21.03.020C.2. Use of Community Council Meetings:**

TCC is concerned that major land use cases that merit thorough public review and discussion would require more time than could be accommodated at a regular community council meeting.

⇒ **TCC requests that the first and second sentences of 21.03.020C.2. be amended to:**

The applicant is encouraged to use the community council(s) meeting of the project area as the community meeting if the community council(s) meeting can adequately provide enough time for a thorough public review and discussion of the project. If the community council(s) meeting for the project area is not scheduled in a timely manner, or cannot adequately accommodate enough time for a thorough public review and discussion of the project at a regularly scheduled meeting, the applicant shall organize a community meeting.

- **Amendment #30 — 21.04.080H. TR Transition District:**

TCC supports deletion of the proposed Airport Zoning District from the Provisionally Adopted Title 21 Rewrite. **TCC also supports the retention of the Transition District** from the previous Title 21 (21.40.240) for the Ted Stevens Anchorage International Airport and continued use of the PLI, I-1 and T districts until an Airport District is adopted.

However, **TCC opposes the proposed language for TR Transition District, as presented under Amendment #30.** Specifically, staff does not provide tracked changes comparing the proposed

language for TR Transition District to the T Transition District code language found in 21.40.240, nor does staff provide any rationale for deleting detailed language regarding noxious, injurious or hazardous uses that exists in the current Title 21 code, **ensuring that the health, safety and welfare of the public is explicitly protected.**

- ⇒ **TCC requests that before public hearings are held for the proposed amendments to the Provisionally Adopted Title 21 Rewrite, the public and public officials (i.e., Planning and Zoning Commission and Assembly) be provided a “redline” comparison showing changes from the current T District language in 21.40.240 to the proposed TR Transition District language in 21.04.080H. as well as staff rationale for their deletion of detailed language in this section.**
- ⇒ **TCC also requests that the current Title 21 code language for the Transition District under Conditional uses (21.40.240.D.3.) and Prohibited uses (21.40.240.E.1.) be inserted into the TR Transition District language proposed amendment as follows:**

Under d. Conditional Uses

Noxious, injurious or hazardous uses, as defined in subsection e. of this section, are prohibited, provided, however, that the planning and zoning commission may grant a conditional use for such uses when it finds that the public health, safety, welfare and convenience will be adequately protected by location, typography, buffer landscaping or a screening structure in combination with visual enhancement landscaping or by observation of protective performance standards that effectively remove the proposed use from classification as a nuisance.

Under e. Prohibited Uses

Noxious, injurious or hazardous uses, which are defined as any use that may be noxious, injurious or hazardous to surrounding property or persons by reason of the production or emission of dust, smoke, refuse matter, odor, gas fumes, noise, vibration or similar substances or conditions, or the production or storage of explosive materials. Any use or structure which is likely to be incompatible with established permanent uses within the area to be affected by the proposed use or structure. The building official (which TCC see is recommended to be changed to **Municipal Engineer** throughout the code) shall review every application for a building or land use permit for compliance with this subsection.

- **Amendments #57 & #59 — 21.07.020B. Stream Setbacks:**

Anchorage has an abundance of streams, lakes and wetlands that provide aesthetics, recreational opportunities, wildlife habitat, and ecological functions. These surface water areas also charge drinking water sources for our community. Protection of water body setbacks to ensure high water quality standards is important to the health and well being of our aquatic ecosystem.

- ⇒ **Reject the proposed amendments** that would reduce stream setback protection widths that were approved in the Provisionally Adopted Title 21 Rewrite.

- **Amendment #61 — 21.07.030B.1. through B.5 Private Open Space:**

- ⇒ **Reject the proposed amendments** that would reduce private open space requirements that were approved in the Provisionally Adopted Title 21 Rewrite.

- **Amendment #62 — 21.07.060D.3.b. Connectivity Index**

When neighborhoods are connected, walking and biking are encouraged and a greater sense of community occurs. Not only does the connectivity index make sure there are adequate vehicle routes in and out of neighborhoods, it also provides more options for bicyclists and pedestrians to move in and between neighborhoods.

⇒ **Reject the proposed amendment** that would delete the Connectivity Index that was approved in the Provisionally Adopted Title 21 Rewrite.

- **Amendment #65.4 — 21.07.080E.6.d. Parking Lot Interior Landscaping:**

TCC opposes reducing the requirements for parking lot interior landscaping. This city is filled with large, unattractive, sea-of-asphalt parking areas; stronger requirements are severely needed.

⇒ **Reject the proposed amendments** that would reduce the amount of interior parking lot landscaping requirements that were approved in the Provisionally Adopted Title 21 Rewrite.

- **Amendment #70 — 21.07.080G.2.h Dumpster Screening:**

⇒ **Reject the proposed amendment** that would increase the amortization period for complying with the new dumpster screening provisions from five to seven years.

- **Amendment #84 — 21.07.110 Standards for Multifamily Developments:**

TCC opposes reducing some of the Provisionally Adopted Title 21 minimum development standards for residential multifamily and townhouse developments that would no longer achieve the original objectives of the section.

⇒ **Reject any proposed amendments that would reduce development standards**, including landscaping requirements, for residential multifamily and townhouse developments that were approved in the Provisionally Adopted Title 21 Rewrite.

- **Amendment #86 — 21.07.110E. & 21.07.110F. Standards for Single Family and Two-Family Structures**

⇒ **Reject any proposed amendments that would delete design standards for single-family and two-family structures** that were approved in the Provisionally Adopted Title 21 Rewrite.

APPROVED unanimously by Turnagain Community Council, this 2nd day of February, 2012.

Respectfully submitted,



Cathy L. Gleason, Turnagain Community Council President