

# Correspondence



**RABBIT CREEK COMMUNITY COUNCIL (RCCC)**  
A Forum for Respectful Communication & Community Relations



**1057 West Fireweed Lane, Suite 100 / Anchorage, AK 99503**

May 20, 2024

**TO:** MOA Planning and Zoning Commission

**RE:** PZC #2024-0067 Comp Plan amendment for H.O.M.E Implementation via AO 2024-44,

Rabbit Creek Community Council (RCCC) opposes Assembly Ordinance 2024-44 (AO 44) for the reasons cited in the Planning Department's Staff Report Memo (dated May 20, 2024), and for additional reasons cited below. The RCCC Board has approved submittal of the following comments.

RCCC requests that the Planning and Zoning Commission (PZC) adopt the Planning Department's analysis memorandum dated May 20; and recommend to the Assembly the indefinite postponement of AO 44. It would be premature to set a future hearing date for an improved AO 44 substitute version until a meaningful and complete public process has been scoped out and the resources have been committed to Planning Staff to do proper analysis and public outreach.

Ordinance 44 is more than a bundle of amendments to the Comprehensive Plan. It undercuts the 2020 Comprehensive Plan and 2040 Land Use Plan by removing key elements:

- No longer targeting infill and redevelopment to occur in blighted areas and central locations,
- No longer matching new growth to infrastructure capacity,
- No longer minimizing future vehicle traffic,
- No longer preserving and strengthening distinctive neighborhood characteristics.

In addition to removing key elements of the Comprehensive Plan, AO 44 paves the way for easier rezoning and variances, based on unvetted trends. Rather than follow the policies of Anchorage 2020, future rezoning under AO 44 would be based on "the most current comprehensive planning guidance". The ordinance doesn't specify whose guidance, thereby opening the door to special interests and backroom deals. Additionally, cutting corners runs counter to the primary public benefit of zoning, expressed in 21.03.160: "Zoning is intended to provide a degree of certainty that is important for long-term investment and neighborhood cohesion and stability."

RCCC requests the Planning and Zoning Commission to follow the Planning Department's Recommendations to:

1. Postpone action on AO 2024-44 until there is a collaborative Comprehensive Plan Amendment consistent with a 10-Year Targeted Plan review and based upon a collaborative public process. Other cities have done major rezoning through collaboration and expert planning analysis: Anchorage residents deserve the same. Please set an expectation like the Planning Department's memo: "meaningful public involvement that collaboratively engages residents, property owners and stakeholder organizations to establish the basis and policy guidance for single-family zoning reform and other zoning ordinance amendments".
2. Carry out the rezoning process separately, following the procedures in AMC 21.03.160. RCCC wants to emphasize that rezoning should include direct public notice to affected property owners and a complete analysis of the changes and impacts, including effects on tax appraisals.
3. Follow the intent of the Comprehensive Plan, rather than subvert it. This is a paraphrase of the Planning Department memo, "Revise the draft Title 21 Text Amendment and the Zoning Map Amendment to reduce the need for so many Comprehensive Plan Amendments."

Rabbit Creek Community Council believes neighborhood and district plans should be carefully considered to determine appropriate rezoning. These plans represent detailed public input and long-term visions. These plans should not be dismissed by changes to the broader Comprehensive Plan. The Hillside District Plan, for example, has numerous environmental and infrastructure considerations, and neighborhood characteristics and qualities that should be duly considered during discussions of rezoning.

#### Beware of rushing crucial public policy decisions.

The Planning and Zoning Commission should reject the Assembly's assertion that rezoning is an emergency response to housing unaffordability. Rezoning won't provide a surge of housing on a scale or a near-term timeline that will relieve frustrated renters and aspiring homeowners. Zoning isn't an emergency solution for affordable housing because:

1. Zoning is not a main factor in housing costs in Anchorage. There is no data to show that Anchorage zoning currently provides sufficient acreage for multi-family housing needs (per the 2040 Land Use Plan figures) and Anchorage has already expanded the acreage and locations available for ADUs and expansion of 3- and 4-plexes.
2. Rezoning will not produce fast housing construction. The Anchorage housing market is repressed by mortgage rates, construction costs, labor shortages, the stagnant Alaska economy, and statewide outmigration. Zoning is not a cork in a bottle: housing will not pour forth if there is areawide rezoning.

Ensure the public's right to informed, meaningful participation in the Comp Plan amendments. Good public planning takes data, expert analysis, and time to educate and involve the public and stakeholders. Other cities that have done major rezoning have taken several years to determine the need for rezoning and to re-envision their Comprehensive Plans. The Planning Department has written that the AO 44 amendments meet the Title 21 definition of a Targeted Plan Review (May 20). The Planning Department finds that the Assembly process has thus far not allowed the public to participate appropriately in the preparation and evaluation of amendments on the scale of a Targeted Plan Review (May 20 memorandum). The Planning Department has written that the legal requirements for amending the Comprehensive Plan reflect the importance of analysis and public discourse to clarify goals for the future, impediments, and effective solutions and policies, all in preparation for implementation actions (March 18 memorandum). Informed community conversation is vital to amending the Comprehensive Plan: and that hasn't happened with AO 87 (S) and AO 44.



Ann Rappoport, Co-Chair



John Riley, Co-chair

ATTACHMENT REGARDING AO 2024-044.

AO 44 is intended to legalize passage of AO 87(S): neither ordinance serves the public interest, health, or welfare of the community as required under Title 21.03.070.C.2

AO 44 is intended to create a legal path for areawide rezoning through AO 87(S). Areawide rezoning is specifically not recommended in the 2040 Land Use Plan. Rabbit Creek Community Council reiterates its previous opposition to AO 2023-87(S), areawide residential rezoning (Letter submitted to the Assembly on February 27, 2024). The 87(S) rezoning would encourage random higher density, which results in many negative impacts to the general welfare, including cost-inefficiency. Random higher density causes inefficient use of infrastructure; increased traffic and parking pressure; loss of distinctive neighborhoods; and less certainty for investors and residents. AO 44 reduces the latitude for the city to apply design standards and scale requirements and other site requirements to ensure that denser more intense development will have minimal impacts on existing neighbors and neighborhoods.

Specific reasons to recommend denial or indefinite postponement of PZC 2024-067/AO 44.

Rabbit Creek Community Council submits the following specific concerns to support the indefinite postponement of 2024-067/AO 44 and to instead require a collaborative Comprehensive Plan review prior to rezoning. AO 44 does not meet the Approval Criteria of Title 21. 03.070.C.2.b or c regarding the public interest, health, safety, convenience or welfare of the community.

- A. 2024-044 would override neighborhood and District Plans, including the Hillside District Plan, without due consideration nor collaboration with residents. The resulting

inconsistencies among and within plans would violate the Title 21 criteria for Plan Amendments to be consistent (21.03.070.C.2.b),

- B. 2020 Comp Plan Policy 5 would no longer require rezones and variances to be in scale with adjacent uses and no longer require consistency with the 2020 Comp Plan goals and policies.
- C. 2020 Comp Plan Policy 49 would no longer require new development to be consistent with the functions and aesthetic character of adjacent development.
- D. Land Use Policy 2.1 – the amendment supports sprawl by removing the priority of public infrastructure for infill areas; and the amendment allows priority public funding to extend infrastructure in outlying areas, which may be cost-inefficient and induce more driving.
- E. Land Use Policy 4.1 – the amendment proposes neighborhood-scale commercial uses, without defining where or what that entail; thus, exposing residential areas to potential impacts such as high traffic and 24-hour operation.
- F. Land Use Policy 4.4 – the amendment vaguely calls for “diversifying the uses allowed on a property to support financial stability”. This gives no certainty about traffic, noise, lighting, fumes, drainage. Does it include pull-tabs, carwashes, or other high-traffic, high impact uses?
- G. Land Use Policy 7.2 – the amendment removes the transitions between high intensity uses and low-density residential neighborhoods, allowing greater impacts.
- H. Land Use Policy Goal 2-6 – the amendment promotes commercial sprawl. It amends Title 21 to allow more commercial activity in all residential neighborhoods, rather than supporting neighborhood commercial centers. Does not specifying how commercial sites will be kept at neighborhood scale and how much residential land will be converted. Does not address the likelihood of increased driving.
- I. Land Use Policy 6-7 – removes the goal to coordinate and promote housing and public transit corridors.

Disagreement with the Assembly Sponsors’ premises for 67.

The Assembly Memorandum (AM 389-2024) states that “the sponsors of the HOME initiative have conducted a targeted, outcomes-focused review of our current plans...”. RCCC finds otherwise.

The review of our current plans has been deficient.

The Assembly is not following Alaska statutes which specify that an overall review of the comprehensive plan shall precede plan updates. The Assembly has also not conducted the level of review and public participation merited for a Targeted Plan Review under AMC Title 21.03

AS 29.40.030(B) states: “The assembly shall, after receiving the recommendations of the planning commission, periodically undertake an overall review of the comprehensive plan and update the plan as necessary.”

RCCC finds that the Assembly’s review has been too targeted, focusing on only a few housing policies and an ineffective solution of areawide rezoning. The Assembly’s review ignores

inconsistencies with other Comp Plan goals and policies, in violation of 21.03.070.C.2.b as noted by the Planning Department memorandum (May 20).

AO 67 and AO 87(S) are not directed toward outcomes.

RCCC disagrees that the amendments of AO 67 and 87(S) are directed toward outcomes. Rezoning is a tool, not an outcome. The outcome will be the eventual pattern of scattered, random residential development. The Assembly seeks to wield the tool without regard for the outcomes. The future land use pattern and its effects have not been quantified and analyzed. AO 44 creates uncertainty for residents, property owners, investors, and public officials. The purpose of the Comprehensive Plan is to guide land use patterns, such as density, efficiency, scale, neighborhood character, traffic patterns, the demands on infrastructure and services, the effects on watersheds and the natural environment. Rezoning is not intended to be arbitrary or over-applied per Title 21: “21.03.160 Rezoning (Zoning Map Amendments). Zoning is intended to provide a degree of certainty that is important for long-term investment and neighborhood cohesion and stability.

AO 67 does not meet the definition of “necessary” under Approval Criteria A for Comprehensive Plan Amendments (21.03.070.C.2.a)

As noted by the Planning Department, the trends and issues in housing needs are not new: they were previously identified through in-depth studies for Anchorage 2020 and the 240 LUP. The issues have remained constant but have been amplified *by housing prices and the cost of financing*. We support the Department’s finding that the 2020 and 2040 land use plans need more robust, targeted implementation, and that the AO 67 proposed amendments are not necessary to address changed projections, new issues, or omissions from the Comprehensive Plan. (May 20 memorandum).