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COMMUNITY PLANNING AND DEVELOPMENT



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January 20, 2005

Tom Nelson, Director, Planning Department
Municipality of Anchorage
4700 S. Bragaw Street
Anchorage, Alaska 99507

Re: Comments on Discussion Draft of Title 21, Module 3

Dear Tom:

The Anchorage Home Builders Association is a non-profit trade association whose mission is to promote safe and affordable housing. It is in this sense that we have welcomed the opportunity to participate in providing this initial review on the proposed changes to the Anchorage Land Use Regulations. We wish to acknowledge the invaluable contribution of your staff, the Real Estate Task Force, their consultants and participants in the case studies, the Chamber of Commerce, the Citizens Coalition and the individual citizens of Anchorage in this undertaking.

The Anchorage Home Builders Association has, through its directors Evan Rowland and Sue Wolfe, been privileged to work with these and other civic organizations to bring a balanced approach to the economic impact and affordability issues confronting Anchorage. As Mr. Dick Farley, consultant with Civitas Inc. acknowledged, "Anchorage is not an affluent community". It is our sincerest hope that a consensus can be reached with these proposed changes to the Land Use Regulations.

Some of the areas in which the Home Builders Association has concerns are listed below. We offer these in addition to the annotated comments we have provided to staff.

- Anchorage is a unique winter city and as such we desire to keep that sense of individuality and not have it lost to a set of regulations that does not address our unique issues and challenges.
- Safe and affordable housing is of primary importance. It does not benefit the community to build developments in which only a limited few can afford to live.
- Streamlining the development process is always a concern, not only for the home builder but for the Municipality and its citizens.
- The Open Space requirements in the discussion draft are excessive and repressive to any development. It is acknowledged that there is a need for open areas in residential and non-residential settings; however, obtaining such at the cost of the land owner and ultimately the home buyer seems counter productive. It is our hope that some middle ground can be found in this important area.
- The impact of slope issues on retention of open space, retaining wall height, Access to property, and roads.
- The provision to discourage cul-de-sac development is counter productive as most of the available land is on hillsides and smaller infill areas. We support the Real Estate Task Force recommendations in this matter.
- The economic impact and practical value of excessive tree retention and landscaping.

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ANCHORAGE HOME BUILDERS ASSOCIATION, INC.

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- Wildlife habitat protection is warranted, especially along Anchorage's stream corridors and wetlands; however, to draw wildlife into developed areas encourages the potential for adverse human/ animal contact.
- The Wild Fire Hazard Areas provision may result in further conflict with tree retention and landscaping requirements. We hope to see the full proposal in the first draft review.
- We feel it necessary to voice concern over the Criminal Penalties raised in the enforcement section of the discussion draft. Building permits and land development are civil actions. It would, therefore, seem inappropriate to have a criminal proceeding initiated in what is a civil matter.

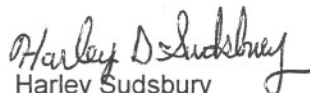
While we have some concerns over certain provisions found in the discussion draft, we also find areas we support and feel these offer a basis for continued discussion and improvement.

- The Alternative-Compliance provision is a sound and reasonable approach to minor differences to code interpretation. We would like to see this applied to all of Section 21.07 as this will help improve the plan review process.
- Code Enforcement is a vital and appreciated function that needs better support. As noted during the Real Estate Task Force case studies, there is a need for commitment by the Municipality to adequately support this provision of the code.
- We heartily support the Boards and Commission's committee submittal for Large Retail Development and would like to see similar point and menu driven criteria made available for residential development standards.
- We feel that incentive based development standards are effective tools for use in all areas of development.

We wish to thank the Municipality for allowing the Anchorage Home Builders Association this opportunity to participate in the review of this discussion draft. We applaud the Municipality's efforts to facilitate the case study reviews and the Real Estate Task Force review of the impact to specific projects. This process has provided all stake holders invaluable insight into potential impacts of the new code.

We look forward to continued participation with the Municipality in the development of Land Use Regulations for the Anchorage area.

Sincerely,



Harley Sudsbury

President, Anchorage Home Builders Association

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