

HALO Meeting Minutes
Thursday, April 4, 2024 at 7 pm
Shepherd of the Hills (corner Klatt Rd & Elmore Rd)
Zoom Meeting ID 455 419 5765 Passcode HALO

I. Call to Order and Welcome by President Katie Nolan. Board Members present: Marc June, David Michael, Christine Monette, Gail Morrison, Lizzie Newell, Joan Priestly, Rachel Ries, Carmela Warfield, Jason Warfield, and John Weddleton.

Board Members absent but excused: Peter Johnson, Mike Kenny, Frank Pugh.

Board Members absent: Sarah Denson

II. Agenda

III. Presentations

A. State

Sen. Kaufman

Senator Kaufman's update to HALO - 4/4/24

1. CAPSIS is how we submit projects to our finance committee. Here is a sample of the project requests in our district:

a. Safe Pedestrian Crossings for O'Malley Elementary School

b. Disaster Evacuation Routes, Anchorage Hillside

c. O'Malley Elementary School Zone Safety

d. Safe Pedestrian Crossing to Service High School and Trailside Elementary

e. Hillside LRSA / RRSA Drainage and Ditching

2. BUDGET: The House is working through their final amendments to the budget as we speak. The plan is for the House to pass the operating budget and the Senate to pass the capital budget on or before April 12th. A new Senate version of the capital budget is supposed to be released in the next couple days.

3. BILLS MOVING

a. SB 34 - Reauthorizing the Citizens Advisory Commission on Federal Areas passed the Senate Floor unanimously on March 22nd.

b. SB 147 - Reemployment Benefits passed the Senate unanimously earlier this month. It will be heard in its last committee in the House on Friday.

i. Brings much needed updates to reemployment benefit system (System to help injured workers heal and get back to work)

ii. Helps keep people in the workforce, reduces administrative burden, keeps people in AK

- c. SB 134 - Insurance Data Security is moving out of its last Senate committee soon.
 - i. Requires insurance companies who hold sensitive private information to perform an risk review of their information security systems and to implement a security program based on the results of that assessment
 - d. SB 201 - Office of Information Technology would help modernize the state's woefully outdated IT systems. It was heard in the Senate State Affairs Committee
 - e. SB 20 & SJR 4 - My GDP-based spending cap bill will be heard in the Senate Judiciary Committee next Friday, April 12th.
4. The Statewide Transportation Improvement Program: The Department of Transportation submitted their revised Statewide Transportation Improvement Plan on the 1st of March. They worked closely with the federal highway administration on the changes they needed to make and FHWA responded on the 27th of March with a near complete approval. DOT is now working with FHWA to resolve the six remaining unapproved items. Summer construction will proceed. We will hearing from the Commissioner of DOT about the STIP process in Senate Transportation on April 11th at 1:30pm. You can watch online at
https://urldefense.proofpoint.com/v2/url?u=http-3A__akl.tv&d=DwlFAg&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_Cdp gnVfiiMM&r=C6n-nYZaEBJwpGK8w09gFQ&m=rmlA3JsvlDadQ9Cc gOEITc_dElhteKAACFTYAa8eQjFEESzPjEFxK_E2c5h09kaj&s=ESGZHwYktdfwAV8fFCYhIVlpLhAPrUDnUs49L9jrvA0&e
 =

Julie Coulombe

- Consumed in Finance with budget amendments
 - The finance committee will roll out final budget friday
 - Then it goes to the floor
 - 3 amendments: Chugach Park Trailhead \$346,000 put forward without objections
 - \$4 million for year round homeless shelter; passed
 - \$800K for campus security; passed
 - \$2200 PFD; \$680 one time BSA; GRIP funding - still has to go to the floor
 - House finance started Energy Week - all the energy bills put forward next week - Cook Inlet, Renewables, Storage, Transmission; put forward to House floor eventually
 - HB89 - Health and Social Services (Senate) will be heard next week
 - HB286 - Crime victim restitution - what victims can ask for restitution
 - Property Assessment Bill - putting guard rails around tax assessments; has bipartisan support
- Energy - Sen. Kaufman
 Education - HB392 - trying to make this happen; should move out next week; teacher bonuses were pulled out; addl funding for reading per student; BSA, transportation, some charter school language keeps getting

changes (Governor wants this); working on tweaking verbiage to try to keep away from being vetoed by the Gov.

Question: There is a hearing coming up on approving 2 people on the ethics committee. Yes, this is correct. Q - Heard the people on the Ethics committee have low ethics; unaccountable to anyone; no recourse if ethics officers abuse their positions. J - there have been a lot of conversations around these positions, e.g., term limits; Ethics Committee Joyce Anderson and someone else. Julie and James - send them an email if you have issues / concerns and they will take a look at it.

IV. Minutes

A. February 2024

- Accepted with addition.

V. Treasurer Report

- \$14,636.61 Business Savings
- \$306.84 Checking
- Checks written: \$200 Church; \$300 Forum/ Zoo; \$300 for mail box

VI. Community Council Reports

A. Abbott Loop - Lizzie

- Firewise
- Annual picnic in June 25th
- Pavillion request moving forward

B. Bear Valley - N/A

C. Glen Alps - N/A

D. Hillside - Camilla

- CC meeting 4/3/24 approved a letter of support on Carl Eide ski jump @ Hilltop to fix the stairs for full match; applying for matching funds;
- Working on:
 - Capital improvement project review - comes online around mid April
 - Next steps on Rockridge Drive
 - Glenn Alps RSA re: resurfacing upper DeArmoun
 - GARSa will meet April 18th to discuss

E. Huffman/O'Malley - Gretchen/Rachel

- Diane to talk of zoning issues to assembly
- April 18th meeting
- May 16th meeting
- Kempton Hills Garage Sale - last weekend in May. May have a truck to donate items

F. Rabbit Creek - Mike

- Spending a LOT of time on zoning issues
- Zoning for "affordable housing" doesn't turn out to be affordable; housing is \$300/sq foot (new construction); the Hillside District Plan - there wasn't enough neighborhood input;
- Water - water / sewer question; some houses are on community water but private

- septic;
- May 9th, CC Science Center - FIREWISE from 7 - 9 pm

VII. Committee Reports

A. Firewise/Resilience (Nolan/Ries). The Committee is finalizing the MOU with AFD. Projects have been submitted by several councils and road service areas. These include creating or repairing 'safe routes to schools', expanding egress, creating emergency vehicle turn-arounds, creating snow dump areas, and identifying potential new water sources. Next steps include having Team Rubicon "TR" and AFD assess each project and plan the work schedule. AFD has requested that we also look at some underwriting of the Muni woodlot. We do not want to underwrite the full cost, as this is not within our scope. There is a potential for us to underwrite individual woodlot fees for Hillside residents under certain conditions, which we are investigating. This could include giving our councils woodlot passes to award to their members.

Projects requested include:

- Abbott Loop CC: Section 16 Ruth Arcand Park - lots of trees need to be removed
- Bear Valley CC - many ideas and working on a list
- Glen Alps RSA - same
- Hillside CC - lots of downed trees; safe route schools; wooded area behind both schools have dead trees
- Huffman O'Malley CC – safe routes needed;
- Rabbit Creek Elem and Greenbelt - down/dead trees and safe routes; 142nd - dead end road - want to tap into the water access
- Rabbit Creek CC - Potter Marsh Wetlands - needs new trails and dead/down trees
- Gunnison Dr - Rabbit Creek canyon - need flammable cleanup - tough to clean up due to the steepness
- Upper Birch Rd - need a snow dump area and wider turnaround for emergency vehicles on Penny

Have had conversations with TR reps and Brian Dean out and looking at and prioritizing projects. We will be in high fire danger soon. Still trying to get the MOU signed and monies released.

Sen. Kaufman - determine / document how projects were prioritized; Rachel Ries discussed the management software tool she is utilizing that will prioritize and track project progress.

B. ByLaws (Johnson, Monette)

- Will be mailed to the membership before April 15th

C. Land Use (Priestly)

- 1 - Rob Brown, Carol Ashlock to represent them at a Board of Adjustment hearing and won; going back to Platting Board
 - muni.org meetings - in the url - to see all meetings
- 2 - Hultquist Canyon court case - still alive; hearing scheduled, unsure if a BOA has been scheduled
- 3 - Lewis & Clark lawsuit - at the Supreme Court; awaiting oral hearing date in June; then 2 - 6 months will issue their opinion

D. Ad-Hoc Hillside Protection Committee (Weddleton, June, Monette)

- Zoning PNZ 2024-0006
 - Jan 12 - version had details that people wanted - doesn't have a number yet

- All zones into 5 zones
 - Min lot size 1 acre
 - Apt - 2 acres?
 - Approval #1 -
 - Approval #2 -
 - Approval #3 -
 - Key - if it is a rezone - they need to notify EVERY property owner; then the public hearing process; amend the comprehensive plan (can take a week or 6 months)
- Planning Commission - Assembly is required to follow the rezone process; home owners need to get a super majority; but in the end the Assembly does whatever it wants to do.
- Katie - what are our steps to fight for our property rights?
- John W - "say we have processes to do this".
- The only way to make affordable housing: land and home parts and pieces are reduced in price + taxes are decreased

E. 3/13/24 JW Notes on Staff report for 4/18/24 PZC meeting*

* below red text under PZC Case No. 2024-006 was presented by John Weddleton during the April HALO meeting.

[PZC Case No. 2024-0006 Title 21 Text Amendment: H.O.M.E. Initiative \(muni.org\)](#)

Planning says only requested to look at 2023-87(S), not the 1/12/24 version and states 'The challenge for staff and the Planning and Zoning Commission is that that recommendations must be made without knowing for certain the intended elements that will determine the future use, housing supply, and physical development pattern of the merged districts.'

But ... staff does use the 1/12/24 version to indicate the sponsor's intent and so likely scenarios.

'...The ordinance tends to favor adopting the regulations of the most intensive (and least common) zones in each group' p3

This seems incorrect: 'An exception to these tendencies is in the proposed Large Lot Residential (LLR) zone, where the minimum lot size in the existing R-5, R-6, and R-7 zones will be either unchanged or increase, depending on each area. This increase in minimum lot size will reduce the number of individual lots allowed, decreasing potential residential capacity.' P.3

'... Differing Effects in Some Zoning Districts with Special Limitations (SLs). The public hearing draft ordinance removes all Special Limitations (SLs) from the residential zoning districts that currently have SLs.' p.4

Hillside impact shown Table 4 p7

Existing Zones Total Lots and Acreage (% of residential zones)

R-5 1,290 lots (2%) 310 acres (1%)

R-6 5,870 lots (10%) 7,160 acres (20%)

R-7 790 lots (1%) 690 acres (2%)

R-8 150 lots (0.2%) 1,020 acres (3%)

R-9 670 lots (1%) 1,060 acres (3%)

R-10 580 lots (1%) 4,230 acres (12%)

Substantive Changes

Permitted Uses: (Implied Changes:) Not shown but is likely to lead to allowing two-family (duplexes) in existing R-10 alpine/ slope zoned areas, to match the existing entitlement for duplexes in the R-5, R-6, R-7, R-8, and R-9 zones. Appears likely to lead to allowing a few more nonresidential uses, such as schools and animal care, in existing R-8, R-9, and R-10 zoned areas.

Development Standards: (Implied Change:) Not shown but is likely to lead to **reducing the minimum lot size in the R-8 and R-9 upper Hillside zones, from 4 and 2 acres respectively, to 1 acre, to match the predominant R-6 zone.**

(Implied Change:) Not shown, but if the **minimum lot size will be 1-acre, would render the 7,000-square-foot lots in the R-5 zone and the half-acre lots in the R-7 zone as nonconforming**, by increasing the minimum lot size in these areas.

(Implied Change:) Not shown, but to integrate the minimum lot size of the existing R-10 Alpine/Slope District, which varies from 1.25 to 7.5 acres depending on the topographic slope of each lot, it must either (a) apply the R-10 standard everywhere and render lots with steep slopes in the R-6, R-8, and R-9 districts as non-conforming; or (b) reduce the minimum lot size in existing R-10 zone areas to 1 acre. Attachment 4 indicates the intent of the sponsors would be a combination of both (a) and (b).

(Implied Change:) Not shown but would likely lead to either a reduction to minimum setbacks in existing R-6 zoned areas, or an increase in minimum setbacks in the more sloping Upper Hillside zones and more urban R-5 and R-7 zones, or a combination of both. Attachment 4 indicates the intent of the sponsors is to reduce the front, side, and rear setbacks by at least half in the existing R-6 zoned areas to match the other zones, allowing residences and non-residential buildings in existing R-6 zoned areas to be built closer to road frontages and neighboring properties.

Impact on needed infrastructure:

'PM&E anticipates that in areas where streets were developed for single-family homes there will be increases in both non-motorized and motorized traffic on streets that were not designed to accommodate the additional traffic. Also, street improvement requirements for new subdivisions in former single-family zoned areas will be based on the higher anticipated trip rates, which means that thresholds for requiring certain improvements such as sidewalks or secondary fire access roads will fall. Features like sidewalks will be required on streets with fewer platted lots, and the threshold for a street to be constructed as a collector will be reduced from a street serving approximately 210 lots to a street serving approximately 114 lots. The subdivision size threshold for requiring secondary fire access roads will change from 30 lots to 15 lots.' P.10

'Right-of-Way Enforcement Section expressed concern that continuing to add more dwelling units per parcel without addressing the **impact of additional motor vehicles or parking on**

property will overburden the undersized street rights-of-way abutting parcels. It commented that current infrastructure is not built to accommodate additional parking and expressed doubt that most future residents would walk or bicycle instead of driving and parking motor vehicles.’ P.10

‘The Proposed Ordinance Requires a Rezoning. The actions proposed in A.O. 2023-87(S) qualify as a rezoning because they amend the boundaries of zoning districts and the zoning classifications of parcels of land throughout the Bowl.,, To implement the proposed ordinance, the Municipality must follow the public process for a zoning map amendment established in AMC 21.03.160, Rezonings ... this process tracks with previous areawide rezonings. For example, in response to the Girdwood community’s desire for its own zoning districts and regulations, the Municipality enacted new zoning districts that replaced the R-11 zone in Girdwood in 20054. ‘ p11

After pointing out benefits of decreasing the amount of R-1 land to get ‘missing middle’ housing ... ‘However, the materials submitted with the public hearing draft do not provide an analysis or evidence to support why reclassifying all R-1 single-family zoned areas into a two family zone is the best solution for Anchorage. Alternative solutions that other U.S. cities are exploring, adopting, and implementing show promise and may be found more effective. ... —because that would increase housing density and population in areas with natural hazards, critical or sensitive environmental functions, or inadequate transportation infrastructure or utilities.’ P15

Continuing this thread, the report says the new zone restricts old SF to max 2 residential (does not mention that also ADUs could be added.) would limit the ability to add 3 or 4 units with limits on size and such. i.e the proposal might decrease the potential amount of new units. ‘ ... , there is a higher policy risk that cutting off single-family zoning reform at only two principal dwellings per lot could bring Anchorage up short for housing capacity” P16

‘Multifamily Zones: Allowing Commercial without Limit; Allowing Bigger Buildings. The public hearing draft ordinance does not make substantial changes to the allowed residential uses in the existing R-3 medium-density and R-4 high-density multifamily residential zoned areas, or in the niche R-3A and R-4A mixed-use residential zones. The primary implied change in all four zones is to allow unlimited non-residential use of a property, ... Unlimited commercial entitlement is more likely to result in the displacement of existing rental (tenant) households, higher costs of renting or purchasing a home for households in general, and increased land acquisition costs for homebuilders’ p16

“Simplifying the Zoning Ordinance: Does Merging Zones Make Life Easier for Development or Benefit the Public? ... However, fewer zoning districts does not necessarily simplify the zoning regulations or make them less complicated for residential developments. For any given housing project in a zoning district, the number of other zoning districts that exist in the rest of town or the code is irrelevant to how complex the land use regulations will be for that development, or how restrictive the regulations will be at the property.: p 20

P19

Large-Lot Low-Density Zones: Reclassifying Unlike Districts on the Hillside. The public hearing draft ordinance’s proposed consolidation of the large-lot residential districts is unlikely to yield much additional housing capacity. Conversely, it is likely to lead to

decreasing residential capacity in the existing R-5 zone and most of the R-7 zone, based on implied changes that would lead to increasing the minimum lot size to one acre. The only areas that might gain housing capacity are in the R-8, R-9, and R-10 zones on the Upper Hillside, which combined include a total of 1,400 properties. With the proposed reduction in minimum lot size to one acre, some of these properties could be further subdivided into one-acre parcels. The ordinance is likely to lead to allowing duplexes in the existing R-10 alpine/slope zone. However, **the minimum lot size requirement of two acres for adding a second principal dwelling on on-site well and septic will continue to be a barrier.** The R-8 zoned area would experience the biggest reduction in lot size, but it is limited in area and comprises only 150 lots.

The moderate increases in the number of acre-or-larger-sized lots on the Upper Hillside **would not provide the most needed housing types.** While the 2040 LUP has a residential capacity shortfall for “missing middle” housing types in urban parts of the Bowl, it yields a surplus of land supply designated for large-lot (semi-rural) homes at the low end of the density range, as shown on Figure 1-10 on page 12 of the plan. In fact, it would reduce urban housing capacity in R-5 and R-7 zoned areas on the Lower Hillside, where there is better access to transportation infrastructure, utilities, and other urban amenities.

Increases in allowed densities in the Upper Hillside could exacerbate **known safety issues where emergency ingress and egress** is limited at the wildland interface. This could put more people in harm's way in the event of a wildland fire. Additionally, more issues with on-site well water quality on the Hillside may ensue due to **increased draw from aquifers and wastewater discharge into aquifers.**

ZONING CONDITIONS OF APPROVAL

“APPROVAL CRITERIA 2: THE PROPOSED AMENDMENT MUST BE CONSISTENT WITH THE COMPREHENSIVE PLAN The Standard is Not Met” p22

‘ ... Section 5 on page 31 of the **public hearing draft A.O. 2023-87(S) gets this relationship backwards.** Section 5 directs that, upon passage of this ordinance, the Planning Department initiate an amendment to the Comprehensive Plan “to be consistent with this ordinance, if the Planning Department determines there are any inconsistencies of this ordinance with the comprehensive plan. ... Because it substantially departs from the plan, it would take a substantial revision to the Comprehensive Plan to bring the plan into alignment with its implementing ordinance. **The proposed ordinance puts the cart in front of the horse and breaks the plan's governance, in conflict with state law and Anchorage Municipal Charter”** P 23

Analysis of Consistency with the Policies of the Anchorage 2020—Anchorage Bowl Comprehensive Plan. Following are conflicts with the policies of Anchorage 2020: ...

- Policy 72 o This ordinance will eliminate the single-family district, which can be a useful land use tool to mitigate the risks to human life and natural environment associated with residential developments within high-hazard areas such as those with steep slopes, significant seismic

ground-failure hazard, flood hazard, and/or environmentally sensitive areas. P 29

APPROVAL CRITERIA 3: THE PROPOSED AMENDMENT MUST BE NECESSARY OR DESIRABLE BECAUSE OF CHANGING CONDITIONS, NEW PLANNING CONCEPTS, OR OTHER SOCIAL OR ECONOMIC CONDITIONS

The standard is partially met. P31

the materials referred by the Assembly do not include evidence that the specific approaches of the proposed ordinance will accomplish the intended outcomes

DEPARTMENT RECOMMENDATION

The public hearing draft H.O.M.E. Initiative ordinance A.O. 2023-87(S) sets a good direction, at least in concept. The proposals to reduce the line-up of residential zones, allow more kinds of housing in single-family areas, and introduce (within limits) neighborhood-scale commercial and new kinds of small-scale mixed-use to supplement residential areas should be supported. However, the draft versions provided in the packet pose practical and legal concerns in terms of the process for rezoning and amending the Comprehensive Plan, as well the choices, scope, and the mechanics of code text amendments. The Municipality should correct these critical concerns to move forward and achieve the ultimate goals of the sponsors of the H.O.M.E. Initiative ordinance. The Planning Department recommends the Planning and Zoning Commission (PZC) postpone action on the public hearing draft A.O. 2023-87(S), to allow the Assembly to revise the public hearing draft and bring the revised public hearing draft back before the PZC for a public hearing, including taking the following actions: p.33

- Follow the Comprehensive Plan amendment process AMC 21.03.060,
- Follow the rezoning process AMC 21.03.160,
- Improve the Draft Zoning Ordinance Amendment
 - a. Focus on increasing housing opportunities.
 - b. Maintain low density in hazardous, inaccessible, and critical environmental areas. As part of the merger of low-density residential zones, limit or avoid increases in allowed residential density in critical environmental areas, areas with natural or technological hazards, and areas with inadequate levels of access, public infrastructure, and urban services
 - c. Focus on housing in multifamily rather than allowing unlimited commercial use

IX. Old Business

- A. HOMES 2023-87S discussed under Committee Reports
- B. 2023-006 Castle Group
 - Nothing new

X. New Business

- A. Wayne Westberg recognition
 - Several ideas have been presented. We will have Senate recognition for presentation to the Westberg family. Will review at annual meeting

- B. Candidate Forum Recap
 - Went well; candidates were happy
- C. Annual Meeting
 - May 2nd

XI. Open Forum

- A. Brandy Pennington - owns 160 acres and 2 homes on the hillside; is a realtor/developer; concerns on Steamboat Drive trail. Would like ideas on what to do with the 160 acres. Proposing to be inclusive of everyone. Wants to have public recreation available. Steamboat Drive is a private road. Pennington controls 300+ acres to develop recreational opportunities.