

# *Municipality of Anchorage*

## **MEMORANDUM**

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**DATE:** May 14, 2015  
**TO:** Reviewers  
**FROM:** Current Planning Section  
**SUBJECT:** Case 2015-0056 (AO 2015-59)

The Anchorage Assembly has introduced AO 2015-59 and scheduled the public hearing before the Assembly for June 23, 2015. Because amendments to Title 21 are required to be reviewed by the Planning and Zoning Commission prior to Assembly action, this ordinance must be scheduled to PZC for the June 8 meeting, their last meeting before June 23. This severely shortens the period for public and agency review and comment.

Submitted by: Assembly Members Hall,  
Demboiski  
Prepared by: Dept. of Law  
For reading: May 12, 2015

ANCHORAGE, ALASKA  
AO 2015-59

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21,  
LAND USE PLANNING (NEW CODE – EFFECTIVE JANUARY 1, 2014)  
CHAPTER 21.04, ZONING DISTRICTS; CHAPTER 21.06, DIMENSIONAL  
STANDARDS AND MEASUREMENTS; CHAPTER 21.07, DEVELOPMENT  
AND DESIGN STANDARDS; AND OTHER CODE AS NECESSARY TO  
IMPLEMENT CHANGES TO FLOOR AREA RATIO REQUIREMENTS.

(Planning and Zoning Commission Case 2015-0056)

THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** Anchorage Municipal Code section 21.04.020, *Residential Districts*, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

**21.04.020 Residential districts.**

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H. *R-4 Multifamily residential district.*

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2. *District-specific standards.*

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c. Floor area ratio (FAR). The maximum floor area ratio (FAR) in the R-4 district is 2.0. [1.0, BUT MAY BE INCREASED THROUGH THE BONUS PROVISIONS IN SUBSECTION 21.04.020I.2.C. BELOW.]

d. Building height[ INCREASE]. Buildings in the R-4 district are not subject to maximum height restrictions [MAY EXCEED THE MAXIMUM HEIGHT ESTABLISHED IN TABLE 21.06-1, UP TO A MAXIMUM TOTAL HEIGHT OF 60 FEET (OR SLIGHTLY MORE—SEE SUBSECTION D.IV. BELOW), SUBJECT TO ALL OF THE FOLLOWING REQUIREMENTS TO ENCOURAGE THE

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PROVISION OF LIGHT AND AIR AT THE GROUND LEVEL, AND ACTIVE USES ON THE GROUND FLOOR FACING THE STREET:]

[i. THE DEVELOPMENT SHALL PARTICIPATE IN THE FAR INCENTIVES PROVIDED IN SUBSECTION 21.04.020I.2.C. BELOW;]

[ii. THE GROUND FLOOR OF THE BUILDING SHALL BE RESIDENTIAL OR OTHER PERMITTED NON-PARKING USE, FOR AT LEAST 25 FEET OF DEPTH FACING THE STREET FOR THE FULL LENGTH OF THE STREET FACING BUILDING ELEVATION, EXCEPT FOR VEHICLE ENTRANCES AND EXITS. WHERE THE SITE HAS TWO OR MORE FRONTAGES, THE STANDARD SHALL BE MET ON TWO FRONTAGES;]

[iii. THE HEIGHT INCREASE SHALL ADHERE TO THE HEIGHT TRANSITIONS PROVISIONS OF SUBSECTION 21.06.030D.8.; AND]

[iv. A PITCHED ROOF FORM MAY EXTEND ABOVE THE 60-FOOT HEIGHT LIMIT, PROVIDED THAT ALL PARTS OF THE ROOF (INCLUDING ANY DORMER FEATURES) ABOVE THE HEIGHT LIMIT HAVE A SLOPE OF AT LEAST 1:2, IT IS NOT A SHED OR BUTTERFLY ROOF, AND THE FINISHED CEILING OF THE HIGHEST HABITABLE FLOOR AREA DOES NOT EXCEED 60 FEET IN HEIGHT; AND]

[v. DEVELOPMENT REQUESTING THE HEIGHT INCREASE SHALL BE SUBJECT TO ADMINISTRATIVE SITE PLAN REVIEW, UNLESS A HIGHER LEVEL OF REVIEW IS ALREADY REQUIRED.]

I. *R-4A: Multifamily residential mixed-use district.*

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2. *District-specific standards.*

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1 c. *Floor area ratio (FAR) incentives for the [R-4 AND]*  
2 *R-4A district[S].* The maximum floor area ratio  
3 (FAR) within the [R-4 AND] R-4A district[S] is 3.0  
4 [1.0] FAR. [, BUT MAY BE INCREASED UP TO A  
5 MAXIMUM TOTAL FAR OF 2.0 IN THE R-4  
6 DISTRICT AND 3.0 IN THE R-4A DISTRICT  
7 THROUGH THE FOLLOWING BONUS  
8 PROVISIONS, SUBJECT TO  
9 SUBSECTION 21.06.030E. THESE INCENTIVES  
10 PROVIDE FOR AN INCREMENTAL INCREASE IN  
11 THE FLOOR AREA OF A DEVELOPMENT IN  
12 EXCHANGE FOR INCREMENTAL INCREASES IN  
13 ANY OF THE FOLLOWING SPECIAL FEATURES  
14 DEEMED OF BENEFIT TO THE COMMUNITY.  
15 INCREASES IN THE FAR MAY BE ACHIEVED  
16 THROUGH THE USE OF ONE OR MORE OF THE  
17 FOLLOWING:]

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19 [i. *BONUS FOR OPEN SPACE.* ONE SQUARE FOOT OF  
20 ADDITIONAL FLOOR AREA IS ALLOWED PER SQUARE FOOT OF  
21 ADDITIONAL OPEN SPACE AREA. THIS SPACE SHALL MEET THE  
22 STANDARDS OF SUBSECTION 21.07.030D. AND BE IN ADDITION TO  
23 ANY OPEN SPACE REQUIRED BY SECTION 21.07.030. THE FLOOR  
24 AREA BONUS INCREASES TO TWO SQUARE FEET FOR OPEN  
25 SPACE THAT MEETS THE STANDARDS FOR HIGH QUALITY  
26 SPACES IN SUBSECTION 21.07.030D.6.]

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28 [ii. *BONUS FOR BELOW GRADE PARKING.* TWO SQUARE FEET OF  
29 ADDITIONAL FLOOR AREA IS ALLOWED PER GROSS SQUARE  
30 FOOT OF COVERED BELOW GRADE PARKING FLOOR AREA, UP  
31 TO A MAXIMUM INCREASE OF 1.0 FAR. THE FLOOR AREA BONUS  
32 INCREASES TO THREE SQUARE FEET ON THE SECOND PARKING  
33 LEVEL BELOW GRADE.]

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35 [iii. *BONUS FOR AFFORDABLE HOUSING.* THREE SQUARE FEET OF  
36 ADDITIONAL FLOOR AREA IS ALLOWED PER SQUARE FOOT OF  
37 AFFORDABLE HOUSING UNIT FLOOR AREA, UP TO A MAXIMUM  
38 INCREASE OF 0.5 FAR. THE AFFORDABLE HOUSING UNITS SHALL  
39 BE CONSISTENT WITH THE STANDARDS OF  
40 SUBSECTION 21.07.110H., AFFORDABLE HOUSING.]

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42 [iv. *BONUS FOR SIDEWALK/WALKWAY WIDENING.* ONE SQUARE  
43 FOOT OF ADDITIONAL FLOOR AREA IS ALLOWED PER SQUARE

1 FOOT OF AREA PROVIDED AS PART OF A PRIMARY PEDESTRIAN  
 2 WALKWAY THAT MEETS THE REQUIREMENTS OF  
 3 SUBSECTION 21.07.060F.4.]

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 5 [v. BONUS FOR UPPER LEVEL SETBACKS/STEP BACKS FOR  
 6 SUNLIGHT ACCESS. A FLOOR AREA BONUS IS ALLOWED EQUAL  
 7 TO ONE-THIRD OF THE SUM OF STEP BACK AREAS ON EACH  
 8 UPPER FLOOR WHERE THE STEP BACK IS AT LEAST 16 FEET  
 9 FROM THE FACE OF THE BUILDING AT THE FLOOR IMMEDIATELY  
 10 BELOW, SUCH THAT THE FLOOR'S EXISTENCE DOES NOT  
 11 INCREASE THE AMOUNT OF SHADOWING ON SURROUNDING  
 12 RESIDENCES, PRIVATE OPEN SPACES, SIDEWALKS, SCHOOLS,  
 13 OR PARKS ON MARCH/SEPTEMBER 21, FROM 9:00 A.M. TO 3:00  
 14 P.M. SOLAR TIME.]

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 16 [vi. BONUS FOR AMBIENT DAYLIGHT FOR RESIDENCES. A FLOOR  
 17 AREA BONUS EQUAL TO TEN PERCENT OF THE LOT AREA (0.10  
 18 FAR) BUT NOT TO EXCEED 4,000 SQUARE FEET IS ALLOWED FOR  
 19 PRESERVATION OF DAYLIGHT FOR ALL DWELLINGS IN THE  
 20 DEVELOPMENT AND FACING THE DEVELOPMENT, USING THE  
 21 STANDARDS OF SUBSECTION 21.07.110C.9.G. TO RECEIVE  
 22 CREDIT, THE BUILDING SHALL NOT EXCEED A DAYLIGHT PLANE  
 23 RISING UP OVER THE BUILDING AT AN ANGLE OF FIVE FEET OF  
 24 RUN FOR EVERY THREE FEET OF RISE, AND STARTING FROM A  
 25 HEIGHT OF FIVE FEET ABOVE FINISHED GRADE AT THE  
 26 FOUNDATION OF SURROUNDING RESIDENTIAL BUILDINGS.]

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 28 [vii. BONUS FOR PEDESTRIAN-INTERACTIVE USE. THREE SQUARE  
 29 FEET OF ADDITIONAL FLOOR AREA IS ALLOWED PER EACH  
 30 SQUARE FOOT OF GROUND-FLOOR SPACE WHICH IS TO BE  
 31 OCCUPIED BY A PEDESTRIAN-INTERACTIVE USE THAT MEETS  
 32 THE STANDARDS OF SUBSECTION 21.07.060F.16.]

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- 34 e. *Building height* [INCREASE]. Buildings in the R-4A  
 35 district are not subject to maximum height  
 36 restrictions [MAY EXCEED THE MAXIMUM HEIGHT  
 37 ESTABLISHED IN TABLE 21.06-1, UP TO A  
 38 MAXIMUM TOTAL HEIGHT OF 90 FEET], except  
 39 that all floor area above 90 feet in height shall be for  
 40 residential uses. [SUBJECT TO ALL OF THE  
 41 FOLLOWING CONDITIONS. THESE CONDITIONS  
 42 ENCOURAGE SLENDER TOWERS WITH  
 43 CONDENSED FLOOR PLATES, LIGHT AND AIR

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AT THE PEDESTRIAN LEVEL, AND ACTIVE USES  
ON THE GROUND FLOOR FACING THE STREET;]

[i. THE DEVELOPMENT SHALL PARTICIPATE IN THE FAR  
INCENTIVES PROVIDED FOR THE R-4A DISTRICT IN  
SUBSECTION 21.04.020I.2.C. ABOVE;]

[ii. THE GROUND FLOOR OF THE BUILDING SHALL BE  
RESIDENTIAL OR OTHER PERMITTED NON-PARKING USE FOR AT  
LEAST 25 FEET OF DEPTH FACING THE STREET FOR THE FULL  
LENGTH OF THE BUILDING, EXCEPT FOR VEHICLE ENTRANCES  
AND EXITS. WHERE THE SITE HAS TWO OR MORE FRONTAGES,  
THE STANDARD SHALL BE MET ON TWO FRONTAGES;]

[iii. ALL FLOOR AREA PROVIDED BY THE HEIGHT INCREASE  
SHALL BE FOR RESIDENTIAL USES;]

[iv. THE HEIGHT INCREASE SHALL ADHERE TO THE HEIGHT  
TRANSITIONS OF SUBSECTION  
21.06.030D.8.;]

[v. THE HEIGHT INCREASE SHALL ADHERE TO THE  
APPLICABLE DESIGN STANDARDS FOR TALL BUILDINGS IN  
SUBSECTION 21.07.120C; AND]

[vi. UNLESS A MAJOR SITE PLAN REVIEW OR A CONDITIONAL  
USE IS REQUIRED BY OTHER PARTS OF THIS SECTION, ALL  
DEVELOPMENTS REQUESTING THE HEIGHT INCREASE SHALL BE  
SUBJECT TO ADMINISTRATIVE SITE PLAN REVIEW.]

**Section 2.** Anchorage Municipal Code section 21.04.030, *Commercial  
Districts*, is hereby amended to read as follows (the remainder of the section is  
not affected and therefore not set out):

**21.04.030 Commercial districts.**

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D.      B-3: General business district.

2.      District-specific standards.

a.      *Residential in B-3.* Residential household living uses  
in the B-3 district shall be subject to the R-4 related  
FAR provisions in subsection 21.04.020I.2.c. [THE

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BUILDING HEIGHT INCREASE OF  
SUBSECTION 21.04.020 H.2.D. IS AVAILABLE TO  
RESIDENTIAL HOUSEHOLD LIVING USES IN THE  
B-3 DISTRICT.]

b. *Height*, [INCREASE PERMITTED.] Buildings in the  
B-3 district are not subject to maximum height  
restrictions [MAY EXCEED THE MAXIMUM HEIGHT  
ESTABLISHED FOR AREAS OUTSIDE OF  
MIDTOWN IN TABLE 21.06-2, UP TO A MAXIMUM  
HEIGHT OF 60 FEET], except that all buildings  
exceeding 60 feet in height shall be subject to the  
following:

i. The development shall be within an area  
designated by the comprehensive plan as a  
commercial center or other type of urban  
center above the neighborhood scale.

ii. The building height, massing, and intensity of  
use is consistent with any applicable area-  
specific element of the comprehensive plan.

iii. The development shall be subject to  
administrative site plan review and section  
21.07.070, *Neighborhood Protection*.

[C. *CONDITIONAL HEIGHT INCREASE*. BUILDINGS IN THE B-3  
DISTRICT MAY EXCEED THE HEIGHT INCREASE PERMITTED IN  
SUBSECTION 2.b. ABOVE, UP TO A MAXIMUM HEIGHT OF 75 FEET,  
SUBJECT TO A CONDITIONAL USE REVIEW AND THE FOLLOWING  
ADDITIONAL APPROVAL CRITERIA:]

[i. THE DEVELOPMENT IS WITHIN AN AREA DESIGNATED BY  
THE COMPREHENSIVE PLAN AS A COMMERCIAL CENTER,  
TOWN CENTER, OR OTHER TYPE OF URBAN CENTER  
ABOVE THE NEIGHBORHOOD SCALE.]

[iii. THE BUILDING HEIGHT, MASSING, AND INTENSITY OF  
USE IS CONSISTENT WITH ANY APPLICABLE AREA-  
SPECIFIC ELEMENT OF THE COMPREHENSIVE PLAN.]

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[iii. THE BUILDING COMPLIES WITH SUBSECTIONS 21.04.030G.3. AND 7., AND ANY ADDITIONAL PLACEMENT AND ORIENTATION CONDITIONS DETERMINED BY THE CONDITIONAL USE REVIEW.]

c[D]. Mixed-use development in this district shall follow the standards of subsection H. below.

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E. RO: Residential office district.

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2. District-specific standards.

a. *Limitations on retail uses.* Any uses allowed by Table 21.05-1 and categorized by this code as "entertainment and recreation," "personal services, repair, and rental," or "food and beverage service" may be located in the RO district only within a building that also contains office, health services, and/or residential uses, except that "food and beverage kiosk" may be located in a stand-alone building on those lots with frontage on a street of collector classification or higher. Such commercial uses shall be limited to 25 percent of the gross floor area of the building. No outdoor storage or merchandise display is allowed.

b. *Limitations on visitor accommodations.* Any uses categorized by this code as "visitor accommodations" and allowed by Table 21.05-1 shall comply with the multifamily residential design standards set forth in subsection 21.07.110C.

c. *Residential in RO.* Residential household living uses in the RO district shall be subject to the R-4 related FAR provisions in subsection 21.04.020I.2.c. [THE BUILDING HEIGHT INCREASE OF SUBSECTION 21.04.020H.2.d. IS AVAILABLE TO RESIDENTIAL HOUSEHOLD LIVING USES IN THE RO DISTRICT.]

d. [CONDITIONAL BUILDING HEIGHT INCREASE] *Building height.* Buildings [WITH NONRESIDENTIAL OR GROUP LIVING USES] in the RO district are not



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OF THE LOT AREA (0.10 FAR), BUT IN NO CASE TO EXCEED 10,000 SQUARE FEET, IS ALLOWED IF A WIND TUNNEL TEST IS PERFORMED AND THE WIND SPEED CRITERIA MEETING THE SPECIFICATIONS OF SUBSECTION 21.07.120 C. ARE INCORPORATED INTO THE DESIGN OF A MULTISTORY BUILDING DEVELOPMENT TO IMPROVE MICROCLIMATIC CONDITIONS.]

(Code Reviser: Re-number remaining sections)

**Section 3.** Anchorage Municipal Code subsection 21.06.020B.A, *Dimensional Standards Tables*, is hereby amended to provide as follows (the remainder of the section is not affected and therefore not set out):

**21.06.020 Dimensional standards tables.**

\*\*\* \*\*

B. These general standards may be further limited or modified by other applicable sections of this title. In particular, some uses have use-specific standards in Chapter 21.05 that impose stricter requirements than set forth in these tables.

A. *Table of Dimensional Standards: Residential Districts*

TABLE 21.06-1: TABLE OF DIMENSIONAL STANDARDS - RESIDENTIAL DISTRICTS

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**Code reviser shall make the following changes to the table:**

R-3: Mixed Residential District. The minimum side setback requirement for multi-family dwellings with three or four units shall be reduced from [10] feet to 5 feet.

R-3: Mixed Residential District. The minimum rear setback for multi-family dwellings with three or four units shall be reduced from [20] feet to 10 feet when the lot has alley access.

R-3: Mixed Residential District. The minimum front setback for multi-family dwellings with three or four units shall be

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reduced from [20] feet to 10 feet when the lot has alley access.

R-4: Multifamily Residential District. The maximum height of structures for multi-family dwellings shall be changed from [45] feet to unlimited.

R-4A: Multifamily Residential Mixed-Use District. The maximum height of structures for multi-family dwellings shall be changed from [45] feet to unlimited.

B. *Table of Dimensional Standards: Commercial and Industrial Districts*

TABLE 21.06-2: TABLE OF DIMENSIONAL STANDARDS - COMMERCIAL AND INDUSTRIAL DISTRICTS  
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Code reviser shall make the following changes to the table:

B-3: General Business. Change maximum height column for all categories to unlimited.

R-O: Residential Office District. Change maximum height column for all categories to unlimited.

**Section 4.** Anchorage Municipal Code section 21.06.030, *Measurements and Exceptions*, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

**21.06.030 Measurements and exceptions.**  
\*\*\* \*\*

D. *Height.*  
\*\*\* \*\*

8. *Height transitions for neighborhood compatibility.*  
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b. *Applicability.* This standard shall apply to structures located in any non-residential district (except for the DT districts, B-3, and R-O), THE R-4 DISTRICT, OR THE R-4A DISTRICT,] that is within 200 feet of any lot zoned R-1, R-1A, R-2A, R-2D, R-2M, R-3, R-5, R-6, R-7, R-8, R-9, or R-10.

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2 **Section 5.** Anchorage Municipal Code section 21.07.030, *Private Open*  
3 *Space*, is hereby amended to read as follows (the remainder of the section is  
4 not affected and therefore not set out):  
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6 **21.07.030 Private open space.**

7 \*\*\* \*\*

8 B. *Applicability and open space requirement.* Development shall be  
9 required to set aside private open space according to the following  
10 minimum requirements.

- 11
- 12 2. R-3 district: 250 [400] square feet of private open space per  
13 dwelling unit. At least half of the private open space shall  
14 be shared in common among the units. Group living uses  
15 and nonresidential development shall provide an area  
16 equal to five percent of the gross floor area for open space.  
17
- 18 3. R-4 and R-4A districts: 100 [120] square feet of private  
19 open space per dwelling unit, and at least half of the private  
20 open space shall be shared in common among the units.  
21 Group living uses and nonresidential development shall  
22 provide an area equal to five percent of the gross floor area  
23 for open space.  
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25 **Section 6.** Anchorage Municipal Code section 21.07.090, *Off-Street Parking*  
26 *and Loading*, is hereby amended to read as follows (the remainder of the  
27 section is not affected and therefore not set out):  
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29 **21.07.090 Off-street parking and loading.**

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31 H. *Off-street parking and loading.*

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- 33 8. *Vehicular access and circulation.* Parking lots and  
34 structures shall be designed for a safe and orderly flow of  
35 traffic throughout the site, as provided in the subsections  
36 that follow.  
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- 38 e. *Parking and maneuvering.* All circulation aisles,  
39 driveways, and vehicle maneuvering areas required  
40 by this section shall be located entirely off-street and  
41 on the property unless specifically provided  
42 otherwise by this section.  
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- iii. *Some dwellings exempted.* Single-family, two-family, townhouse, and mobile home dwellings on individual lots shall be exempted from this subsection. Multi-family dwellings having up to 4 units shall be exempted from on-site maneuvering requirements in appropriate circumstances if the municipal Traffic Engineer concurs with proposed exemptions. Appropriate circumstances include lots with alley access, lots located on low-volume streets, and lots located on dead-end streets.

**Section 7.** Anchorage Municipal Code section 21.07.110, *Residential Design Standards*, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

- A. Effective Date. This Section 21.07.110 shall be effective beginning January 1, 2017, pending an evaluation of the consistency of this Section 21.07.110 with the Comprehensive Plan and the Assembly's acceptance of such evaluation.

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**Code reviser to re-letter remaining sections)**

**Section 7.** This ordinance shall be effective immediately upon passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
Chair of the Assembly

\_\_\_\_\_  
Municipal Clerk

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