

Municipality of Anchorage

C.2

MEMORANDUM

DATE: June 6, 2016

TO: Planning and Zoning Commission

THRU: *HHH* Hal H. Hart, AICP, Planning Department Director

FROM: *FM* Francis McLaughlin, Current Planning Division

SUBJECT: Case 2016-0071, Technical amendment to AMC 21.06.020B., Table of Dimensional Standards – Commercial and Industrial Districts

With this memorandum, the Director wishes to notify the Planning and Zoning Commission that the department will forward a technical amendment to Title 21 directly to the Assembly as a corrective action in accordance with the provisions of AMC 21.03.210B.5.d. The corrective action addresses an unintended consequence of changes in the B-3 zoning district that occurred during the Title 21 re-write. The department proposes a technical amendment to AMC 21.06.020B., Table of Dimensional Standards – Commercial and Industrial Districts, to allow the B-3 (general business) district maximum height of structures to increase to 75 feet in a portion of the U-MED district.

The B-3 district height limitation in new Title 21 is 45 feet, except in the Midtown area, where the maximum height of structures is unrestricted. Under old Title 21, the height limitation was unrestricted everywhere. The height limitation can be increased from 45 feet to 75 feet by conditional use permit and through FAR bonuses identified in AMC 21.04.030G.3. and 7. The bonuses were transferred to the B-3 district when other mixed use zoning districts were eliminated during the Title 21 rewrite. While some FAR bonuses may be applicable, most are intended for mixed-use residential development and are inappropriate for the types of buildings found on medical campuses like the Alaska Native Medical Center. Examples include bonuses for incorporation of affordable rental housing and a general bonus for residential development. Further, the maximum FAR that can be achieved with bonuses is 2.0. These changes, have impeded the desired development pattern for the medical campus in Tudor Center.

Rezoning the Alaska Native Medical Center Campus to PLI (public lands and institutions) district was considered because the height limitation for PLI lands in the U-MED Area is 75 feet. The problem with that option is that the PLI district requires conditional use approval for health services, hospitals, and health care facilities, whereas these uses are permitted by-right in their current zoning (B-3 district).

The department acknowledges a broader issue with height restrictions in the B-3 zoning district, community wide, and will seek Planning and Zoning Commission review for any possible solutions at a later date. This action by the director provides relief for projects desirable to the community and appropriate to the U-Med District Plan that are immediately impeded by the unintended consequences identified.

Submitted by: Chair at the Request of the Mayor
Prepared by: Planning Department
For reading:

ANCHORAGE, ALASKA
AO NO. 2016–

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE (NEW CODE) SUBSECTION 21.06.020B., TABLE OF DIMENSIONAL STANDARDS – COMMERCIAL AND INDUSTRIAL DISTRICTS, TO ALLOW THE B-3 (GENERAL BUSINESS) DISTRICT MAXIMUM HEIGHT OF STRUCTURES TO INCREASE TO 75 WITHIN A PORTION OF THE U-MED DISTRICT, AND WAIVING PLANNING AND ZONING COMMISSION PROMULGATION AUTHORITY FOR THIS REGULATION PER AMC (NEW CODE) SUBSECTION 21.03.210B.5.D.

(PLANNING AND ZONING COMMISSION CASE 2016-0071)

WHEREAS, the B-3 district height limitation for structures is 45 feet, which can be increased to 75 feet with a conditional use permit and incorporation of bonus features identified in AMC (New Code) subsection 21.04.030G.3., Floor Area Ratio (FAR) Incentives, except in Midtown where the maximum height of structures is unlimited.

WHEREAS, the bonus features were intended to promote residential development in mixed-use development zones that were not incorporated into the “new code” and are inappropriate for hospitals and medical campuses.

WHEREAS, the citation above inadvertently identifies a maximum floor to area ratio of 2.0 for the B-3 zone.

WHEREAS, title 21 identifies a height allowance of 75 feet for development within the PLI (public lands and institutions) zoned institutional areas of the U-MED District.

WHEREAS, the Alaska Native Medical Center is located within the U-MED District and should be included in the greater height allowance, especially it’s central campus area.

WHEREAS, the Planning Director has notified the Planning and Zoning Commission of the proposed amendment and authorized a waiver of Planning and Zoning Commission review per AMC (New Code) subsection 21.03.210B.5.d. due to the unintended consequences of late text changes made to AMC (New Code) title 21 in the final stages of review and approval; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code (New Code) subsection 21.06.020B. is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

21.06.020B. Table of Dimensional Standards – Commercial and Industrial Districts

TABLE 21.06-2: TABLE OF DIMENSIONAL STANDARDS - COMMERCIAL AND INDUSTRIAL DISTRICTS (Additional Standards May Apply. See district specific standards in chapter 21.04 and use-specific standards in chapter 21.05.)							
Use	Minimum lot dimensions ⁷			Minimum setback requirement (ft)			Maximum height (ft)
	Area (sq ft)	Width (ft)	Max lot coverage (%)	Front	Side	Rear	
***	***	***					
B-3: General Business							
Residential household living uses	6,000	50	50	10	5 plus one foot for each 5 feet in height exceeding 35 feet	10	45 ¹⁰
All other uses	6,000	50	Unrestricted	10	15 if adjacent to a residential district; otherwise 0 or at least 10	15 if adjacent to a residential district; otherwise 0 or at least 5	45 ¹¹ , except in the Midtown area bounded by the Seward Highway, Tudor Road, Arctic Boulevard, and Fireweed Lane, where there is no maximum height, <u>and except in the U-MED District area bounded by Tudor Road, Elmore Road, Ambassador Drive, and the north and east alignments of Tudor Centre Drive, where the maximum height is 75</u>
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*** *** ***

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; A) 2015-100, 10-13-15)

Section 2. This ordinance shall become effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this ____ day of _____, 2016.

Chair

ATTEST:

Municipal Clerk



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM -2016

Meeting Date: _____

1 **From: MAYOR**

2
3 **Subject: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE**
4 **(NEW CODE) SUBSECTION 21.06.020B., TABLE OF**
5 **DIMENSIONAL STANDARDS – COMMERCIAL AND INDUSTRIAL**
6 **DISTRICTS, TO ALLOW THE B-3 (GENERAL BUSINESS)**
7 **DISTRICT MAXIMUM HEIGHT OF STRUCTURES TO INCREASE**
8 **TO 75 WITHIN A PORTION OF THE U-MED DISTRICT, AND**
9 **WAIVING PLANNING AND ZONING COMMISSION**
10 **PROMULGATION AUTHORITY FOR THIS REGULATION PER AMC**
11 **(NEW CODE) SUBSECTION 21.03.210B.5.D.**
12

13
14 This ordinance increases the B-3 district height limitation for structures to 75 feet
15 within a portion of the U-MED District.
16

17 The current B-3 district height limitation is 45 feet, except in the Midtown area,
18 where the maximum height of structures is unlimited. The height limitation can be
19 increased from 45 feet to 75 feet by conditional use permit, but the approval criteria
20 was intended for mixed-use residential developments and is inappropriate for the
21 types of buildings found on medical campuses like the Alaska Native Medical
22 Center. The B-3 district Conditional Use Building Height Increases (AMC
23 21.04.030D.2.c.) approval criteria was intended to incentivize mixed-use residential
24 developments and medical facilities cannot meet the approval criteria, AMC
25 21.04.030G.3. and .7.
26

27 The *U-MED Plan* identifies the PLI district as the implementing zoning for the
28 institutional areas. Title 21 provides a height allowance of 75 feet for PLI
29 development within the U-MED area. The campuses of Providence Hospital,
30 University of Alaska Anchorage, and Alaska Pacific University are mostly zoned
31 PLI and may utilize this 75 feet height allowance. Alaska Native Medical Center
32 is located within the U-MED area, but because most of this campus is zoned B-3,
33 they are not afforded this similar height allowance.
34

35 The Planning Director has notified the Planning and Zoning Commission of the
36 proposed amendment to provide the Commission opportunity to forward its
37 opinion on the amendment to the Assembly for consideration.
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39

THE ADMINISTRATION RECOMMENDS APPROVAL.

Prepared by: Francis McLaughlin, Current Planning Section
Approved by: Hal H. Hart, Planning Director
Concur: Lance R. Wilber, Director
Office of Management and Budget
Concur: Christopher M. Schutte, Executive Director
Office of Economic and Community Development
Concur: William D. Falsey, Municipal Attorney
Concur: Michael K. Abbott, Municipal Manager
Respectfully submitted: Ethan A. Berkowitz, Mayor

2016-0071



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