

Municipality of Anchorage

MEMORANDUM

DATE: May 29, 2015

TO: Planning and Zoning Commission

THRU: *JW* Jerry T. Weaver, Jr., Director
Community Development Department

FROM: *gm* Erika McConnell, Manager
Current Planning Section

SUBJECT: Case 2015-0056: AO 2015-59, An ordinance amending new Title 21 to implement changes to floor area ratio requirements

The adopted new Title 21 sets standards that were developed to conform to the comprehensive plan, calibrated and ground-truthed, vetted through a 10-year process which included multiple drafts and opportunities for public comment, and ultimately adopted by the Anchorage Assembly. This ordinance, which makes drastic changes to the code, was proposed by the Live, Work, Play group out of the Anchorage Economic Development Corporation, with no explanation or justification. While there has been a great deal of discussion regarding the need to stimulate development of multifamily housing in Anchorage, some of the changes proposed do not relate to multifamily development.

The department has prepared a comparison chart, to show the differences between the old code, the new code as adopted, and the provisions of this ordinance.

DISCUSSION

Section 1 of the ordinance eliminates the two-tiered system for floor area ration (FAR) in the R-4 and R-4A districts, and eliminates maximum height limitations in both districts. Instead of having a base by-right FAR with an ability to increase that FAR through providing features that mitigate the increased bulk and/or provide benefits to the community and neighboring properties, all developments are allowed the maximum FAR with no provision to mitigate bulk and density. While the proponents of the change will note that the proposed by-right FAR is the same as the old code, evidence shows that in actual practice, most buildings have not built up to or even close

to the FAR limit. Due to the reduced parking requirement in the new code, it is more likely that new development will have more FAR than has been historically the case. As of 2008, there were approximately three developments in the R-4 that exceeded 2 FAR, and approximately 5 developments with an FAR between 1.5 and 2. (See Residential FAR Examples). The conclusion is that the community is unaccustomed to development in the R-4 district over 1 FAR, and the adopted requirements to provide mitigation for an increase in bulk are important for community acceptance. The example tests indicate that, because of less required structured parking (e.g., Park Plaza II example), and because of the opportunity for up to 3.0 FAR (e.g., Country Lane example) more floor area comprised of dwelling units is possible under the new code.

Evidence indicates that the bonus system, as amended in 2014 and with further adjustments already proposed under PZC Case 2015-0049, allows projects to earn up to the maximum FAR. The system does not inhibit projects from achieving the maximum FAR in the district, even in the R-4A Country Lane 3.0 FAR example. Instead, the bonus menu choices encourage projects to provide features that enhance the project and benefit the district in return for the higher density. Some of the features mitigate the increased bulk – such as upper level step-backs, daylighting, underground parking, and open space – and some have an important community benefit but do not necessarily change the physical bulk of the building – such as the addition of affordable housing, street-oriented ground floor uses, and enhanced sidewalks. Some of these features, such as street oriented uses, are simply required for all development in other communities with FAR provisions.

The direction of the community in the development of the new code was to encourage these new features through incentives and menu choices. The FAR bonus system is a primary tool in zoning code practice to provide that.

The need for unlimited height in the R-4 and R-4A districts has not be demonstrated. Extensive public planning process for the new code concluded that:

- Unlimited building heights are inappropriate in a residential environment, especially given Anchorage’s climate and city scale,
- High rises are not a prevailing project type and are unnecessary to achieve high density housing.
- Unlimited height is likely to harm existing neighborhoods – impacting the quality of life and enjoyment of property due to poorer daylighting, views, solar access, privacy, and visual bulk scale.
- R-4 zoned properties are found in various places, most of which are not well suited for high rises.

The existing height limitations (45 feet by right with up to 60 – or possibly 70 as proposed in a recent ordinance – in the R-4 and up to 90 in the R-4A by review and with standards) are very similar to those of Seattle’s highest density multifamily mid-rise district. (See Building Heights Comparison; Seattle’s high-rise district would more likely correspond with our downtown area.) The height limits generally correspond with or are greater than existing development in the R-4 district to date, and allow for the maximum height that can be constructed under the building code with wood frame construction (e.g., Park Plaza II and Country Lane in Attachment D).

Section 2 increases the by-right height in the B-3 and RO districts from 45 feet, with the ability to go up to 60 or 65/75 feet (respectively) in certain locations through conditions and a review process, to 60 and 65 feet (respectively) with the ability to have unlimited height in certain areas, through a review process.

Changes proposed to the B-3 district are puzzling to the department, as development in the B-3 district is primarily commercial, not residential, and the new code already accommodates the commercial areas most likely to see high-rise mixed-use residential towers in the future (e.g., the proposed Peach Tower in the Downtown CBD.) The adopted code allows for unlimited height in the B-3 district in Midtown (the area bounded by Fireweed Lane, the Seward Highway, Tudor Road, and Arctic Boulevard), but other B-3 areas have a by-right limitation of 45 feet, with potential increases to 60 or 75 feet in commercial centers above the neighborhood scale and with a review. This purposefully differentiates a major employment center, such as Midtown, from town centers (such as Muldoon/Debarr or Jewel Lake/Diamond), from neighborhood centers (such as Jewel Lake/Raspberry or Northern Lights/Boniface), in conformance to the comprehensive plan.

The proposed ordinance returns closer to the old code’s one-size-fits-all scheme for the B-3, reducing the difference in development scale in different types of commercial areas. Neighborhood centers, intended to provide “small-scale, attractive, and convenient services for residential areas” (*Anchorage 2020*, page 54), could now have buildings up to 60 feet in height, if they are zoned B-3.

In **Section 3**, side setbacks are reduced, and front and rear setbacks are reduced where alleys are present, for tri-plex and four-plex buildings in the R-3 district. The reduction in side setbacks may be appropriate where the abutting lot is in the same or a more dense district, but if the abutting lot is a lower density residential district, it is not appropriate to reduce the side setback. The bulk of a three-story, three or four unit townhouse should be set back at least 10 feet on the side from a neighboring single-family home.

The reduction of the front setback when alley access exists could be problematic for infill development. When a 20-foot setback line has been established along a block, one lot in that block gets redeveloped, and the structure is moved 10 feet closer to the street, that impacts access to light for neighboring properties and creates an uneven build-to line along the street. Here is an example, from Flushing, in Queens, New York:



The adopted code addresses this issue in 21.07.110G.4.b., stating:

In situations where a group of lots front an entire block on one side of a street between two intersections, abut a mid-block alley, and are being developed together, then parking access to the structures shall be from the alley, and building(s) may encroach into the front setback by up to five feet.

This provision applies to all residential development, but will be suspended as part of the residential design standards section if this ordinance is approved. If the design standards are not suspended, but Section 3 is adopted as written, there will be an internal conflict in the code.

Section 4 essentially guts any protection for existing neighborhoods from the shadowing effects of tall buildings. Under the adopted new code, developers in non-residential districts and in the R-4 and R-4A would be required to locate the structure on the lot in such a way as to minimize shadowing effects on abutting residential properties. The proposed ordinance makes the height transitions provision not apply to any development in the B-3, RO, R-4, or R-4A districts. With the elimination of height restrictions in the R-4 and R-4A, the increase of by-right height by 15-20 feet in the B-3 and RO, and the allowance for unlimited height in certain areas in the B-3 and RO, this change has the greatest potential to cause permanent negative consequences to existing residential neighborhoods. The department has offered amendments to the height transitions section (in the multifamily/open space ordinance recently reviewed by the Assembly Title 21 committee) that provide additional exceptions to this provision, addressing some of the issues we heard about relating to the City View II proposal. Some advocates for this change imply that access to sunlight for new residents of new buildings is more important than access to sunlight for existing residents of established neighborhoods. This is contrary to the comprehensive plan, which highlights the protection of existing neighborhoods.

Section 5 proposes changes to the amount of open space required per unit in the R-3, R-4, and R-4A districts. The department has already offered similar amendments. The differences include that the department's proposal is integrated with other amendments to the open space section, and that the department's proposal is for 280 sf in the R-3 district while this ordinance proposes 250 sf. The department recommendation results from a review of several example sites, and reflects that many developments will be eligible for a 25 percent reduction, from 280 sf to 210 sf. The 250 sf with the 25 percent reduction would yield an even more significantly reduced open space requirement of 187.5 feet, not a whole number.

In **Section 6**, on-site vehicle maneuvering is proposed to be allowed for tri-plex and four-plex developments under "appropriate circumstances" and with the Traffic Engineer's approval. Discussions with the Traffic Engineer indicate that she is not necessarily opposed to this idea, but would prefer to develop specific standards so that

a discretionary review (which takes time and does not provide certainty for the applicant) is not necessary.

Section 7 suspends all the residential design standards until January 1, 2017, and only reinstates them at that time if an evaluation of consistency with the comprehensive plan is found acceptable to the Assembly. This would suspend not only the multifamily design standards, but also the single- and two-family design standards which have not been problematic, design standards for multiple structures on a lot (site condos), important driveway regulations that limit the width of driveways to provide for snow storage area for the street maintenance crews, and provisions for lots with alley access. Parts of the residential design standards are the standards from the old Title 21, or are provisions that other sections of the new code rely on. Therefore, suspending the residential design standards would reduce the standards of the new code to below even the old code, in conflict with the comprehensive plan.

The department has worked hard over the last eight months to prepare and test significant changes to the multifamily design standards. These are the standards that have generated the most concern from the development community, and reviews of recent projects helped inform where amendments were needed. The Assembly Title 21 committee has reviewed the ordinance that proposes these changes to the multifamily design standards (as well as the open space standards and some other provisions), and it is currently being reviewed by the Planning and Zoning Commission. Both *Anchorage 2020* and the *Chugiak-Eagle River Comprehensive Plan*, as well as multiple neighborhood and district plans adopted in the last ten years, call for design standards. *Anchorage 2020* notes that design standards respond “to the need to be more efficient with land use, the importance of design in the economic success of urban areas, as well as the community’s desire to be more attractive, comfortable year-round, and reflective of our natural setting.” Design standards seek “to improve the appearance and function of developments.” The significant changes proposed by staff and approved by the Assembly Title 21 committee seek to provide design standards that add value to the community, create new developments that are functional and attractive, fit new projects – particularly higher density projects – into existing neighborhoods, and not place too much burden on the developer. Efforts to make multifamily development more economical should look at and propose solutions for ALL the various reasons housing is more expensive to develop in Anchorage, and not eliminate reasonable standards called for in our adopted, community-developed, and community-supported plans.

AGENCY AND PUBLIC COMMENT

The ordinance was introduced at the Assembly on May 12, 2015, and despite the department urging a longer review time, set for public hearing on June 23, 2015. Consequently, the department was forced to schedule the ordinance at the Planning

and Zoning Commission on June 8. In order to have a staff report completed by June 1, comments from agencies and the public to be included in the staff report were due by May 28, allowing approximately two weeks for review.

While the ordinance was routed to all community councils, many community councils did not meet during the allowed review period. The Airport Heights Community Council submitted a resolution requesting that action on the ordinance be delayed until a thorough review and public presentation of such review is done.

Two public comments have been received which do not support the proposed changes.

The Traffic Division commented as noted in the discussion. No other agencies had substantive comments.

RECOMMENDATION

The department does not support the changes proposed in Sections 1, 2, 4, 5, and 7.

The department generally supports the concept of Section 6, but as noted in the discussion above, recommends the exception become by-right with standards instead of discretionary. Staff recommends there be an opportunity to develop an amendment proposal with the Traffic Division, for public review including by the development community.

The department recommends the following amendments for Section 3 (pages 9-10—color indicates department-recommended changes):

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

*** **

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, where abutting a lot zoned R-3, R-4, R-4A, or a non-residential district.

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

~~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

*** **

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.~~

- Attachments: AO 2015-59
- Comparison Chart of Old Code, New Code, Proposed Ordinance
- Agency and Public Comments
- Residential FAR Examples
- Building Height Comparison

Submitted by: Assembly Members Hall,
Demboski
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.

*** **

H. *R-4 Multifamily residential district.*

*** **

2. *District-specific standards.*

*** **

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

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.*

*** *** ***

2. *District-specific standards.*

*** *** ***

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

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

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

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

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

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

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

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

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

*** *** ***

e. *Building height [INCREASE].* Buildings in the R-4A 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 90 FEET], except that all floor area above 90 feet in height shall be for residential uses. [SUBJECT TO ALL OF THE FOLLOWING CONDITIONS. THESE CONDITIONS ENCOURAGE SLENDER TOWERS WITH CONDENSED FLOOR PLATES, LIGHT AND AIR

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.

*** **

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

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.]

[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.

*** **

E. RO: Residential office district.

** **

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

subject to maximum height restrictions [MAY EXCEED THE MAXIMUM HEIGHT ESTABLISHED IN TABLE 21.06-2, UP TO A MAXIMUM TOTAL HEIGHT OF 65 FEET], except that all buildings exceeding 65 feet in height shall be subject to a conditional use review and the following additional approval criteria:

- i. The property is located in a major employment center designated in the comprehensive plan for Downtown, Midtown, or the U-Med District;
- ii. The proposed building height, massing, and intensity of use is consistent with the neighborhood- or district-specific comprehensive plan element applicable to the area;
- iii. The property is not adjacent to any residential district other than the R-2A, R-2M, R-3, R-4 or R-4A districts; and
- iv. The property is not adjacent to any property designated for [MEDIUM DENSITY OR] lower density residential uses in the comprehensive plan.

*** *** ***

H. Standards for Mixed-Use Development in the B-3 District.

- 1. *Applicability.* This section applies to developments that create a mix of residential with commercial or public/institutional primary uses in the B-3 district.
- [2. *FLOOR AREA RATIO (FAR) INCENTIVES.*]
 - [a. THE FLOOR AREA RATIO (FAR) AND BONUS PROVISIONS SET OUT IN SUBSECTION G.3. ABOVE APPLY.]
 - [b. IN ADDITION TO THE BONUS FEATURES AVAILABLE IN SUBSECTION G.3. ABOVE, A FLOOR AREA BONUS EQUAL TO TEN PERCENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

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

*** **

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

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
*** **

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.*

*** **

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.

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

21.07.030 Private open space.
*** **

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

2. R-3 district: 250 [400] square feet of private open space per dwelling unit. At least half of the private open space shall be shared in common among the units. Group living uses and nonresidential development shall provide an area equal to five percent of the gross floor area for open space.

3. R-4 and R-4A districts: 100 [120] square feet of private open space per dwelling unit, and at least half of the private open space shall be shared in common among the units. Group living uses and nonresidential development shall provide an area equal to five percent of the gross floor area for open space.

Section 6. Anchorage Municipal Code section 21.07.090, *Off-Street Parking and Loading*, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

21.07.090 Off-street parking and loading.
*** **

H. *Off-street parking and loading.*

8. *Vehicular access and circulation.* Parking lots and structures shall be designed for a safe and orderly flow of traffic throughout the site, as provided in the subsections that follow.

e. *Parking and maneuvering.* All circulation aisles, driveways, and vehicle maneuvering areas required by this section shall be located entirely off-street and on the property unless specifically provided otherwise by this section.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

- 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.
*** *** ***

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

Comparison of Multifamily & Commercial Districts Development Standards
May 29, 2015

Development Standards	Old Code	Adopted New Code	Proposed Ordinance AO 2015-059	Comments
R-4 District				
Maximum Building Height *	Unlimited	45 feet; conditional height increase to 60 feet through administrative site plan review w/ requirements for participation in FAR incentives, and ground floor uses	Unlimited, w/ no development requirements	Department amendments propose to increase conditional height to 70 ft. Height limits in new code provide neighborhood compatibility and reflect mid-rise MF construction.
Height Transition for Neighborhood Compatibility	None	Required when located within 200 ft of a lower intensity zoned residential property	None	Department amendments propose to expand exceptions provisions. Mitigates impacts of bulk and shadowing on lower density residential – this is lost in the proposed ordinance.
Floor Area Ratio (FAR)	2 for residential developments with 11 units or more	1 by-right; 2 with bonus features from FAR incentives menu	2 outright w/no development requirements	Department amendments propose to increase the by-right FAR from 1 to 1.5. FAR bonus system mitigates the impacts of high density.
Private Open Space	100 square feet per unit	120 square feet per unit	100 square feet per unit	Department MF amendments propose reducing open space to 100 sf per unit; “high quality” open space reduction to 75 sf per unit is possible

* FAA approach zone height restrictions apply across the board.

Development Standards	Old Code	Adopted New Code	Proposed Ordinance AO 2015-059	Comments
R-4A District				
Maximum Building Height *	Not a zoning district found in the old code. The nearest zone was the R-4. The old R-4 did not allow as much density or commercial use as R-4A.	45 feet; conditional increase to 90 feet through administrative site plan review w/ requirements to address air and light, participation in FAR incentives, ground floor uses, floor area provided for height is to used as residential	Unlimited and no requirements; except floors above 90 feet shall be for residential uses	Height limits in new code provide neighborhood compatibility, and reflect the tallest mid-rise MF building construction anticipated. Proposed locations for R-4A are primarily residential zoned areas near Midtown and Downtown.
Height Transition for Neighborhood Compatibility		Required when located within 200 ft of a lower intensity zoned residential property	None	Department amendments propose to expand exceptions provisions. Mitigates impacts of bulk and shadowing on lower density residential – this is lost in the proposed ordinance.
FAR		1 by-right; 3 w/ bonus from FAR incentives menu	3 outright	Department amendments propose to increase by-right FAR to 1.5. FAR bonus system mitigates the impacts of very high density in R-4A.
Private Open Space		120 square feet per unit	100 square feet per unit	Department MF amendments propose reducing open space to 100 sf per unit; “high quality” open space reduction to 75 sf per unit is possible

* FAA approach zone height restrictions apply across the board.

Development Standards	Old Code	Adopted New Code	Proposed Ordinance AO 2015-059	Comments
B-3 District				
Maximum Building Height *	Unlimited	Unlimited in Midtown; 45 feet elsewhere w/ increase to 60 allowed through administrative site plan review or 75 feet through conditional use review in commercial centers and urban centers such as town centers designated in the comprehensive plan	60 feet; unlimited height exceeding 60 feet allowed by administrative site plan review in commercial centers and urban centers such as town centers designated in the comprehensive plan	Height limits in adopted new code provide better neighborhood compatibility, concentrate high-rise towers in major employment centers, and reflect mid-rise building construction anticipated outside of Midtown.
Height Transition for Neighborhood Compatibility	None	Required when located within 200 ft of a residentially-zoned property (except R-4, R-4A)	None	Department amendments propose to expand exceptions provisions. Mitigates impacts of shadowing on lower density residential – this is lost in the proposed ordinance
FAR	Residential uses comply with R-4 FAR of 2 (for developments with 11 units or more)	Residential and mixed-use projects: 1 by-right; 2 with bonus features from FAR incentives menu	Residential uses comply with R-4 FAR of 2 Mixed-use residential may have unlimited FAR	FAR bonus system mitigates the impacts of high density.

* FAA approach zone height restrictions apply across the board.

Development Standards	Old Code	Adopted New Code	Proposed Ordinance AO 2015-059	Comments
RO District				
Maximum Building Height *	Unlimited	45 feet; conditional height increase to 65 feet in certain kinds of locations, where property is not located adjacent to medium density or lower density residential designated areas	65 feet; unlimited height exceeding 65 feet subject to a conditional use review and approval criteria with the following modifications: -adds sites adjacent to R-2A, R-2M and R-3 zoned properties to list of allowable locations for unlimited building height	Height limits in adopted new code provide neighborhood compatibility.
Height Transition for Neighborhood Compatibility	None	Required when located within 200 ft of a lower intensity zoned residential property	None	Department amendments propose to expand exceptions provisions. Mitigates impacts of shadowing on lower density residential—this is lost in proposed ordinance.
FAR	Residential uses comply with R-4 FAR of 2 (for developments with 11 units or more)	Residential uses comply with R-4 FAR provisions	Residential uses comply with R-4 FAR of 2	
R-3 District				
Maximum Building Height *	35 feet	35 feet	35 feet	
Private Open Space	400 square feet per unit	400 square feet per unit	250 square feet per unit	Department MF amendments propose reducing open space to 280 sf per unit; “high quality” open space reduction to 210 sf per unit is possible
Side Yard Setback, for mf dwellings w/ 3-4 units	10 feet	10 feet	5 feet	Proposed change may be appropriate when abutting lot is in same or higher density zoning district
Rear Yard Setback, for mf dwellings w/ 3-4 units	20 feet	20 feet	10 feet when there is alley access	

* FAA approach zone height restrictions apply across the board.

Development Standards	Old Code	Adopted New Code	Proposed Ordinance AO 2015-059	Comments
Front Yard Setback, for mf dwellings w/ 3-4 units	20 feet	20 feet	10 feet when there is alley access	Proposed change is not appropriate for infill development where a 20-foot front setback is the established pattern on the block; may be appropriate where it can be applied to an entire block (new code allows reduction to 15 feet where it is applied to an entire block)
All Districts				
On property parking and maneuvering requirements for off-street parking and loading (can't back into public street)	Turning and maneuvering (except for single family and duplex) must be entirely on private property	Exempts single, 2-family, townhouse, and mobile homes on individual lots from requirements	Adds multifamily with 3-4 units to exemption list as long as property has alley access, on a low-volume street, or on a dead-end street; and concurrence by Traffic Engineer	Traffic Engineer is open to proposal but would rather have measurable and specific standards rather than a discretionary review of each proposal.

* FAA approach zone height restrictions apply across the board.

AIRPORT HEIGHTS COMMUNITY COUNCIL
Resolution 2015-06

A RESOLUTION OF AIRPORT HEIGHTS COMMUNITY COUNCIL (AHCC)
REGARDING TITLE 21 CHANGES

WHEREAS, on March 28, 2012 the AHCC passed a resolution regarding the proposed changes to the provisionally adopted Title 21 (copy attached),

WHEREAS, after many years of review and negotiations with various segments of the public, the "new" Title 21 was subsequently adopted by the Municipal Assembly on February 26, 2013,

WHEREAS, two new ordinances have recently been introduced that make significant changes to the "new" Title 21 (Case No. 2015-0049 and Case No. 2015-0056),

WHEREAS, Case No. 2015-0049 amends the multifamily standards, multifamily open space requirements, and some related standards, which result from a big workshop with the design community, follow up comments from builders, staff experience reviewing projects so far under the new code, and a series of Assembly Title 21 committee meetings in 2014-2015, with the apparent intent to respond to builder/designer problems and concerns, while keeping consistent with the objectives of the code and comprehensive plan,

WHEREAS, Case No. 2015-0049 was heard by the Planning and Zoning Commission (PZC) on May 18 when the public hearing was closed with very little input from the public and the PZC planned to hold a work session and deliberate in June before forwarding it with recommendations to the Municipal Assembly,

WHEREAS, Case No. 2015-0056 was developed **without** the knowledge or any input of the Municipality's Planning Division but was introduced to the public by two Assembly members on May 12, 2015; this case would eliminate height limits, substantially eliminate bulk restrictions and height limitations in some zones, table the residential design standards for a year pending an evaluation, amend the open space in its own way, among other things, and the Assembly Title 21 Committee plans to hold its own work session before the case has gone through the public process normally required by such cases,

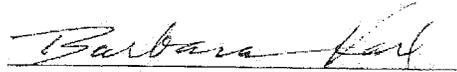
WHEREAS, the proposed provisions appear to be extensive, substantive, and, in some cases, technical and such changes will affect the future quality of life and stability of neighborhoods for several generations to come,

WHEREAS, if the goal is to boost housing construction, although that has not been explained to the public, there should be a comprehensive economic analysis of the factors that affect the rate of multi-family housing construction, and little to no non-subsidized multi-family is being constructed under the "old" Title 21, which has no design standards; the costs of land, materials, labor, required infrastructure improvements, and building code regulations may be far more significant than the design standards,

WHEREAS, it appears that the two cases have conflicting provisions that have not been properly reviewed by the appropriate municipal staff and there has been an egregious lack of public involvement or explanation regarding the proposed revisions to residential design standards and open space under the "new" Title 21,

NOW THEREFORE BE IT RESOLVED, that the Airport Heights Community Council (1) opposes any further action on either Case No. 2015-0049 or Case No. 2015-0056 unless and until the Municipal Planning Division has completely reviewed both cases and presented to the public in a clearly understandable manner the ramifications and impacts of such changes to the "new" Title 21; (2) demands that both cases be required to follow the normally required public process (including adequate time for community councils and the general public to review and address the changes) together with appropriate comparisons of each case's impact on the quality of life in this community; (3) requests that the Planning and Zoning Commission take no further action on Case No. 2015-0049 until the above-requested actions occur; and (4) requests that the Municipal Assembly cease any further action on Case No. 2015-0056 until all of the above-requested actions occur and have been fully vetted by the public by and through the various community councils.

THIS RESOLUTION WAS APPROVED by the Airport Heights Community Council on May 21, 2015 by a vote of: FOR 17, AGAINST 0, ABSTAIN


Barbara Karl
President

AIRPORT HEIGHTS COMMUNITY COUNCIL
RESOLUTION
Proposed Changes to the Provisionally Adopted Title 21

WHEREAS, the Anchorage assembly has already found the new Title 21 to be sufficiently acceptable, having provisionally adopted all but one of the fourteen chapters;

WHEREAS, the comprehensive plan (Anchorage 2020) is required by both municipal charter and state law to serve as the basis for land use regulations and decisions and serve as a guiding list of policy statements, goals, standards, and maps for guiding the physical, social, and economic development of our municipality;

WHEREAS, the rewrite of Title 21 is to ensure that the policies in Title 21 are as consistent as possible with the policies set forth in Anchorage 2020 (see Anchorage 2020 policy nos. 94 and 95)¹;

WHEREAS, after having reviewed the amendments put forth by the mayor, the Airport Heights Community Council makes the following recommendations:

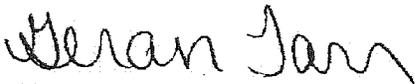
1. The Airport Heights Community Council believes the community council should be the preferred body for public meetings regarding land use cases that require a meeting of the community. Article VIII of the municipal charter states that community councils were established to "...afford citizens an opportunity for maximum community involvement and self-determination."
2. The Airport Heights Community Council supports the provisionally adopted version of the "Site Condo Ordinance." The preservation of this section in its current form ensures that supporting infrastructure is built to support current and potential future developments.
3. The Airport Heights Community Council supports a standard public process regarding any changes to the provisionally adopted code after the effective date.

¹ Policy 94: Conduct a comprehensive revision of Title 21, Land Use Regulations; Policy 95: Title 21, Land Use Regulations shall be enforced to the greatest extent possible based in conjunction with policies stated in Anchorage 2020.

4. The Airport Heights Community Council believes that allowing single family homes in R-3 medium density multifamily districts would make sense in certain areas of the city. It would not make sense to grant the whole city this flexibility given the projected future need/demand for R-3 housing in Anchorage. See Anchorage Housing Marketing Analysis dated March 2012.
5. The Airport Heights Community Council supports the adoption of the provisionally adopted code regarding what can be built land designated I-1. Policy #26 of the comprehensive plan states the following: "Key industrial lands, such as Industrial Reserves designed on the Land Use Policy Map, shall be preserved for industrial purposes."
6. The Airport Heights Community Council supports greater building height flexibility in midtown, as Midtown is a major employment center commercial area. Limiting the number of high-density office and residential developments to Downtown, Midtown, as well as the U-Med District encourages the development of successful city centers.
7. The Airport Heights Community Council supports the preservation of height standards that help ensure compatibility between higher intensity development and adjacent lower density residential districts.
8. The Airport Heights Community Council supports the 50' stream setback requirement in the provisionally adopted Title 21. A 50' setback will ensure less flooding events and the protection of natural habitat;
9. The Airport Heights Community Council supports the private open space requirements in the provisionally adopted Title 21. Reducing these requirements would go against the concerns expressed by community participants during the rewrite process regarding the lack of quality open space in multifamily residential developments;
10. The Airport Heights Community Council supports the provisionally adopted Title 21's connectivity index. The connectivity index makes sure there are adequate vehicle routes in and out of neighborhoods;

11. The Airport Heights Community Council supports the provisionally adopted Title 21's requirement that sidewalks be included in cul-de-sacs in Class A zoning districts. Public streets through areas of institutional and industrial developments will have pedestrians as well as commercial or residential areas. Institutional uses, in particular, such as churches and school, can have fairly high levels of pedestrian activities.
12. The Airport Heights Community Council does not support complete deletion of design standards for single-family structures. The AHCC believes that building standards need to be in place that ensure compatibility with existing neighborhood character while also ensuring that the standards in the provisionally adopted code do not excessively increase the cost of building new or remodeling existing single-family units.

NOW, THEREFORE BE IT RESOLVED, that this 28th day of March, 2012, the Airport Heights Community Council adopts this document in its entirety and submits it to: the members of the Planning and Zoning Commission and the Anchorage Assembly, MOA Planning Department (Jerry Weaver and Tom Davis, Senators Ellis and Davis, Representatives Gara and Cissna, Mayor Dan Sullivan, and the Federation of Community Councils.



Geran Tarr, President
Airport Heights Community Council

Kimmel, Corliss A.

From: Joan Diamond <buddy4@ak.net>
Sent: Sunday, May 24, 2015 9:46 AM
To: Kimmel, Corliss A.
Cc: !MAS Assembly Members
Subject: AO 2015-59 Reducing Land use regulations

56
Case 2015-0059

I am following the changes that are being pressed by developers to reduce standards on multi family developments and reduce the standards in Title 21. I have been involved in the Title 21 rewrite since the beginning and after consultants, public input and approval by the Assembly, we can infill with green space and make Anchorage a livable city without compromising essential needs. If we do not limit heights and allow sun on properties, and keep housing standards as adopted we are left forever with a city of "projects", dark and gloomy, with no space to move, walk and play.

In the name of public health and to prevent violence in Anchorage, building with standards as passed has been shown effective. I want to see height limits maintained, do not increase bulk without amenities like open space and underground parking, do not block daylight of your neighbors, keep "eyes on the street home windows to bring back community safety, keep setbacks, and do not suspend residential design standards.

We are a winter city with little sunlight as it is without tall buildings that can wipe out what little light people have. Weidner investments has been around for a long time and knew the adopted standards for multifamily housing when they were being formulated. I am frustrated by the lack of commitment by the Municipality to make Anchorage a better place to live. Yes, it is expensive to build but people deserve to have a livable place to raise their families. What is built today will be here forever and the developers will be gone with their profits.

Thank you,

Joan Diamond
Retired Public Health

Sent from my iPad

Kimmel, Corliss A.

From: David Peltó <djfpelto@gmail.com>
Sent: Tuesday, May 26, 2015 7:24 AM
To: Kimmel, Corliss A.
Subject: Title 21

56
Case 2015-0059

It is with great displeasure that I have heard of the stripping of protection rules for neighborhoods in the latest iteration of what now appears to be yet another pro development rewrite of Title 21. I urge the municipality to restore requirements for setbacks, landscaping, and height restrictions that could help protect what has been a steadily improving human environment in our city. Let's not go back to the sort of 70s - 80s slapdash philosophy that only rewarded the developers and left the rest of us to clean up the mess.

Thank you for listening.

David Peltó
4770 Grumman st.
Anchorage, AK
99507

Sent from my iPad

Zoning and Platting Cases On-line

View Case Comments

[Submit a Comment](#)

** These comments were submitted by citizens and are part of the public record for the cases **

Questions? If you have questions regarding a case, please contact Zoning at **907-343-7943** or Platting & Variances at **907-343-7942**.

1. Select a Case:

2. View Comments:

Case Num: 2015-0056

An ordinance amending "new" Title 21 chapters 21.04, 21.06, and 21.07, to remove height limitations in the R-4, R-4A, B-3, and RO districts; change requirements relating to floor area ratio; change setback requirements in some districts; exempt development in the B-3 and RO districts from height transition requirements; reduce open space requirements in some districts; exempt some multifamily developments from on-site vehicle maneuvering requirements in some situations; and change the effective date of all residential design standards to January 1, 2017, pending Assembly acceptance of an evaluation for consistency with the comprehensive plan.

Site Address: Address Not Available

[Details](#) | [Staff Report](#) | [submit a comment](#)

Public Comments

5/28/15

Barbara Karl
2400 East 16th Avenue
Anchorage AK 99508

As President of the Airport Heights Community Council I am submitting the following resolution that was passed by the council at its last meeting and signed by me. AIRPORT HEIGHTS COMMUNITY COUNCIL Resolution 2015-06 A RESOLUTION OF AIRPORT HEIGHTS COMMUNITY COUNCIL (AHCC) REGARDING TITLE 21 CHANGES WHEREAS, on March 28, 2012 the AHCC passed a resolution regarding the proposed changes to the provisionally adopted Title 21 (copy attached), WHEREAS, after many years of review and negotiations with various segments of the public, the "new" Title 21 was subsequently adopted by the Municipal Assembly on February 26, 2013, WHEREAS, two new ordinances have recently been introduced that make significant changes to the "new" Title 21 (Case No. 2015-0049 and Case No. 2015-0056), WHEREAS, Case No. 2015-0049 amends the multifamily standards, multifamily open space requirements, and some related standards, which result from a big workshop with the design community, follow up comments from builders, staff experience reviewing projects so far under the new code, and a series of Assembly Title 21 committee meetings in 2014-2015, with the apparent intent to respond to builder/designer problems and concerns, while keeping consistent with the objectives of the code and comprehensive plan, WHEREAS, Case No. 2015-0049 was heard by the Planning and Zoning Commission (PZC) on May 18 when the public hearing was closed with very little input from the public and the PZC planned to hold a work session and deliberate in June before forwarding it with recommendations to the

Municipal Assembly, WHEREAS, Case No. 2015-0056 was developed without the knowledge or any input of the Municipality's Planning Division but was introduced to the public by two Assembly members on May 12, 2015; this case would eliminate height limits, substantially eliminate bulk restrictions and height limitations in some zones, table the residential design standards for a year pending an evaluation, amend the open space in its own way, among other things, and the Assembly Title 21 Committee plans to hold its own work session before the case has gone through the public process normally required by such cases, WHEREAS, the proposed provisions appear to be extensive, substantive, and, in some cases, technical and such changes will affect the future quality of life and stability of neighborhoods for several generations to come, WHEREAS, if the goal is to boost housing construction, although that has not been explained to the public, there should be a comprehensive economic analysis of the factors that affect the rate of multi-family housing construction, and little to no non-subsidized multi-family is being constructed under the "old" Title 21, which has no design standards; the costs of land, materials, labor, required infrastructure improvements, and building code regulations may be far more significant than the design standards, WHEREAS, it appears that the two cases have conflicting provisions that have not been properly reviewed by the appropriate municipal staff and there has been an egregious lack of public involvement or explanation regarding the proposed revisions to residential design standards and open space under the "new" Title 21, NOW THEREFORE BE IT RESOLVED, that the Airport Heights Community Council (1) opposes any further action on either Case No. 2015-0049 or Case No. 2015-0056 unless and until the Municipal Planning Division has completely reviewed both cases and presented to the public in a clearly understandable manner the ramifications and impacts of such changes to the "new" Title 21; (2) demands that both cases be required to follow the normally required public process (including adequate time for community councils and the general public to review and address the changes) together with appropriate comparisons of each case's impact on the quality of life in this community; (3) requests that the Planning and Zoning Commission take no further action on Case No. 2015-0049 until the above-requested actions occur; and (4) requests that the Municipal Assembly cease any further action on Case No. 2015-0056 until all of the above-requested actions occur and have been fully vetted by the public by and through the various community councils. THIS RESOLUTION WAS APPROVED by the Airport Heights Community Council on May 21, 2015 by a vote of: FOR 17, AGAINST 0, ABSTAIN

[Zoning & Platting Cases On-line website](#)



MUNICIPALITY OF ANCHORAGE
Traffic Division



RECEIVED

MEMORANDUM

MAY 28 2015

DATE: May 28, 2015

TO: Erika B. McConnell, Current Planning Section Supervisor
Zoning and Platting Division

THRU: Stephanie Mormilo, PE, Municipal Traffic Engineer
Kristen Langley, Associate Traffic Engineer

FROM: Dwayne Ferguson, PE, Assistant Traffic Engineer

SUBJECT: Traffic Division comments for the Planning and Zoning Commission meeting to be held on Monday, June 8, 2015.

2015-0056 Request for an ordinance amending "new" Title 21 chapters 21.04, 21.06 and 21.07, to remove height limitations in the R-4, R-4A, B-3 and RO districts; Change requirements relating to floor area ratio; change in setback requirements in some districts; exempt development in the B-3 and RO districts from height transition requirements; reduce open space requirements in some districts; exempt some multifamily developments from on-site vehicle maneuvering requirements in some situations; and change the effective date of all residential design standards to January 1, 2017, pending Assembly acceptance of an evaluation for consistency with the comprehensive plan.

Traffic Engineering has the following comments:

- a) Traffic desires to work collectively with the Current Planning staff to draft specific, measurable, circumstances and conditions to justify the allowance of qualifying multifamily developments exemptions from various proposed requirements to eliminate the need for discretionary reviews.



Municipality of Anchorage

Maintenance and Operations

Street Maintenance Section

RECEIVED

MAY 29 2015

MUNICIPALITY OF ANCHORAGE
ZONING DIVISION

MEMORANDUM

DATE: May 26, 2015

TO: Municipality of Anchorage Planning Division

THRU: Paul VanLandingham, Street Maintenance Section Manager

FROM: Steve Hughes, Street and Storm Maintenance Review

SUBJECT: Ordinance Amendment
Case No. S2015-0056

Street Maintenance offers no objection.

Thank you for the opportunity to comment. If there are any questions regarding this comment, please contact Steve Hughes at 343-8161 or Paul VanLandingham at 343-8372.



Alaska International Airport System
Ted Stevens Anchorage International Airport
Fairbanks International Airport

P.O. Box 196960
Anchorage, AK 99519-6960
Main: 907.266.2526
Fax: 907.243.0663
Website: anchorageairport.com

RECEIVED

MAY 29 2015

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

May 27, 2015

Municipality of Anchorage Planning Division
Current Planning Section
P.O. Box 196650
Anchorage, Alaska 99519-6650

Re: MOA Planning Case No. 2015-0056

To Whom It May Concern:

Thank you for the opportunity to comment on MOA Planning Case No. 2015-0056.

The Airport has no objections or comments at this time.

Sincerely,

John Johansen
Engineering Environmental and Planning Manager

Ted Stevens Anchorage International Airport
P.O. Box 196960
Anchorage, AK 99519-6960
T: 907 266-2709 F: 907 266-2622
Email: john.johansen@alaska.gov
www.anchorageairport.com



"To Keep Alaska Flying and Thriving."

MUNICIPALITY OF ANCHORAGE



Community Development Department
Development Services Division

Private Development Section

RECEIVED

Mayor Dan Sullivan

MAY 28 2015

MEMORANDUM

MUNICIPALITY OF ANCHORAGE
ZONING DIVISION

Comments to Planning and Zoning Commission Applications

DATE: May 28, 2015
TO: Erika McConnell, Current Planning Section Supervisor
FROM: Brandon Telford, Plan Review Engineer
SUBJECT: Comments for Planning and Zoning Commission
Public Hearing date: June 8, 2015

Case 2015-0056 – An ordinance amending “new” Title 21 chapters 21.04, 21.06, and 21.07...

Department Recommendations:

The Private Development Section has no comment on the Conditional Use.

Municipality Of Anchorage
ANCHORAGE WATER & WASTEWATER UTILITY

MEMORANDUM

MAY 28 2015

MUNICIPALITY OF ANCHORAGE
ZONING DIVISION

DATE: May 27, 2015
TO: Erika McConnell, Supervisor, Planning Section, Planning Division
FROM: Paul Hatcher, Engineering Technician III, AWWU Planning
SUBJECT: **Zoning Case Comments**
Hearing Date: June 8, 2015
Agency Comments Due: May 28, 2015

AWWU has reviewed the materials and has the following comments.

2015-0056 TITLE 21 AMENDMENT, An ordinance amending “new” Title 21 chapters 21.04, 21.06, 21.07, to remove height limitations in the R-4, R-4A, B-3 and RO districts; change requirements relating to floor area ration’ change setback requirement in some district; exempt development in the B-3 and RO districts from height transition requirements; reduce open space requirements in some districts; exempt some multifamily developments from on-site vehicle maneuvering requirement in some situation; and change the effective date of all residential design standards to January 1, 2017, pending Assembly acceptance of an evaluation for consistency with the comprehensive plan, Grid N/A

1. AWWU has no objection to this Ordinance Amendment.

If you have any questions pertinent to public water and sanitary sewer, you may call me at 564-2721 or the AWWU planning section at 564-2739, or e-mail paul.hatcher@awwu.biz



Municipality of Anchorage
Development Services Department
Building Safety Division



MEMORANDUM

DATE: May 27, 2015
TO: Erika McConnell, Manager, Current Planning Section
FROM: Deb Wockenfuss, Civil Engineer, On-Site Water and Wastewater Program
SUBJECT: Comments on Cases due May 28, 2015

RECEIVED

MAY 27 2015

MUNICIPALITY OF ANCHORAGE
ZONING DIVISION

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

2015-0056 Title 21 amendments

No objection



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Transportation and
Public Facilities

CENTRAL REGION
Planning & Administrative Services

4111 Aviation Avenue
P.O. Box 196900
Anchorage, Alaska 99519-6900
Main Phone: (907)269-0520
Fax: (907)269-0521
Web site: dot.state.ak.us

May 19, 2015

Erika McConnell, Planning Section Manager
MOA, Community Development Department
Planning Division
P.O. Box 196650
Anchorage, Alaska 99519-6650

RE: MOA Zoning Review

Dear Ms. McConnell:

The Alaska Department of Transportation and Public Facilities, ADOT&PF, Central Region Planning section has no comment on the following zoning application:

- 2015-0056; An ordinance amending "new" Title 21 chapter 21.04, 21.06, and 21.07

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Jongenelen".

Aaron Jongenelen
Anchorage Area Planner

RECEIVED

MAY 19 2015

MUNICIPALITY OF ANCHORAGE
ZONING DIVISION

4 Residential FAR Examples

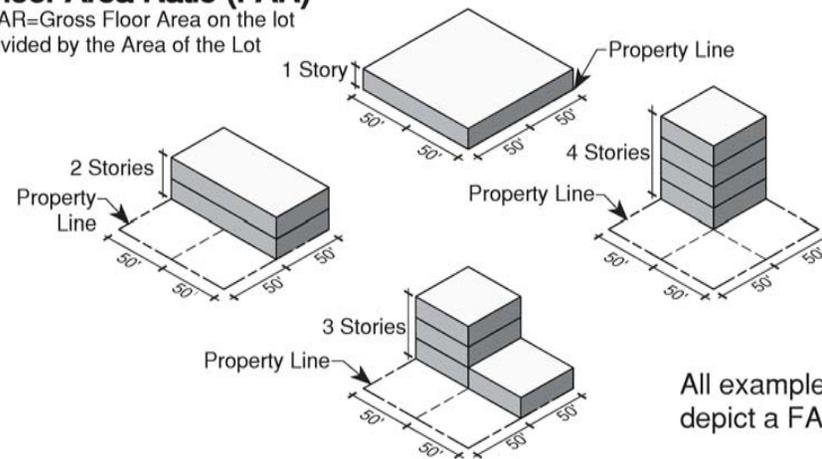
using new Title 21 as currently adopted
PZC Case 2015-0049 / May 29, 2015



1. Park Plaza II
2. Sunbeam Apartments
3. Northwood Apartments
4. Country Lane

Floor Area Ratio (FAR)

FAR=Gross Floor Area on the lot
divided by the Area of the Lot



All example figures
depict a FAR of 1.0.

1. Park Plaza II Apartments

R-4 District (2006)



Site size: 2.83 acres
 Number of Dwellings: 282 dwelling units
 Dwellings per acre: 100 d.u.a.
 Parking spaces: 168 (old code); 103 – 141 (new code)

Project FAR	1.89 FAR
FAR by-right	1.00 FAR
Max FAR in the District	2.00 FAR
Bonus FAR earned by the project design:	1.00+ FAR
Additional open space	✓
Below Grade Parking	✓
Sidewalk widening	
Ambient Daylighting	✓
Pedestrian Interactive Use	
Parking wrap	
Total eligible FAR	2.00 FAR

2. Sunbeam Apartments

B-3 District, West 26th Ave. (2005)

Site size: 0.5 acres
 Number of Dwellings: 20 dwelling units
 Dwellings per acre: 40 d.u.a.



Project FAR	0.81 FAR
FAR by-right	1.00 FAR
Max FAR in the District	2.00 FAR
Bonus FAR earned by the project design:	0 FAR
Additional open space	
Below Grade Parking	
Sidewalk widening	
Ambient Daylighting	
Pedestrian Interactive Use	
Parking wrap	
Total eligible FAR	1.00 FAR

3. Northwood Apartments

RO District (2012)

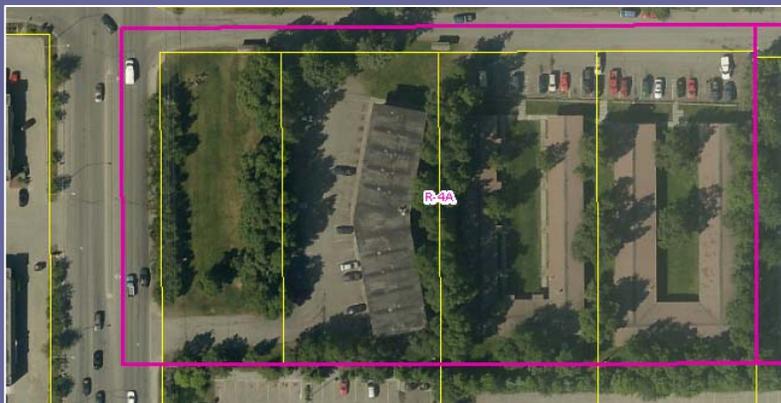
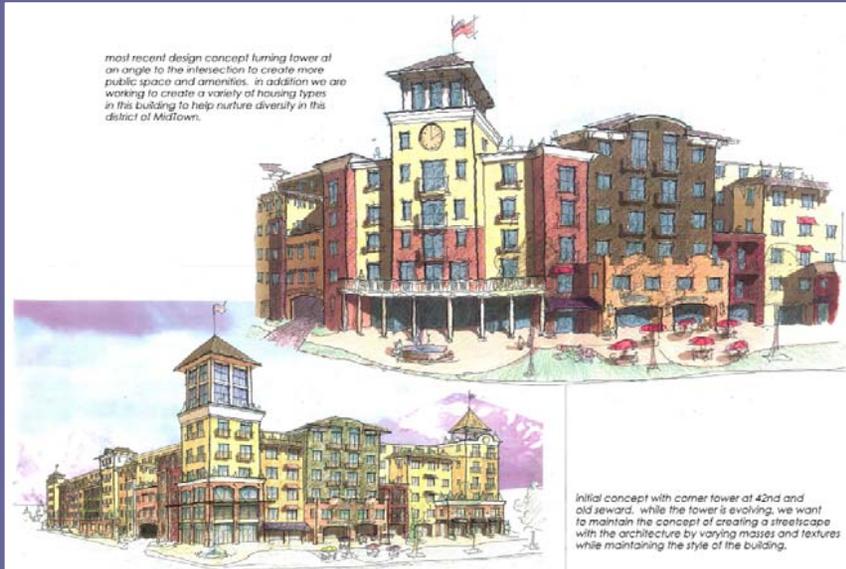
Site size: 0.71 acres
Number of Dwellings: 27 dwelling units
Dwellings per acre: 38 d.u.a.



Project FAR	1.40 FAR
FAR by-right	1.00 FAR
Max FAR in the District	2.00 FAR
Bonus FAR earned by the project design:	0.70 FAR
Additional open space	✓
Below Grade Parking	✓
Sidewalk widening	
Ambient Daylighting	
Pedestrian Interactive Use	
Parking wrap	
Total eligible FAR	1.70 FAR

4. Country Lane R-4A Design Concept (2014)

Site size: 2.83 acres
 Number of Dwellings: 282 dwelling units
 Dwellings per acre: 100 d.u.a.



Project FAR (proposed)	2.85 FAR
FAR allowed by-right	1.00 FAR
Max FAR in the District	3.00 FAR
Bonus FAR earned by the project design:	1.89 FAR
Additional open space	✓
Below Grade Parking	✓
Sidewalk widening	✓
Ambient Daylighting	✓
Pedestrian Interactive Use	✓
Parking wrap	✓
Total eligible FAR	2.89 FAR

Building and Floor Heights in Multifamily Districts (Relative to Building Code Construction Types)

R - Residential

9'-10' floor height for wood construction (typically)
10' floor height for concrete/steel construction (typically)

C - Commercial

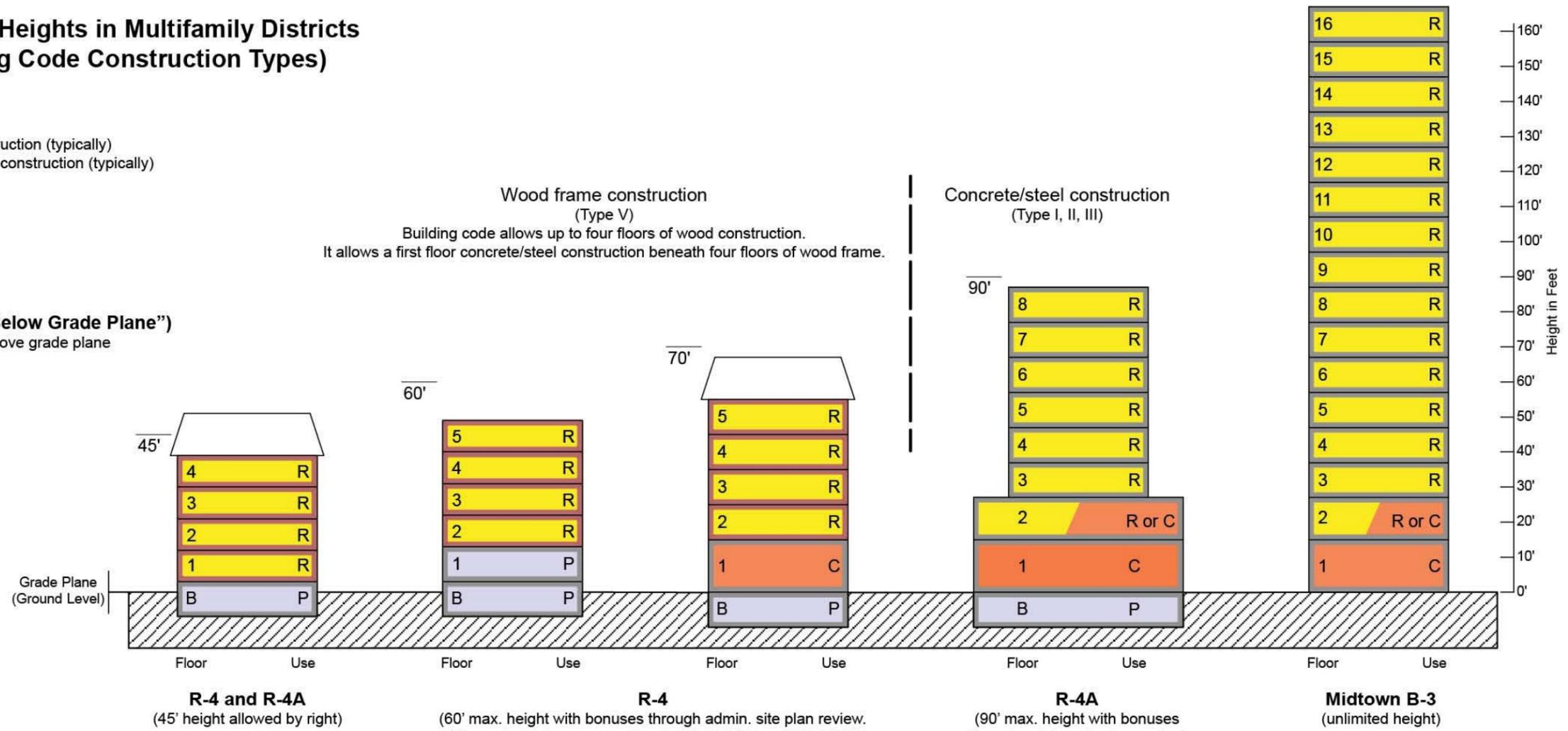
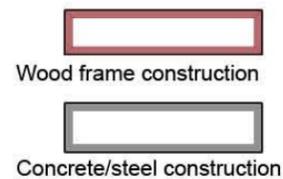
12'-16' floor height (typically)

P - Garage

10' floor height (typically)

B - Basement (or "Story Below Grade Plane")

Up to 6' of floor height may be above grade plane



Comparison to heights in the highest density multifamily zones in Seattle:

- Seattle Midrise (MR-60) Multifamily Zone: 60' Max

- Seattle Midrise (MR-85) Multifamily Zone: 85' Max

Seattle Highrise (HR) Multifamily Zone:

- Base Height: 37'
- Tower Height: 160' with larger setback
- Extra Tower Height: 240' when public benefit features provided

