

ANCHORAGE, ALASKA
AO No. 2024-83

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**
2 **ANCHORAGE MUNICIPAL CODE TITLE 21 TO UPDATE THE PLANNED UNIT**
3 **DEVELOPMENT (PUD) APPROVAL PROCESS.**
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6 **WHEREAS**, AR 2023-260(S) stated that the Anchorage community values
7 diversity, including a diversity of residents and also diversity of homes of many
8 sizes, designs, and price points; and
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10 **WHEREAS**, AR 2023-260(S) called for enacting policies to increase the supply of
11 housing for sale and enacting policies to increase the supply of rental housing; and
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13 **WHEREAS**, Action item 4.8 of the Anchorage 2040 plan calls for evaluating and
14 monitoring barriers to fair housing in Anchorage and establishing goals and actions
15 to overcome those barriers; and
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17 **WHEREAS**, Action item 4.10 of the Anchorage 2040 plan calls for amending Title
18 21 to reduce restrictions that currently deter the construction of compact housing
19 types; and expand provisions that allow for compact housing types, including
20 small-lot housing, cottage houses with shared courtyards, townhouses, and small-
21 scale garden apartment; and
22

23 **WHEREAS**, Action item 4.17 of the Anchorage 2040 plan calls for amending Title
24 21 to allow small-lot subdivisions and enable more forms of small-lot housing; and
25

26 **WHEREAS**, the 2040 Land Use Plan indicates that private developers (defined as
27 PRIV (listed in the "Responsible Agency" column in the 2040 Land Use Plan
28 Actions Table) are responsible parties, along with the planning department, in
29 implementing these actions; and
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31 **WHEREAS**, private developers should therefore be allowed and encouraged to
32 request Title 21 amendments through the Anchorage Assembly in keeping with
33 their role as implementers of the 2040 Land Use Plan; and
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35 **WHEREAS**, the Anchorage Assembly is inherently empowered by Charter and its
36 home rule legislative powers to amend the text of the Anchorage Municipal Code,
37 to include the provisions of Title 21; and
38

39 **WHEREAS**, a Planned Unit Development PUD is a type of approval process that
40 allows for controlled flexibility to the underlying standards of a zone; and
41

42 **WHEREAS**, a PUD can provide a means for providing more flexibility, including
43 smaller lots and a greater diversity of housing types; and
44

1 **WHEREAS**, Title 21 provides for residential PUDs to be approved through a
2 conditional use process, by which conditions may be imposed in order for approval;
3 and
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5 **WHEREAS**, the PUD process has not been used frequently, and in instances
6 where it was used some developers report it did not provide relative flexibility but
7 rather added another layer of complexity to the approval process; and
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9 **WHEREAS**, simplifying the PUD process does not change the existing approval
10 criteria for the conditional use; and
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12 **WHEREAS**, these text amendments will make the PUD tool more usable to meet
13 community housing goals; now, therefore,
14

15 **THE ANCHORAGE ASSEMBLY ORDAINS:**

16
17 **Section 1.** Anchorage Municipal Code section 21.07.110 is hereby amended to
18 read as follows (*the remainder of the chapter is not affected and therefore not set*
19 *out*):
20

21 **21.07.110 Residential design standards.**

22 *** **

23
24 G. Conditional Use for a Residential Planned Unit Development.

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26 1. *Intent and approval.* A residential planned unit development
27 (PUD) is intended to allow flexibility for residential
28 development in the zoning ordinance and to achieve the
29 creation of a more desirable environment than would be
30 possible through a strict application of the zoning ordinance.
31 A residential PUD shall be processed as a conditional use in
32 accordance with section 21.03.080. The planning and zoning
33 commission shall evaluate the proposed planned unit
34 development in accordance with the conditional use approval
35 criteria at section 21.03.080D. [AND THE FOLLOWING
36 ADDITIONAL CRITERIA:
37

38 A. CREATIVE USE OF THE LAND, IMAGINATIVE
39 ARCHITECTURAL DESIGN, A CONSOLIDATION OF
40 USABLE OPEN SPACE AND RECREATION AREAS,
41 AND THE PRESERVATION OF NATURAL
42 FEATURES.

43
44 B. THE MIXING OF COMPATIBLE LAND USES,
45 RESIDENTIAL DENSITIES, AND HOUSING TYPES
46 WITHIN THE NEIGHBORHOOD.

47
48 C. THE EFFICIENCY OF THE CONFIGURATION OF
49 UTILITIES, VEHICULAR CIRCULATION, AND
50 PARKING FACILITIES.

- 1
2 D. ENHANCING THE SURROUNDING ENVIRONMENT.
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4 E. MAINTAINING POPULATION DENSITIES AND LOT
5 COVERAGE THAT ARE CONSISTENT WITH
6 AVAILABLE PUBLIC SERVICES AND THE
7 COMPREHENSIVE PLAN.]
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9 2. *Minimum standards.* All planned unit developments shall meet
10 the following minimum standards. In addition, the planning
11 and zoning commission may require compliance with such
12 other design standards relating to the construction, design,
13 and placement of buildings, landscaping, streets, roadways,
14 walkways, drainageways, and other site design features as it
15 may deem necessary. Notwithstanding Subsection
16 21.03.240F.5., the planning and zoning commission may
17 exempt a [A] PUD from [SHALL COMPLY WITH] any special
18 limitations of the zoning district.
19

20 a. *Minimum site area.* The minimum site area for a PUD
21 shall be 1[2].0 acres. [FOR PUDS LOCATED
22 ENTIRELY IN THE R-2M, R-3,R-4 AND R-4A ZONING
23 DISTRICTS. IF ANY PORTION OF A PROPOSED
24 PUD IS LOCATED WITHIN THE R-1, R-1A, R-2A, R-
25 2D, R-5, R-7, GR-1, GR-2, GR-2A, GR-3, GR-4, OR
26 GR-5 ZONING DISTRICTS, THE MINIMUM SITE
27 AREA SHALL BE 5.0 ACRES. IF ANY PORTION OF
28 A PROPOSED PUD IS LOCATED WITHIN THE R-6,
29 R-8, OR R-9 ZONING DISTRICTS, THE MINIMUM
30 SITE AREA SHALL BE 10 ACRES.]
31

32 b. *Open space.* A minimum of 15[30] percent of the site
33 shall be reserved as open space which shall meet the
34 following standards:
35

36 i. At least one-half of such open space shall be
37 contiguous;
38

39 ii. The open space shall not include public or
40 private streets or rights of way; parking facilities,
41 driveways, other motor vehicle circulation areas,
42 loading areas, or refuse collection areas; slopes
43 over 15 percent; designated snow storage
44 areas; drainage easements, ditches, swales, or
45 other areas intended to collect and channel
46 water; and
47

48 iii. [IN CLASS A DISTRICTS, NO PORTION OF
49 THE REQUIRED OPEN SPACE SHALL BE
50 LESS THAN 2,000 SQUARE FEET IN AREA

1 OR LESS THAN 30 FEET IN ITS SMALLEST
2 DIMENSION, EXCEPT FOR INDIVIDUAL
3 YARDS, BALCONIES, OR DECKS
4 PURSUANT TO B.IV. AND B.V. BELOW;
5

6 IV. IN CLASS B DISTRICTS, NO PORTION OF
7 THE REQUIRED OPEN SPACE SHALL BE
8 LESS THAN HALF OF THE MINIMUM LOT
9 SIZE OF THE UNDERLYING DISTRICT IN
10 AREA, OR LESS THAN 100 FEET IN ITS
11 SMALLEST DIMENSION, EXCEPT FOR
12 INDIVIDUAL YARDS, BALCONIES, OR
13 DECKS PURSUANT TO B.V. AND B.VI.
14 BELOW;

15 V. A MINIMUM OF 12 PERCENT AND A
16 MAXIMUM OF 50 PERCENT OF REQUIRED
17 OPEN SPACE SHALL CONSIST OF YARDS
18 WHICH SHALL BE RESERVED FOR THE
19 RESIDENTS OF INDIVIDUAL DWELLING
20 UNITS; AND
21

22 VI.] In multistory buildings, balconies or decks may
23 be used in lieu of individual yards provided that
24 the total area of all balconies or decks is not less
25 than the total yard area otherwise required.
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27 iv. Parcels within a quarter mile of with access to a
28 natural area, park, or other publicly-accessible
29 open space may count those lands as meeting
30 this requirement.
31

32 c. *Design.*
33

34 [I.]Any nonresidential use permitted in a PUD shall
35 be compatible with the residential nature of the
36 development. [PARKING AREAS WHICH ARE
37 INTENDED TO SERVE NONRESIDENTIAL
38 USES SHALL BE SEPARATED FROM THOSE
39 DESIGNED TO SERVE RESIDENTIAL
40 AREAS. UNLESS NONRESIDENTIAL AND
41 RESIDENTIAL USES ARE COMBINED
42 WITHIN A SINGLE STRUCTURE,
43 NONRESIDENTIAL USES SHALL BE
44 SEPARATED FROM DWELLING UNITS BY L2
45 BUFFER LANDSCAPING.
46

47 II. PEDESTRIAN WALKWAYS SHALL CONNECT
48 RESIDENTIAL AND NONRESIDENTIAL USES
49 WITHIN A PUD.
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1 III. L2 BUFFER LANDSCAPING SHALL BE
 2 PLANTED ALONG EACH BOUNDARY OF THE
 3 PUD ADJACENT TO A NONRESIDENTIAL
 4 DISTRICT OR A RIGHT-OF-WAY
 5 DESIGNATED FOR COLLECTOR OR
 6 GREATER CAPACITY ON THE OFFICIAL
 7 STREETS AND HIGHWAYS PLAN. IV.
 8 COMMON OPEN SPACE WITH L3
 9 SCREENING LANDSCAPING SHALL BE
 10 PROVIDED ALONG ANY LOT LINE
 11 ABUTTING A RESIDENTIAL
 12 NEIGHBORHOOD WHERE ANY ABUTTING
 13 LOT IS GREATER THAN 150 PERCENT OF
 14 THE AVERAGE LOT SIZE ALONG THAT LOT
 15 LINE OF THE PUD. V. ANY TWO ADJACENT
 16 BUILDINGS WITHIN A PUD SHALL BE
 17 SEPARATED FROM EACH OTHER BY A
 18 DISTANCE EQUAL TO ONE-HALF THE
 19 HEIGHT OF THE TALLER BUILDING.]

20
 21 d. *Access and connectivity.* PUDs shall comply with
 22 section 21.07.060, Transportation and Connectivity.

23
 24 e. *Utility installation.* All new utilities shall be installed
 25 underground.

26
 27 f. *Homeowners' agreements.* Any PUD which will involve
 28 the formation of a horizontal property regime under the
 29 terms of AS 34.07.010 et seq. or any mandatory
 30 homeowners' or similar association shall submit for
 31 review by the commission the articles of incorporation
 32 and bylaws of any such association prior to the sale of
 33 any property subject to the association. The
 34 commission may require any provisions necessary to
 35 ensure that the provisions and intent of this title are
 36 met.

37
 38 3. *Development options.* The developer of a PUD may propose
 39 changes to density, lot size, uses, dimensional standards, and
 40 design standards. Separate variances are not required for
 41 changes completed through the PUD process.[THE
 42 FOLLOWING PROVISIONS ALLOW THE DEVELOPER OF
 43 THE PUD TO PROPOSE CHANGES FROM THE
 44 PROVISIONS OF THE UNDERLYING ZONING DISTRICT
 45 WITH REGARD TO DENSITY, ALLOWED USES, AND
 46 DIMENSIONAL STANDARDS.] [THE EXTENT OF THE
 47 C]Changes to the standards shall be reviewed
 48 [DETERMINED] by the planning and zoning commission in
 49 accordance with the approval criteria of subsection G.1.
 50 above.

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- a. *Density.* The number of dwelling units per acre allowable on the gross area of a PUD shall be determined by the planning and zoning commission. However, in no event shall the number of dwelling units per acre exceed the maximums established by the following schedule:

TABLE 21.03-12	
Zoning District	Dwelling Units per Acre (gross area)
R-1 and R-5	10 [8]
R-1A	8 [6]
R-2A	14 [12]
R-2D	16 [15]
R-2M	60 [22]
R-3	80 [55]
R-4	110
R-4A	110
R-6	2
R-7	4.5
R-8	0.5
R-9	1.0
GR districts	As supported by sewer & water infrastructure [AS DETERMINED BY THE PLANNING AND ZONING COMMISSION]

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- [B. *USES.* THE APPLICANT MAY PROPOSE ANY RESIDENTIAL USE, AND IN CLASS A ZONING DISTRICTS, MAY PROPOSE ANY COMMERCIAL USE THAT IS ALLOWED IN THE R-4 DISTRICT IN TABLE 21.05- 1. A PUD MAY NOT INCLUDE THE STORAGE OR USE OF MOBILE HOMES OR QUONSET HUTS. ANY NONRESIDENTIAL USE MUST BE SPECIFICALLY AUTHORIZED AS TO ITS EXACT LOCATION, TYPE, AND SIZE. IN NO EVENT SHALL THE TOTAL GROSS FLOOR AREA OF ALL NONRESIDENTIAL USES EXCEED 10 PERCENT OF THE TOTAL GROSS FLOOR AREA OF THE PUD.

C. *DIMENSIONAL STANDARDS.*

- I. HEIGHT LIMITATIONS IN THE R-1, R-1A, R-2A, R-2D, R-2F, R-2M, R-6, R-7, R8, R-9, GR-1, GR-2, GR-2A, GR-3, GR-4, OR GR-5 ZONING DISTRICTS MAY BE EXCEEDED BY AN ADDITIONAL FIVE FEET. HEIGHT LIMITATIONS IN THE R-3, R-4 AND R-4A DISTRICTS MAY BE EXCEEDED BY AN ADDITIONAL 10 FEET.

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II. THE APPLICANT MAY PROPOSE CHANGES TO MINIMUM LOT AREA, MAXIMUM LOT COVERAGE, AND MINIMUM SETBACKS FOR THE PUD.]

4. *Planned unit developments in the Turnagain Arm District.* PUDs in the TA district shall conform, with regard to uses and residential density, to the land use plans of the Turnagain Arm Area Plan and the standards of this section.

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2014-132, 11-5-14; AO 2015-36, 5-14-15; AO 2015- 100, 10-13-15; AO 2016-34(S), 4-12-16; AO 2016-136, 11-15-16; AO 2017-160, 12-19-17; AO 2018-59. 7- 31-2018; AO 2019-132, 12-3-19; AO 2020-38, 4-28-20; AO 2021-89(S), 2-15-22; 2022-80(S), 11-21-22; AO 2023-30, 3-22-23; AO 2023-42, 8-22-23; AO 2023-50, 7-11-23; AO 2023-103(S), 12-18-23; AO 2024-24, 4-23-24)

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 _____, 2024.

Chair

ATTEST:

Municipal Clerk



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 681-2024

Meeting Date: August 27, 2024

1 **From: Assembly Vice Chair Zaletel**

2
3 **Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY**
4 **AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 TO**
5 **UPDATE THE PLANNED UNIT DEVELOPMENT (PUD) APPROVAL**
6 **PROCESS.**
7
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9 The proposed ordinance would amend the language of Title 21 governing Planned
10 Unit Developments (PUDs). This provision of code has historically been under-
11 utilized, despite its stated intent to “allow flexibility for residential development in the
12 zoning ordinance and to achieve the creation of a more desirable environment than
13 would be possible through a strict application of the zoning ordinance.” The
14 proposed ordinance seeks to make this provision a more viable tool for development
15 by reducing the approval criteria, and loosening the standards imposed on a
16 potential PUD. Further the proposed ordinance would increase the allowable
17 residential density in zones R-1 through R-3, and R-5 as part of a PUD.
18

19 **I request your support for the ordinance.**

20
21 Prepared by: Assembly Counsel’s Office

22
23 Respectfully submitted: Meg Zaletel, Assembly Vice Chair
24 District 4 - Midtown