

MUNICIPALITY OF ANCHORAGE




Planning Department

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Mayor Dave Bronson

Director's Interpretation Memo 2023-01

DATE: March 15, 2023
TO: Planning Department
FROM:  Craig H. Lyon, Planning Director
SUBJECT: Legal nonconforming lots of record in the R-9 and R-10 zoning districts that meet the lot area and width requirements for the R-6 zoning district.

Question: When a legal nonconforming lot of record in the R-9 or R-10 zoning district meets the area requirements for the R-6 district, do the more restrictive setbacks and the less restrictive lot coverage of the R-6 district apply? Can you apply the less restrictive setbacks of the R-9 district along with the less restrictive lot coverage of the R-6 district?

Short Answer: The R-6 zoning district setbacks and lot coverage apply. The provisions of two separate code sections cannot be mixed.

Interpretation:

The R-6, R-9 and R-10 districts are low density zoning districts where public infrastructure may or may not be available. The large lots in these districts are intended to be rural in nature. A lot in the R-9 or R-10 district that does not meet the lot area or width standard is required to meet the setback and lot coverage requirements applicable to the zoning district within which the lot area would be conforming. If a legal nonconforming R-9 or R-10 lot meets the R-6 dimensional standards, then the R-6 setback and lot coverage regulations apply. The increased setback dimensions of the R-6 zoning district help to retain rural aspects intended by the R-9 and R-10 districts on the smaller sized lots. The 30 percent lot coverage allowed in the R-6 district facilitates larger structures on the reduced lot area.

Code Sections Applicable to this Interpretation

- 21.13.050A. Nonconforming Lots, Setbacks.
- 21.04.020 Residential Districts, R-6 Low Density Residential (1 acre) District, R-9 Low-Density Residential (2 acres) District, R-10 Low Density Residential, Alpine/Slope District.
- 21.06.020A. Table of Dimensional Standards; R-6 Low-Density Residential District (1 Acre); R-9 Low-Density Residential District (2 Acres), R-10 Low-Density Residential Alpine/Slope District.