



# Municipality of Anchorage

## Planning Department

### Memorandum



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**Date:** September 3, 2021

**To:** Anchorage Community and Review Agencies

**Subject:** PZC Case No. 2021-0111, Title 21 Text Amendment to the R-2 Zoning Districts Height and Bulk Standards: Request for Public Comments

The Planning Department is seeking comments on the Public Hearing Draft of Planning and Zoning Commission Case No. 2021-0111, a proposed amendment to the building height and bulk regulations in the R-2A, R-2D, and R-2M residential zoning districts (R-2 districts). This is a text amendment to the regulations in Anchorage Municipal Code Title 21 Zoning Ordinance (Title 21).

This project helps carry out implementation Action 4-4 of the *Anchorage 2040 Land Use Plan's Goal 4: Neighborhood Housing*. It is related to other ongoing and planned Title 21 code amendment projects and actions that seek to achieve the goals of the *Anchorage 2040 Land Use Plan*. For more information, visit the project website at: <http://www.muni.org/Planning/2040actions.aspx>.

Your comments and recommendations on the Public Hearing Draft will be submitted to the Planning and Zoning Commission. The Planning and Zoning Commission public hearing is scheduled for **Monday, November 1, 2021, at 6:30 p.m. in the Assembly Chambers of the Z.J. Loussac Library, 3600 Denali Street, Anchorage**. Recommendations and findings from the Planning and Zoning Commission process will be forwarded to the Assembly, which will also hold a public hearing before taking final action.

Written comments provided by October 15, 2021, will be included in the case packet that will go to the Commission before the November 1 meeting. Comments received after October 15 will go to the Commission by November 1 as a supplementary packet. Submit written comments in the following ways:

**by CityView:** <http://munimaps.muni.org/planning/allcomments.cfm>  
(insert case number **2021-0111**)

**by email:** [Anchorage2040@muni.org](mailto:Anchorage2040@muni.org)

**by fax:** (907) 343-7927

**by mail:** Long-Range Planning Division  
MOA Planning Department  
P.O. Box 196650  
Anchorage, AK 99519-6650

If you have questions, please contact Tom Davis, Senior Planner, in the Long-Range Planning Division at 343-7916.

Attachments: 1. Project Background and Description  
2. Draft Assembly Ordinance  
3. Draft Zoning Code Amendment Language (Annotated)

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# Attachment 1

## Project Description and Background

### **Title 21 Text Amendment to R-2 Zones Height and Bulk Standards**

#### **Public Hearing Draft**

**PZC Case No. 2021-0111**

# Project Description and Background

## Title 21 Text Amendment to R-2 Zones Height and Bulk Standards

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## SUMMARY

Planning and Zoning Commission (PZC) Case No. 2021-0111 is a proposed amendment to the two-and-one-half-story (2½-story) limit in the R-2A, R-2D, and R-2M residential zoning districts (R-2 zones). It is a text amendment to the regulations in the Anchorage Municipal Code Title 21 Zoning Ordinance (Title 21). The amendment proposes to allow for 3-story buildings on peripherally located sites, large development sites, and other sites most likely to both provide housing opportunities and minimize height and bulk impacts within existing R-2 neighborhoods.

This project is intended to help carry out implementation Action 4-4 of the *Anchorage 2040 Land Use Plan's Goal 4: Neighborhood Housing* and its associated Action 7-2 of 2040 **Goal 7: Compatible Land Use**. It is related to other Title 21 code amendment projects and actions that seek to achieve the goals of the *Anchorage 2040 Land Use Plan*.

The amendment is intended to support more efficient housing development in the R-2 zones while addressing neighborhood compatibility. The current 2½-story limit has led to the following problems:

- Constraining the number of new housing units that can fit on some development sites;
- Increasing the costs of adding third-story living spaces as attic spaces or daylight basements;
- No exceptions or administrative relief or flexibility to respond to site characteristics; and
- Vague and confusing regulatory language.

The amendment also addresses problems with other dimensional standards in the R-2 zones, including:

- An excessive side yard setback when applied to small multi-unit structures;
- Excessive height exceptions for rooftop stairwells and other roof appurtenances; and
- No height exception available for roof dormers that support 2½-story attic living spaces.

Allowing 3-story buildings in certain locations and situations, subject to additional height and bulk compatibility standards or site plan approval procedures, and in combination with adjustments to existing dimensional standards, can support more efficient housing development while minimizing impacts on adjoining properties and the interior of existing R-2 neighborhoods. This purpose is in alignment with the stated intent of the R-2 zones and the *Anchorage 2040 Land Use Plan*. This project proposes to achieve these objectives through the following:

1. **Allowing 3-story Residences on Large and Transitional Sites:** Currently, buildings in the R-2 zones cannot exceed 2½ stories, such that living spaces above the second story must be tucked under a sloping roof as an attic living space. The amendment proposes to allow 3-story buildings in the R-2 zones at transitions to higher-intensity multifamily and commercial zoning districts, on large development sites ½ acre or more in size, and on lots adjoining only non-residential uses or existing 3-story residential uses.
2. **Requiring a Height/Bulk Transition on the Exempted Sites:** Three-story buildings allowed on the sites above would be required to be stepped back in form or set back in footprint further from adjacent properties. The amendment also places limits on the length of 3-story buildings in relation to the lot depth. It provides for exceptions and administrative relief and flexibility.

3. **Approving 3-story Residences on Other R-2 Lots through a Site Plan Review:** The amendment gives applicants an avenue to propose 3-story buildings on other R-2 zoned lots through the Title 21 Administrative Site Plan Review procedure. Such developments would be subject to a set of discretionary site plan approval criteria designed to mitigate 3-story buildings within existing R-2 neighborhoods.
4. **Reducing Side Yard Setbacks for Small Multi-unit Buildings in the R-2M Zone.** The amendment reduces the side setback for small multifamily buildings from 10 feet to 5 feet if the multifamily building's sidewall length facing the side lot line is no greater than that of a new single-family, two-family, or townhouse residence.
5. **Additional Mitigation of Taller Structures.** Lastly, the amendment clarifies height exceptions and definitions, and mitigates for stairwells and parapet walls on buildings taller than two stories.

(The "Description of Amendments" section below outlines these amendments in more detail.)

## PROJECT BACKGROUND AND NEED

This 2021 Public Hearing Draft has been reworked from a previous public hearing draft version of the R-2 zones height and bulk amendment that underwent public review in 2018-2019 and a public hearing at the Planning and Zoning Commission on March 4, 2019 (PZC Case No. 2019-0009). The 2021 Public Hearing Draft responds to public comments received regarding the 2019 draft, subsequent consultations, and further assessment of the 2½-story limit.

This section provides background regarding the R-2 zones and their requirements for height, identifies problems with the current 2½-story height limit, and summarizes the public comments received regarding the 2019 draft version of this amendment as primary planning considerations for making changes to the 2½-story height limit.

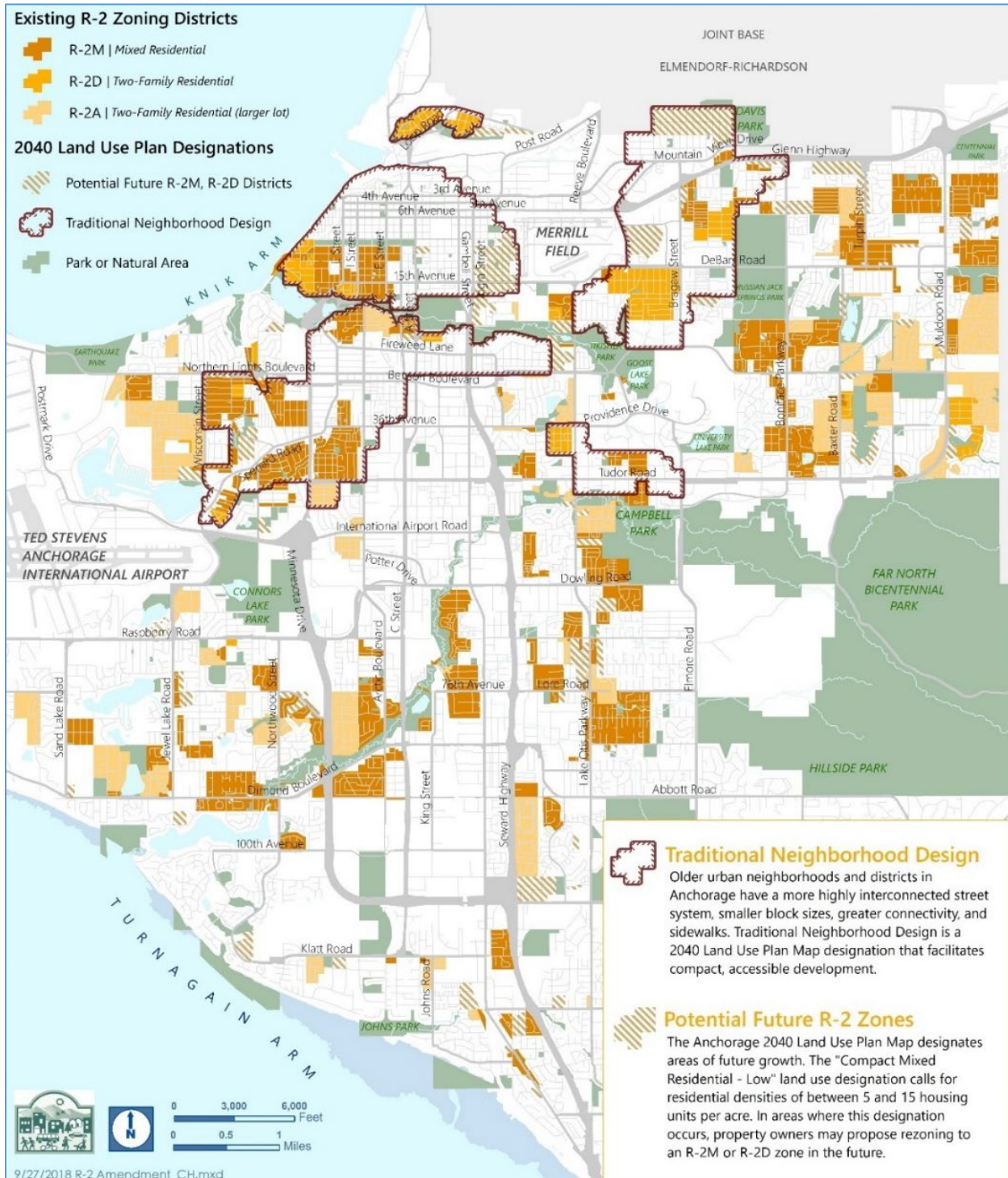
### Where are the R-2 Zones Located?

The R-2A, R-2D, and R-2M zoning districts are distributed across the Anchorage Bowl, as shown on Map 1 on the next page. They comprise approximately one-third of residential-zoned land in Anchorage's urban water and wastewater service area and include more than 30,000 properties. They are primarily built-up neighborhoods with existing homes. Up to half of all Anchorage Bowl residents live in an R-2 zone.

Most Anchorage Bowl community councils have R-2 zoning. Only Downtown and five Hillside community councils do not.

- Community councils with the most R-2 zoned land overall include Northeast, Sand Lake, Abbott Loop, Turnagain, Taku-Campbell, and Spenard. These have more R-2 zoning partly because they are bigger neighborhoods with more zoned land in general.
- Community councils with the most R-2 zoned land per acre include South Addition, North Star, Scenic Foothills, Turnagain, University Area, Northeast, Spenard, Tudor Area, Russian Jack Park, and the residential portions of Government Hill and Airport Heights. Neighborhoods within these community councils are primarily in R-2 zoned areas—i.e., R-2 zones help define the character of much of their core neighborhoods.

Map 1. R-2 Zoning Districts in 2018

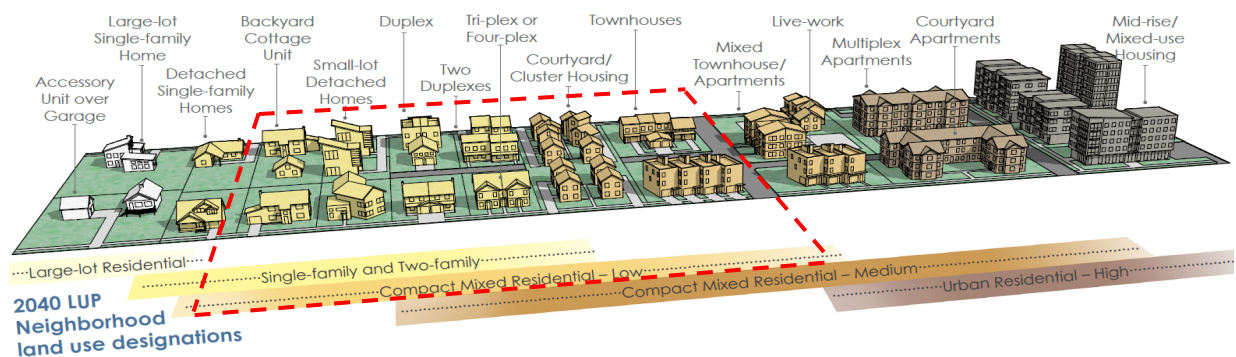


### What is the Function of R-2 Zones?

The R-2 zoning districts play a unique and important role among Anchorage’s residential zones. These key districts provide a moderate neighborhood scale and intensity that is compatible with a single-family neighborhood-type living environment, and yet they also provide a diverse range of compact housing types: attached single-family, duplex, townhouse, and (in the R-2M zone) small multifamily structures. They offer low- to moderate-scale residential living environments desired by most Anchorage residents but also more land-efficient and attainable housing choices for a variety of households, incomes, and age groups. An R-2 zone is more likely to offer a place for people to stay in their neighborhood as their housing needs change from younger to older stages of life.

This distinguishes R-2 zoning from R-1 single-family zoning on the low end of the density spectrum and R-3/R-4 apartment zoning on the high end of the density spectrum. The range of R-2 housing types within the middle of the spectrum of Anchorage housing is shown in the red-dashed box below. The illustration conveys how the scale of the various R-2 housing structures can fit with a low-scale residential living environment that defines R-2.

**Figure 1. Neighborhood Housing Types**



### R-2 Zoned Buildable Lands and Future Housing Capacity

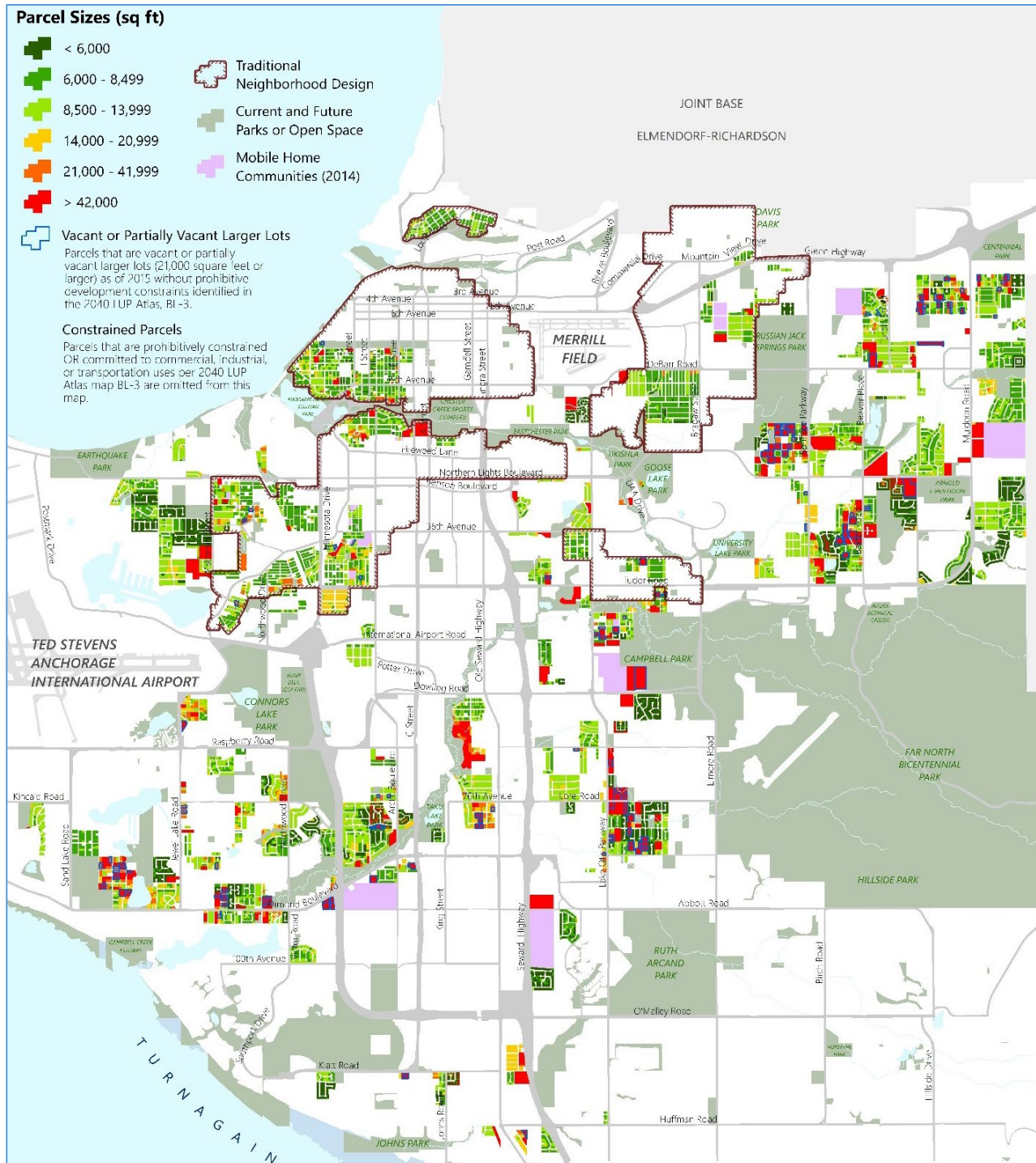
The *Anchorage 2040 Land Use Plan* found that, as of 2016, approximately one-fifth of Anchorage’s forecast additional housing capacity was in the R-2 zones. The R-2 zones’ housing capacity is important because it supplies primarily the “compact” housing types as discussed on the previous pages above. The forecast demand for this range of housing types through 2040 is greater than the forecast land capacity to supply housing in this range.

Map 2 below shows the R-2 zoned properties by lot size. It indicates the prevalence and distribution of larger versus smaller lots. Also, it outlines in blue buildable vacant lots larger than 21,000 square feet (i.e., approximately ½ acre or larger).

The R-2 zones provide “infill” and “redevelopment” lots within established neighborhoods. They also include a smaller number of larger tracts available for “greenfield” development. *Anchorage 2040* analyses found that more than two-thirds of the buildable acres and additional housing capacity remaining in the R-2 zones was identified on larger parcels one-half acre or more in size. Lots smaller than half acre, typically located within the interior blocks of existing neighborhoods, accounted for less than a third of buildable acres and capacity.



Map 2. R-2 Lot Sizes in 2018



### History of R-2 Height & Story Limits

From the 1940s through the early 1980s, R-2 zoning expanded with the growing city across the Anchorage Bowl, and housing built in R-2 zones was subject to a 2½-story height limit. A “story” is defined in Title 21 as “That portion of a building included between the upper surface of a floor and the upper surface of the next floor or roof above.” A 2½-story building consists of two stories plus a third-floor attic living space tucked into a pitched roof form. Title 21 called this attic living space a “half story”: “A story under a gable, hip, gambrel or mansard roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such story” (Title 21, c. 1983).

Buildings were also subject to a height limit measured in feet, that accompanied the 2½-story limit. During the 1960s the accompanying height limit of 35 feet was reduced to 25 feet. The 25-foot, 2½-story dual height limit prevailed until nearly the end of Anchorage’s oil boom years in the mid-1980s. As a result, most of the existing housing stock in the R-2 zones was built under the 2½-story limit. Then a series of changes were made to the height limits over time:

- **1985:** The 2½-story limit was deleted, leaving only the 25-foot height limit. In practice, 25 feet still limited most buildings to only 2½ stories. An exception was also created to the 25-foot height limit to allow a 30-foot height if 30% of the development lot was left as open space.
- **1999:** The 25-foot height limit in the R-2 zones was increased to 30 feet to allow new homes to have steeper roof pitches and taller ceilings, allow more diversity in design, and fit more living area within homes on smaller buildable lots. Most residences were still constructed with pitched roofs at that time, and the 1999 case materials do not appear to have anticipated 3-story flat-roof residential construction as a prevalent housing style.
- **2013:** The 2½-story limit was restored in the R-2 zones as part of the Title 21 Rewrite project, to supplement the 30-foot height limit. Since becoming fully effective in 2016, it limits third-story living spaces to only “half-story” attic living spaces having no more than half the floor area of the second floor. The restoration of the 2½-story limit responded to concerns about construction trends toward bigger, taller townhouses with flat roofs, parapets, and stairwell towers.

### Problems with the Current 2½-Story Limit.

The Planning Department has heard several problems with the current 2½-story:

- **Homebuilders report that the 2½-story limit constrains the number of housing units that can fit on some development sites.** As a result, it is a contributor to construction of fewer units than the lot size would allow under R-2 zoning, especially on larger sites and in the R-2M zone. Generally, it is difficult to fit multiple townhouse units on a development property partly because modern townhouse units have more living space and larger garages than older housing constructed when Anchorage’s R-2 district regulations first evolved. A townhouse unit takes up a larger footprint on the property than units did historically. Stacking a third story would reduce the footprint and help fit the allowed number of dwellings anticipated by the R-2 zoning. Three-story residences have become more practical within the 30-foot zoning height limit because of changes in construction techniques and market preferences that make flat roofs more acceptable.
- **Homebuilders report the 2½-story limit increases the cost of third-story living spaces.** Any third-story living space must be only a “half-story” attic living space tucked under a pitched roof and

have only half as much floor area as the second story. Daylight basements do not count toward the 2½-story limit if they are far enough below grade. However, half-story attic and basement living spaces cost thousands of dollars more per unit to construct and can be inefficient.

- **The 2½-story limit may not be providing effective or consistent standard for building height, building bulk, and sunlight access protections.** Floor heights vary and daylight basements may stick up as much as 6 feet above grade. There is no clear ground-rules for the ceiling/roof height of half-story attic living space or its side walls. The maximum allowed floor area of the half-story is half the floor area of the home’s second floor, so bigger homes get to have a bigger half-story.
- **Applicants and zoning staff find the current language confusing.** The current wording of the definition of “half-story” in Title 21 is vague and confusing and is inconsistent with other codes.
- **Inflexibility.** Title 21 currently allows no exceptions or administrative adjustments for relief or design alternatives from the 2½-story limit, regardless of site context or circumstances.

The 2½-story limit appears to be a contributing factor that combines with other engineering, market, and regulatory factors that leads to underutilization of R-2 zoned lots below the number of allowed units that would otherwise be anticipated by the R-2 zoning. Other potential site development requirements that have been identified for potential reform include modern parking requirements, side setbacks, and on-site driveways and vehicle turnarounds.

These problems are in context of Anchorage’s challenges with housing development costs, affordability, quality of aging housing stock, and availability of buildable land. The *Anchorage 2040 Land Use Plan*, adopted in 2017, called for policies and actions to help create more housing opportunities.

### **R-2 Height and Bulk Amendment Project History.**

In early 2018, homebuilders requested that the Municipality reevaluate the 2½-story limit. Homebuilders proposed removing the 2½-story limit to reduce costs, add design flexibility, and (on larger lots) fit the number of units allowed by the zoning. The Planning Department initiated a public process to amend the R-2 zones height and bulk regulations:

- **Pre-consultations** were held with an initial advisory group of builders and architects, the Planning and Zoning Commission, and community councils in summer and early fall 2018.
- **A Community Discussion Draft** amendment was released for public review in September 2018, was accompanied by public meetings, and received substantial written comments.
- **A Public Hearing Draft** was released in December 2018 (PZC Case No. 2019-0009) for several months of public review.
- **A public hearing at the Planning and Zoning Commission (PZC)** was held on March 4, 2019. After receiving a range of comments, the PZC closed the public hearing, postponed its deliberations indefinitely, and requested the Planning Department hold additional consultations with stakeholders to address the concerns raised.
- **Additional consultations** were held with stakeholder groups in spring 2019 through early 2020.

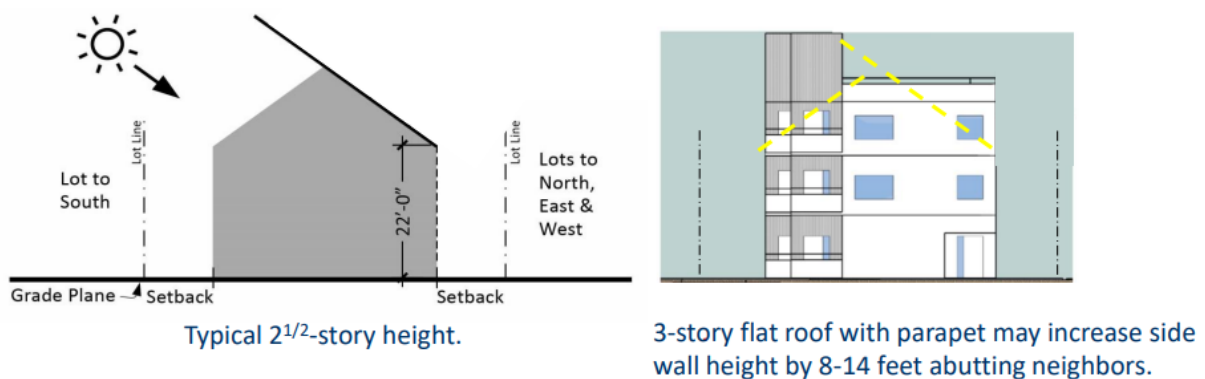
### 2019 Public Comments and Planning Considerations.

Developers, community councils, and multiple residents (primarily residents from South Addition) provided comments. There were concerns that the 2019 draft proposed to replace the 2½-story limit with different bulk standards that were complicated, unfamiliar, too restrictive in certain ways, but inadequate to mitigate the potential impacts of 3-story flat-roofed buildings, parapet walls, and stairwell towers. Following is a summary of key comments and concerns about the 2019 public hearing draft:

- Increase in time, costs, and confusion in the development and approval process.
- Restrictions on building sizes and potentially the number of units on some sites.
- Would not lead to an increase in housing units.
- Incompatible building height and bulk with adjoining homes and the intent of the R-2 zones.
- New buildings with rooftop stairwells and elevator towers already too tall under current code.
- Loss of sunlight access to yards and living spaces on adjoining lots.
- Loss of solar photovoltaic energy value on adjoining lots.
- Loss of neighbors' privacy from third-floor windows and 3-story rooftop patios.
- Loss of affordable/workforce housing opportunities by allowing bigger, more expensive units.
- Need to focus on other, more effective kinds of reforms to support infill housing.
- Third story compounds other concerns: wide front driveways and garages, loss of front yards, loss of space for on-street parking and street snowplowing/storage.
- Need for stronger area-specific bulk/height limits in older neighborhoods with small lots.

Figure 2 below indicates a source of some of the concerns heard with increasing maximum height from 2½ to 3 stories. This half-story increase results in building facades and side walls that can be 8 to 25 feet taller facing the adjacent properties. A new 2½ story building has two-story side walls approximately 20 to 24 feet tall up to the roof eave. By comparison, a 3-story flat-roof building has side walls extending up to the maximum roof height (30 feet) topped with roof parapets, increasing the side wall height to 32 to 34 feet. Rooftop stairwell towers can further increase wall heights to 40 to 45 feet.

**Figure 2. Dimensional Effects of Allowing 3-Story Buildings**



## 2021 PUBLIC HEARING DRAFT AMENDMENT

### Amendment Objectives

To respond to previous public comments, the 2021 Public Hearing Draft amendment has been reworked from the 2019 public hearing draft. Project objectives include:

- Help make it more feasible to fit the allowed number of housing units on larger sites that meet the minimum lot size requirements for multiple buildings.
- Support efficient use of buildable R-2 properties located at transitions to higher intensity districts, employment, services, and access to public transportation.
- Provide for exceptions, administrative relief, and design flexibility allowing for 3-story buildings, subject to additional bulk and height standards to mitigate impacts.
- Where 3-story buildings are allowed, ensure that they provide transitions in bulk and height to adjoining residences in the R-2 zones that is equivalent to the level of protection afforded by the 2½-story height limit.
- Mitigate the effects of flat-roof construction generally, by promoting more sensitive placement, size, and design of rooftop appurtenances such as parapet walls and rooftop stairwell towers.
- Provide relief for small multi-unit buildings from 10-foot-wide multifamily setback requirements in the R-2M zone, to treat similar sized buildings consistently, improve site planning outcomes, and support multi-unit infill housing opportunities anticipated by the R-2M zoning.
- Clarify the regulations for 2½-story limits and height exceptions to reduce confusion.

### Description of Amendments

The following description of the proposed amendment elaborates on the summary list of amendment topics on page 1. It also provides cross-references to *Attachment 3: Zoning Code Amendment Language (annotated)*, which provides the draft code amendment language with illustrations and explanation.

- 1. Allowing 3-story Residences on Large or Transitional Sites.** The amendment proposes to retain the 2½-story limit generally, and allow 3-story buildings as exceptions in the following strategic and peripheral locations most likely to provide housing opportunities (and that include most of the buildable land capacity in the R-2 zones) while minimizing height and bulk impacts within existing R-2 neighborhoods:
  - a. **Large development sites** ½ acre (21,780 square feet) or more size. These are large enough to accommodate multiple residential buildings and are the most likely to yield more housing because of the spatial efficiencies afforded by 3-story buildings. They comprise approximately two-thirds of the remaining buildable R-2 zoned land capacity. They are not commonly located within existing R-2 neighborhood blocks, which minimizes impacts.
  - b. **Transitional sites** located adjacent to a multifamily district, or a commercial or industrial district, where abutting at the side lot line or facing across the local or collector street. These

sites can provide a transition in scale to the rest of the R-2 neighborhood. Their peripheral location minimizes impacts to the interior of existing R-2 neighborhoods. Transition sites also support more housing opportunities next to employment, services, and public transit routes.

- c. **Other Low-impact sites**, defined as being adjacent only to non-residential uses such as schools or parks, or to existing 3-story residential uses.

⇒ *See Attachment 3, pages 3 (right-hand table column) and 6, for the code amendment text and more details regarding allowing 3-stories on large or transitional sites.*

2. **Requiring a Height/Bulk Transition.** The amendment proposes that 3-story buildings on the exempted sites above be required to provide the following transitions in height and bulk to adjacent residential properties located in the R-2 zones and other low-density residential zones:

- a. **Step-Back Plane:** Three-story buildings would be required to be stepped back, set back further, or their rooftops sloped away from the adjacent residential lots, by staying under a step-back “plane” measured starting from 20 feet above grade at the lot line of the development site and rising inward over the site at an 8:12 rise-to-run angle. This bulk plane measurement is the approximate height of a 2 ½-story building built to its side setback.

- b. **Maximum Sidewall Length:** There would be a limitation on the length of the 3-story portion of a building extending along the side lot lines, in relation to the total depth of the lot.

- c. **Administrative Relief and Flexibility.** Dormers, gable-end roof forms, and incidental architectural features such as chimneys would be exempt from the step-back plane requirement above. The following administrative adjustments from the height/bulk transition requirements would also be available:

- **Minor Modifications:** Administrative relief allowing small deviations of up to five percent from the step-back plane and maximum length requirements through the Minor Modifications procedure in Title 21 section 21.03.120.
- **Administrative Variances:** Administrative relief allowing larger deviations from the step-back plane and maximum length requirements in cases of hardship due to topography or other challenging site characteristics, by adding an Administrative Variance procedure in Title 21 Section 21.03.240J.
- **Alternative Equivalent Compliance:** Administrative flexibility allowing designers to propose a different way to achieve the intent of the height/bulk transition, through the Alternative Equivalent Compliance procedure in Title 21 Section 21.07.0010D.

⇒ *See Attachment 3, page 7, for the code amendment text and more details regarding the height/bulk transition standard.*

⇒ *See Attachment 3, page 8, for the code amendment text and more details regarding exceptions from the height/bulk transition standard for roof appurtenances, dormers, and gable ends.*

⇒ See Attachment 3, pages 1 (lines 3-12 and 27-44), 8 (lines 19-22), and 10, for the code amendment text and more details regarding administrative relief and flexibility from the height/bulk transition standard.

3. **Approving 3-story Residences on Other R-2 Lots through Administrative Site Plan Review.** The amendment provides an avenue for applicants to propose to 3-story buildings on other R-2 zoned properties, that do not meet the locational criteria for being exempted in 1. above, through the Administrative Site Plan Review procedure in Title 21 Section 21.03.180. Such development would be subject to a new set of discretionary site plan approval criteria designed to mitigate 3-story building massing impacts within existing R-2 neighborhoods.

⇒ See Attachment 3, pages 9 (all) and 1 (lines 16-23), for the code amendment text and more details regarding the three-story entitlement through administrative site plan review.

4. **Reducing Side Yard Setbacks for Small Multifamily Buildings.** Currently the R-2M zone requires a 5-foot side yard setback for single-family, two-family, and townhouse uses, and 10-foot side setback for multifamily uses (3 or more units on a lot). The amendment proposes to reduce the side yard setback for small multifamily structures from 10 to 5 feet, if the multifamily building's sidewall length facing the side lot line is similar in scale to the sidewall length of a typical new single-family or two-family (duplex) residence. This change would result in more consistent treatment of same-sized buildings and avoid discouraging small, multi-unit infill developments.

⇒ See Attachment 3, pages 2 and 3 (middle table column), for the code amendment text and more details regarding reducing side yard setbacks for small multifamily buildings.

5. **Additional Mitigation of Taller Structures.** Finally, the amendment proposes to improve the height measurement regulations to clarify the regulations and mitigate the effects of structures taller than two stories:

- a. **Reducing height exceptions for rooftop access enclosures.** Title 21 allows rooftop stairwell and elevator access towers to exceed the 30-foot height limit. The amendment reduces the height exception for stairwells from 15 to 12 feet and elevator enclosures from 25 to 18 feet in the R-2 zones.
- b. **Requiring rooftop enclosures to be set back from the front building facade.** The amendment proposes to require rooftop stairwell and elevator access enclosures that exceed the 30-foot height limit in the R-2 zones to be set back at least four feet from the front street-facing building façade wall.
- c. **Reducing height exceptions for rooftop parapet walls.** The amendment proposes to reduce the height exception for rooftop parapet walls in the R-2 zones from 4 feet to a maximum of 2 feet above the 30-foot height limit. The proposed two-foot limit is the lowest exception that still accommodates roof drainage needs and the mounting of safety railings on the parapet wall. The proposed amendment allows open and transparent railings to exceed the two-foot limit.

- d. **Clarifying the height exceptions for dormers that serve attic living spaces.** The amendment would give a height exception for dormers that stay within specified dimensional thresholds.
  - e. **Clarifying the definition of 2½ stories.** The amendment would clarify the definition of the term “one-half story” in the Title 21 definitions chapter in 21.15.040.
- ⇒ *See Attachment 3, pages 4 and 11, for the code amendment text and more details regarding changing height exceptions for rooftop parapets, railings, and access enclosures.*
- ⇒ *See Attachment 3, page 5, for the code amendment text and more details regarding height exception for dormers.*
- ⇒ *See Attachment 3, page 12, for the code amendment text and more details regarding clarifications to the Title 21 definition of half story and 2½ story in 21.15.040.*

### **What this Amendment Does Not Do.**

In response to questions received from the public in 2019, following is a list of things the Public Hearing Draft amendment does NOT include:

- Does not change the 30-foot height limit.
- Does not change the maximum 40 percent lot coverage (i.e., the percentage of a lot allowed to be covered by buildings).
- Does not change the minimum lot size required per housing unit or per type of housing unit. In other words, it does not increase the number of dwelling units, or change what kinds of housing types are allowed on a given lot. For example, a 6,000 square foot lot in the R-2D zone currently allowed to have only one single-family home or duplex will continue to be allowed only one single-family home or duplex. For example, an 8,500 square foot lot in the R-2M zone currently allowed to have only up to a triplex will continue to be allowed to have only up to a triplex.
- Does not propose rezonings or changes to neighborhood zoning boundaries on the Zoning Map. Does not propose any new development project for any property.
- Does not change height limits or setbacks in the Chugiak-Eagle River R-2 zones, which comprise the CE-R-2A, CE-R-2D, or CE-R-2M zoning districts and have their own regulations specific to Chugiak-Eagle River.



# **Attachment 2**

## **Draft Assembly Ordinance**

### **Title 21 Text Amendment to R-2 Zones Height and Bulk Standards**

#### **Public Hearing Draft**

**PZC Case No. 2021-0111**

*Anchorage 2040 Land Use Plan*  
Implementation Actions 4-4 and 7-2

September 3, 2021

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

**ANCHORAGE, ALASKA  
AO NO. 2022-\_\_\_**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**  
2 **ANCHORAGE MUNICIPAL CODE TITLE 21 CHAPTERS 21.03, REVIEW AND**  
3 **APPROVAL PROCEDURES; 21.04, ZONING DISTRICTS; 21.06 DIMENSIONAL**  
4 **STANDARDS AND MEASUREMENTS; 21.07, DEVELOPMENT AND DESIGN**  
5 **STANDARDS; AND 21.15.040, RULES OF CONSTRUCTION AND**  
6 **DEFINITIONS, IN ORDER TO AMEND THE TWO-AND-ONE-HALF-STORY**  
7 **LIMIT AND RELATED DIMENSIONAL STANDARDS IN THE R-2A, R-2D, AND**  
8 **R-2M ZONING DISTRICTS, FOR PROMOTING HOUSING OPPORTUNITIES**  
9 **COMPATIBLE WITH THE INTENDED SCALE OF R-2 NEIGHBORHOODS.**

10  
11 (Planning and Zoning Commission Case No. 2021-0111)  
12

13 **WHEREAS**, the *Anchorage 2040 Land Use Plan (2040 Plan)* assesses the  
14 housing needs of current and future Anchorage residents and includes goals,  
15 policies, and actions to address these housing needs; and  
16

17 **WHEREAS**, Goal 2 of the *2040 Plan* and its supporting policies promote infill and  
18 redevelopment in existing neighborhoods as a means to meet the housing needs  
19 of residents in Anchorage, in part through incorporating more flexibility in  
20 development requirements; and  
21

22 **WHEREAS**, Goal 4 of the *2040 Plan* establishes Anchorage's neighborhoods as  
23 the places to provide a range of places to live, meeting the housing needs of  
24 residents of all income levels and household types; and  
25

26 **WHEREAS**, Goal 7 of the *2040 Plan* and its supporting policies promote infill  
27 development that is compatible with the valued characteristics of surrounding  
28 properties and neighborhoods, including the physical scale and character; and  
29

30 **WHEREAS**, the R-2A, R-2D, and R-2M zoning districts (R-2 districts) are found in  
31 many parts of the Anchorage Bowl, comprising one-third of residentially zoned land  
32 in the Anchorage Bowl water and sewer service area; and  
33

34 **WHEREAS**, the R-2 districts fulfill a unique and important function among  
35 Anchorage's residential zones, providing for compact single-family, two-family,  
36 townhouse, and (in the R-2M) small-scale multifamily structures at a low-to-  
37 moderate scale and intensity compatible with the single-family neighborhood  
38 scale; and  
39

1 **WHEREAS**, Action 4-4 of the *2040 Plan* calls for a review of the R-2M district to  
2 further the development of compact housing to assist in meeting a large part of the  
3 housing needs through infill and redevelopment within existing neighborhoods;  
4 and

5  
6 **WHEREAS**, Action 7-2 of the *2040 Plan* calls for the incorporation of neighborhood  
7 compatibility standards in the compact housing amendments in Action 4-4; and

8  
9 **WHEREAS**, a two-and-one-half-story (2½-story) height limit applied to the R-2  
10 districts from the 1940s through the early 1980s, was removed leaving a 25-foot  
11 height limit in the mid-1980s which was increased to a 30-foot height limit in 1999;  
12 and

13  
14 **WHEREAS**, the 2½-story limit was restored in the R-2 districts in 2013 to  
15 supplement the 30-foot height limit and address compatible bulk and scale of new  
16 housing development; and

17  
18 **WHEREAS**, problems with the current 2½-story limit have been identified,  
19 including: it is a factor constraining the number housing units that can fit on some  
20 development sites; it increases the costs of adding third-story living spaces to  
21 resolve the space constraint because the third story must be a daylight basement  
22 or attic living space; it does not provide for exceptions or administrative relief or  
23 flexibility to respond to site context or characteristics; it is vague and confusing as  
24 currently worded; and

25  
26 **WHEREAS**, problems with other dimensional standards in the R-2 districts have  
27 been identified, which include an excessive side yard setback applied to small  
28 multi-unit structures and excessive maximum heights of rooftop stairwells and  
29 other rooftop appurtenances incompatible with the residential scale; and

30  
31 **WHEREAS**, allowing 3-story buildings in appropriate locations and situations  
32 subject to additional height and bulk compatibility standards can, in combination  
33 with other adjustments to the height and dimensional standards can support more  
34 efficient housing development anticipated by the R-2 districts and the *2040 Plan*,  
35 while minimizing impacts on adjoining properties and existing R-2 neighborhoods;  
36 now, therefore,

37  
38 **THE ANCHORAGE ASSEMBLY ORDAINS:**

39  
40 **Section 1.** Anchorage Municipal Code Chapter 21.03, Review and Approval  
41 Procedures, is hereby amended to read as follows (*the remainder of the chapter*  
42 *is not affected and therefore not set out*):

43  
44 **21.03.120 Minor Modifications.**

45 \*\*\* \*\*

46 B. *Applicability.*  
47

1  
2 1. *Minor Modifications to General Development and Zoning*  
3 *District Standards*

4 As part of the review and approval of any procedure set forth  
5 in this chapter, the director, the planning and zoning  
6 commission, or the urban design commission may approve  
7 minor modifications of up to a maximum of five percent from  
8 the following general development and zoning district  
9 standards provided that the approval criteria of subsection D.  
10 below are met.

- 11  
12 a. Minimum lot area, [OR ]setback, step-back, or building  
13 length requirements set forth in chapter 21.06,  
14 Dimensional Standards and Measurements;

15 \*\*\* \*\*

16  
17 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2020-38, §3,  
18 5-28-20)

19  
20 **21.03.180 Site Plan Review.**

21  
22 \*\*\* \*\*

23 **F. Approval Criteria – General**

24 Except as provided otherwise in G., [A]an application for  
25 administrative or major site plan review shall be approved upon a  
26 finding that the site plan meets all of the following criteria:

27  
28 \*\*\* \*\*

29 *(The following inserts a new subsection G. and re-numbers existing*  
30 *subsections G. and H. The revisor of the code is requested to re-number*  
31 *the existing section as appropriate.)*

32  
33 **G. Approval Criteria – Topic-Specific Site Plan Reviews**

- 34  
35 1. Administrative site plan review approval criteria for proposals  
36 to exceed the two-and-one-half story height limit in the R-2A,  
37 R-2D, and R-2M districts are listed in 21.06.030D.7.d.

38  
39 \*\*\* \*\*

40 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-  
41 142(S-1), § 2, 6-21-16; AO No. 2020-38, § 3, 5-28-20)

42  
43 **21.03.240 Variances.**

44  
45 \*\*\* \*\*

46 **J. *Administrative Variances***

47

1           \*\*\*       \*\*\*       \*\*\*

2           6.     For Height Encroachments into Step-backs and Step-back  
3           Planes

4           The director may grant an administrative variance from  
5           height/bulk transition requirements including building height  
6           step-back planes or limitations on building elevation length in  
7           Chapter 21.06, provided:

8  
9           a.     There exist physical circumstances of the subject  
10           property such as topography or exceptional lot  
11           configuration not shared by landowners in general;

12  
13           b.     Because of these physical circumstances, the strict  
14           application of the height/bulk transition or step-back  
15           plane would create an exceptional or undue hardship  
16           upon the property owner, and would deprive the  
17           applicant of rights commonly enjoyed by other  
18           properties in the same district under the terms of the  
19           zoning ordinance;

20  
21           c.     The hardship is not self-imposed, the special  
22           conditions and circumstances do not result from the  
23           actions of the applicant, and such conditions and  
24           circumstances do not merely constitute inconvenience;  
25           and

26  
27           d.     The administrative variance granted is the minimum  
28           deviation or encroachment necessary to address the  
29           hardship and development rights, and will cause the  
30           least interference possible with the intended solar  
31           access protections.

32           \*\*\*       \*\*\*       \*\*\*

33  
34           (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-36, § 10,  
35           5-14-15; AO No. 2015-133(S), § 2, 2-23-16; AO No. 2017-55, § 7, 4-11-17;  
36           AO No. 2018-67(S-1), § 4, 10-9-18; AO No. 2018-118, § 2, 1-1-19; AO  
37           2020-38, 5-28-20)

38  
39           **Section 2.** Anchorage Municipal Code Chapter 21.04, Zoning Districts, is  
40           hereby amended to read as follows (*the remainder of the chapter is not affected*  
41           *and therefore not set out*):

42  
43           **21.04.020    Residential Districts**

44           \*\*\*       \*\*\*       \*\*\*  
45

1 F. R-2M: Mixed Residential District

2 \*\*\* \*\*

3  
4 2. District-Specific Standards

5  
6 a. Residential buildings shall contain no more than eight  
7 dwelling units.

8  
9 b. The maximum length of a building elevation that is two  
10 and a half stories or more in height at any point shall  
11 be 150 feet. Otherwise, the maximum length shall be  
12 180 feet.

13  
14 c. The minimum side setback established in Table  
15 21.06-1 for multifamily dwellings in the R-2M district is  
16 reduced from 10 feet to 5 feet, provided the building  
17 elevation facing the side lot line is:

18  
19 i. No more than 60 feet in length, in order to be  
20 compatible in scale to a single-family dwelling or  
21 duplex; or

22  
23 ii. No more than 48 feet in length without a recess  
24 in its wall plane, such that the remaining portion  
25 of the building elevation has a minimum side  
26 setback of at least 15 feet, in order to appear as  
27 an arrangement of smaller, connected  
28 structures with backyard space.

29  
30 \*\*\* \*\*

31 (AO 2012-124(S), 2-26-13; AO No. 2015-100, § 1, 10-13-15; AO No. 2017-  
32 176, § 3, 1-9-18; AO No. 2019-58, § 2, 5-7-19)

33  
34 **Section 3.** Anchorage Municipal Code Chapter 21.06, Dimensional Standards,  
35 is hereby amended to read as follows (*the remainder of the chapter is not affected*  
36 *and therefore not set out*):

37  
38 **21.06.020 Dimensional Standards Tables.**

39 \*\*\* \*\*

40 A. Table of Dimensional Standards: Residential Districts  
41

<b>TABLE 21.06-1: TABLE OF DIMENSIONAL STANDARDS - RESIDENTIAL DISTRICTS</b> (Additional standards may apply. See district-specific standards in chapter 21.04 and use-specific standards in chapter 21.05.)								
Use	Minimum lot dimensions <sup>1</sup>		Max lot coverage (%)	Min. Setback Requirements (ft)			Max number of principal structures per lot or tract <sup>2</sup>	Maximum height of structures (ft)
	Area (sq ft)	Width (ft)		Front	Side	Rear		
***      ***      ***								
<b>R-2A: Two-Family Residential District (larger lot)</b>								
Dwelling, single-family detached	7,200	60	40	20	5	10	1	Principal: 30, not to exceed two and one-half stories, <u>except where three stories are allowed per 21.06.030D.7.</u>  Accessory garages/carports: 25 Other accessory: 12
Dwelling, two-family	8,400	70	40	20	5	10	1	
Dwelling, single-family attached	3,500	35 (40 on corner lots)	40	20	N/A on common lot line; otherwise 5	10	1	
All other uses	7,200	60	40	20	5	10	N/A	
<b>R-2D: Two-Family Residential District</b>								
Dwelling, single-family detached	6,000	50	40	20	5	10	1	Principal: 30, not to exceed two and one-half stories, <u>except where three stories are allowed per 21.06.030D.7.</u>  Accessory garages/carports: 25 Other accessory: 12
Dwelling, two-family	6,000	50	40	20	5	10	1	
Dwelling, single-family attached	3,500	35 (40 on corner lots)	40	20	N/A on common lot line; otherwise 5	10	1	
All other uses	6,000	50	40	20	5	10	N/A	
<b>R-2M: Mixed Residential District</b>								
Dwelling, single-family detached	6,000	50	40	20	5	10	1	Principal: 30, not to exceed two and one-half stories, <u>except where three stories are allowed per 21.06.030D.7.</u>  Accessory garages/carports: 25 Other accessory: 12
Dwelling, two-family	6,000	50	40	20	5	10	1	
Dwelling, single-family attached	3,000	35 (40 on corner lots)	40	20	N/A on common lot line; otherwise 5	10	1	
Dwelling, townhouse	2,400	24 (30 on corner lots)	60	20		10	1	
Dwelling, multifamily (up to 8 units permitted per building)	8,500 + 2,300 for every unit over 3	50	40	20	10, <u>except where 5 is allowed as provided in 21.04.020F.2.c.</u>	10	More than one principal structure may be allowed on any lot or tract in accordance with subsection 21.07.110F.2.	
Dwelling, multifamily, with single- or two-family style construction of multiple buildings on a lot	3,000 per unit	50	40	20	10, <u>except where 5 is allowed as provided in 21.04.020F.2.c.</u>			
All other uses	6,000	50	40	20	5	10		
***      ***      ***								



1           \*\*\*       \*\*\*       \*\*\*

2           (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-100, §  
3           2(Exh. A), 10-13-15; AO No. 2016-71, § 1, 6-21-16; AO No. 2017-160, §  
4           3, 12-19-17; AO No. 2017-176, § 6, 1-9-18; AO No. 2018-43(S), § 3(Exh.  
5           B), 6-12-18; AO No. 2019-11, § 4, 2-12-19; AO No. 2019-58, § 3, 5-7-19;  
6           AO 2020-38, 5-28-2020)

7  
8           **21.06.030   Measurements and Exceptions.**

9  
10          \*\*\*       \*\*\*       \*\*\*

11          D.    *Height*

12                   \*\*\*       \*\*\*       \*\*\*

13                   6.    Height Exceptions

14                                   \*\*\*       \*\*\*       \*\*\*

15  
16                   c.    Except as specifically provided elsewhere in this title,  
17                   the height limitations contained in this chapter do not  
18                   apply to appurtenances on buildings, such as spires  
19                   and similar religious appurtenances, belfries, cupolas,  
20                   flagpoles, chimneys, antennas, rooftop mechanical  
21                   equipment and its screening, stairwell and[TOWERS,]  
22                   elevator enclosures[PENTHOUSES], parapets,  
23                   firewalls, open or transparent railings, solar reflectors,  
24                   photovoltaic panels, skylights, or similar  
25                   appurtenances; provided, however, the following:

26  
27  
28                   i.    The appurtenance does not interfere with  
29                   Federal Aviation Regulations, Part 77, Objects  
30                   Affecting Navigable Airspace.[:]

31  
32                   ii.   Enclosure[THE] appurtenances such as  
33                   stairwells, elevators, mechanical enclosures,  
34                   and skylights cumulatively cover no more than  
35                   one-third of the roof area of the building, except  
36                   that when it has been demonstrated to the  
37                   director and the building official that building  
38                   HVAC requirements necessitate a larger  
39                   mechanical enclosure[PENTHOUSE], the  
40                   appurtenances may cumulatively cover up to  
41                   one-half of the roof area.

42  
43                   iii.   The appurtenance is not constructed for the  
44                   purpose of providing additional floor area,  
45                   usable space, or storage room for the building,  
46                   except that a storage room of 60 square feet or  
47                   less, combined with[ A] stairwell [TOWER ]or

1 elevator enclosures[HOUSING], and directly  
2 related to a rooftop use (such as tool storage for  
3 a rooftop garden), is allowed.]; AND]  
4

- 5 iv. The appurtenance does not exceed the height  
6 limit of the district by more than 12 feet in the R-  
7 2A, R-2D, and R-2M zoning districts and up 15  
8 feet otherwise, with the following exceptions:  
9

10 \*\*\* \*\*

11 (D) Elevator enclosures[PENTHOUSES]  
12 may exceed by up to 18 feet on  
13 residential buildings in the R-2A, R-2D,  
14 and R-2M zoning districts and up to 25  
15 feet otherwise.];  
16

17 (E) Parapets, required fire-resistant rated  
18 walls[FIREWALLS], and skylights may  
19 exceed by up to two feet on residential  
20 buildings in the R-2A, R-2D, and R-2M  
21 zoning districts and up to four feet  
22 otherwise.  
23

24 (F) Any railing or portion of a railing that  
25 exceeds the maximum allowed parapet  
26 height in (E) shall be an open or  
27 transparent railing as defined in section  
28 21.15.040.  
29

- 30 v. Rooftop stairwell and elevator enclosures in the  
31 R-2A, R-2D, and R-2M districts are set back  
32 from the perimeter of street-facing building  
33 façade walls by at least four feet.  
34

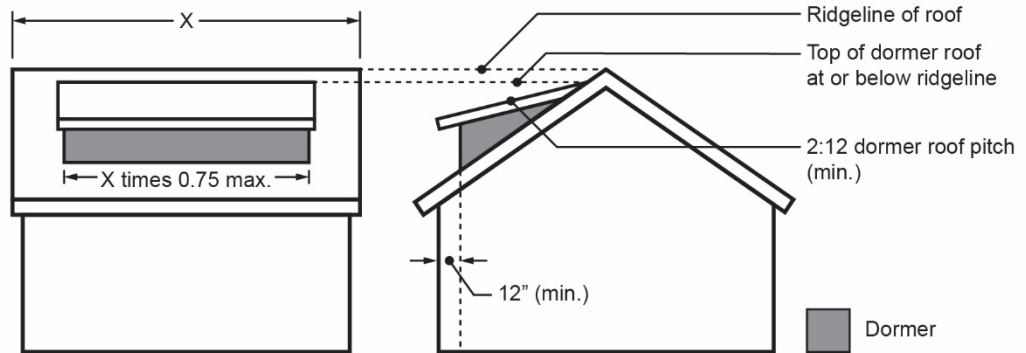
35 \*\*\* \*\*

36 e. Dormers that meet subsection i. below and have a total  
37 width of not more than 33 percent of the width of the  
38 roof form from which the dormers(s) project may  
39 extend above the height limit. Dormers with a total  
40 width greater than 33 percent may extend above the  
41 height limit when:  
42

- 43 i. The roof of the dormer has a pitch of at least  
44 2:12 and no part of the dormer extends above  
45 the ridgeline of the main roof;  
46

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- ii. The walls of the dormer are stepped back at least one foot from the exterior wall plane of the floor below, including from end-of-house corner walls/gable end walls; and
- iii. The total width of the dormer(s) is not more than 75 percent of the width of the roof from which the dormer(s) project.



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\*\*\*    \*\*\*    \*\*\*

*(The following inserts a new subsection 7. and re-numbers existing subsections 7., 8., and 9.)*

7. *Three-story Entitlement in R-2A, R-2D, and R-2M Zoning Districts*

a. *Purpose*

The intent of this section is to allow three-story buildings in the R-2 zoning districts at transitions to higher-intensity zones or in locations that minimize bulk, shadowing, privacy, and character impacts on R-2 zoned residential neighborhoods.

b. *Three-story Entitlement on Large or Transitional Sites*

Development sites that meet one or more of criteria i. to iii. are exempt from the two-and-one-half story limit in Table 21.06-1, provided all structures meet the 30-foot height limit and provide the height/bulk transition described in subsection c.:

- i. The development site is at least 1/2 acre;
- ii. The site is located at a transition to an R-3, R-3A, R-4, R-4A, commercial, or industrial zoning district, either abutting at its side lot line (except

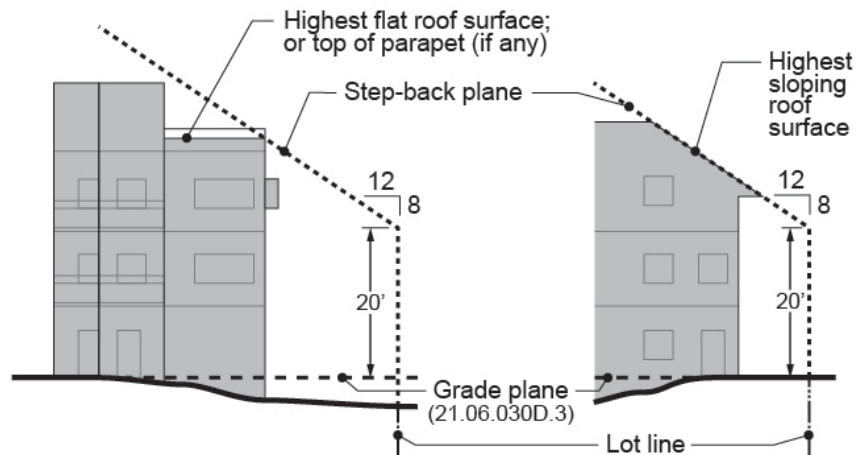
1 not the side lot line opposite the primary front lot  
2 line on a corner lot), or adjacent facing across a  
3 class I or II street (except not a secondary  
4 frontage opposite the primary frontage on a  
5 double-fronted lot); or  
6

7 iii. The site is adjacent only to non-residential or  
8 three-story residential uses.  
9

10 c. *Height/Bulk Transition Standards*

11 Three-story buildings shall provide a transition in height  
12 to neighboring residences. This transition requirement  
13 applies where the development site's lot lines are  
14 adjacent to residentially zoned properties not listed in  
15 21.06.030D.7.b.ii. and b.iii. The transition requirement  
16 is as follows:  
17

18 i. Buildings shall not encroach into a step-back  
19 plane measured starting from 20 feet above the  
20 grade plane established in 21.06.030D.3.,  
21 Grade Plane, at the lot lines of the development  
22 site, and rising inward over the site at an 8:12  
23 rise-to-run angle.



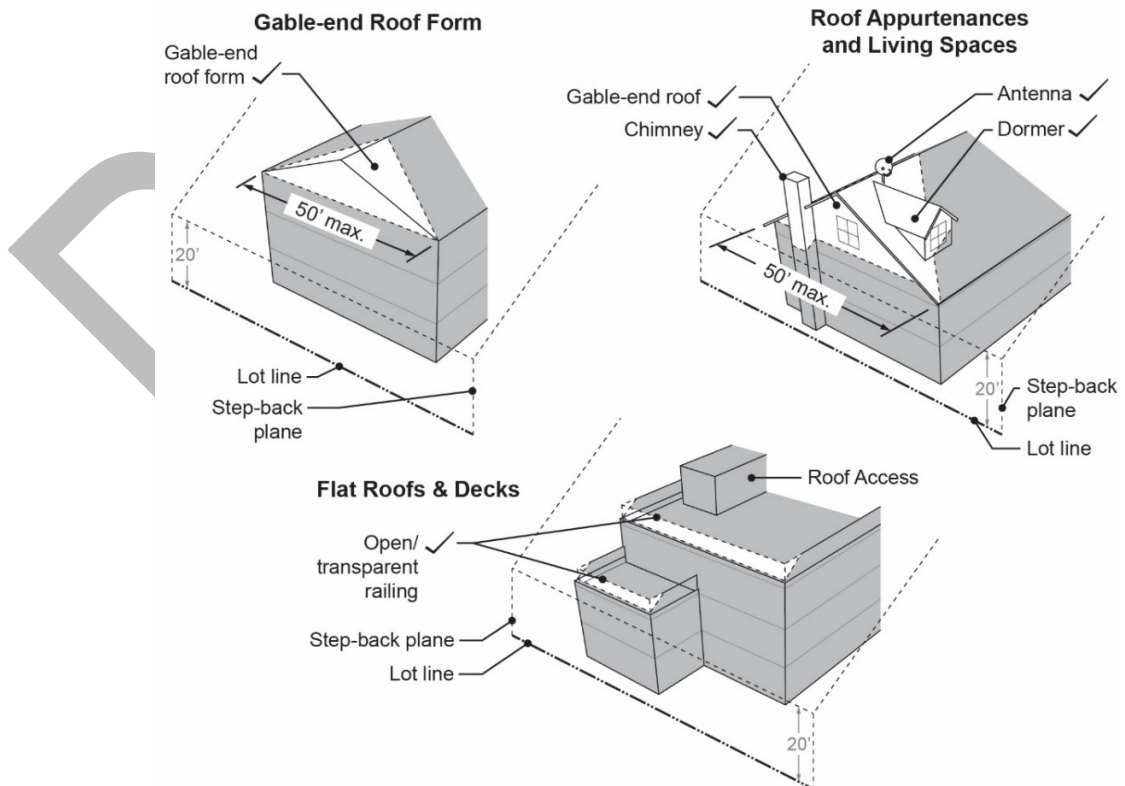
24 ii. The three-story portion(s) of building  
25 elevation(s) facing a side lot line shall have a  
26 length no more than 70 percent of the lot depth.  
27

28 d. *Exceptions to Height/Bulk Transition*

29 The following exceptions are allowed to the height/bulk  
30 transition standards in c., including encroachments  
31 above the step-back plane:  
32  
33

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- i. Incidental architectural features listed in subsection 21.06.030C.2.d.
- ii. Building appurtenances and dormers listed as height exceptions in subsection. 21.06.030D.6., except parapet walls and rooftop stairwell, elevator, and mechanical enclosures are not exempt, as illustrated below.
- iii. Gable ends of sloping roof forms, provided the portion of the gable end that penetrates above the step-back plane, including any roof overhang, has a maximum width of 50 feet or less, as illustrated below.
- iv. Encroachments approved through the minor modifications process in 21.03.120B., or the administrative variance process in 21.03.240J.6.
- v. The alternative equivalent compliance procedure in section 21.07.010D. may be used to propose alternatives to the standards in c.



25

1                   e. Three-story Entitlement through Administrative Site  
2                   Plan Review

3                   Developments on sites that do not meet the criteria in  
4                   21.06.030D.7.b. may propose to exceed the two-and-  
5                   one-half story limit through the administrative site plan  
6                   review process in 21.03.180, subject to the following  
7                   set of approval criteria. The following approval criteria  
8                   apply instead of the generally applicable site plan  
9                   review approval criteria in 21.03.180F.

10  
11                   i. The site plan provides a compatible building  
12                   height that compliments or transitions to the  
13                   scale of the adjacent properties and minimizes  
14                   loss of sunlight access to adjacent properties,  
15                   through building (and rooftop appurtenance)  
16                   height transitions, massing, placement or  
17                   setbacks, and/or changes in topography;

18  
19                   ii. The site plan provides a compatible building  
20                   width and length that compliments or transitions  
21                   to the scale of single-family and two-family  
22                   development anticipated by the R-2 zoning for  
23                   the area, including building width along street  
24                   frontages, breaks in massing between  
25                   townhouse units, and sidewall length relative to  
26                   total lot depth, while considering site-specific  
27                   conditions;

28  
29                   iii. The site plan provides ground-floor primary  
30                   entries or habitable floor area (21.15.040) in  
31                   street-facing building facades, mitigates  
32                   garages and blank walls, and minimizes exterior  
33                   stairs (motel-style) to second-story entries; and

34  
35                   iv. The site plan minimizes disruptions to the  
36                   privacy and outdoor activities on adjacent  
37                   properties, including through the size and  
38                   placement of upper-level windows, rooftop  
39                   decks, building mass, and exterior lighting.  
40

41                   *(The revisor of the code is requested to re-number the existing section*  
42                   *21.06.030D. as appropriate.)*

43  
44                   \*\*\*       \*\*\*       \*\*\*

45                   (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-100, § 3,  
46                   10-13-15; AO No. 2017-176, § 7, 1-9-18; AO No. 2018-12, § 1, 2-27-18; AO  
47                   2020-10(S), 3-10-2020; AO 2020-38, 5-28-2020)

1  
2 **Section 4.** Anchorage Municipal Code Chapter 21.07, Development and Design  
3 Standards, is hereby amended to read as follows (*the remainder of the chapter is*  
4 *not affected and therefore not set out*):

5  
6 **21.07.010 General Provisions.**

7  
8 \*\*\* \*\*

9 **D. Alternative Equivalent Compliance**

10  
11 1. *Purpose*

12 Alternative equivalent compliance is a procedure that allows  
13 development to meet the intent of this title[CHAPTER] through  
14 an alternative design. The procedure permits a site-specific  
15 plan that is equal to or better than the strict application of a  
16 design standard specified in this title. This procedure is not  
17 intended as a substitute for a variance or administrative  
18 modification or as a vehicle for relief from standards in this  
19 title[CHAPTER].

20  
21 2. *Applicability.*

22 The alternative equivalent compliance procedure shall be  
23 available only for the following sections of this title:

24  
25 a. Subsection 21.06.030D.7.c., Height/Bulk Transitions;

26  
27 b[A]. Subsection 21.06.030D.9.8., Height Transitions for  
28 Neighborhood Compatibility;

29  
30 c[B]. Subsection 21.07.060F., Pedestrian Amenities;

31  
32 d[C]. Subsection 21.07.080, Landscaping, Screening, and  
33 Fences;

34  
35 e[D]. Subsection 21.07.090M.3., Structured Parking;  
36 Façade Treatment;

37  
38 f[E]. Section 21.07.110, Residential Design Standards;

39  
40 g[F]. Section 21.07.120, Large Commercial Establishments;

41  
42 h[G]. Subsection 21.09.080, Building Design Standards  
43 (Girdwood); and

44  
45 i[H]. Section 21.11.070G., Standards for Urban Design  
46 Amenities (Downtown).  
47

\*\*\*      \*\*\*      \*\*\*

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2020-11, § 1, 2-25-20; AO No. 2020-38, § 8, 5-28-20)

**Section 5.** Anchorage Municipal Code Chapter 21.15, Rules of Construction and Definitions, is hereby amended to read as follows (*the remainder of the table is not affected and therefore not set out*):

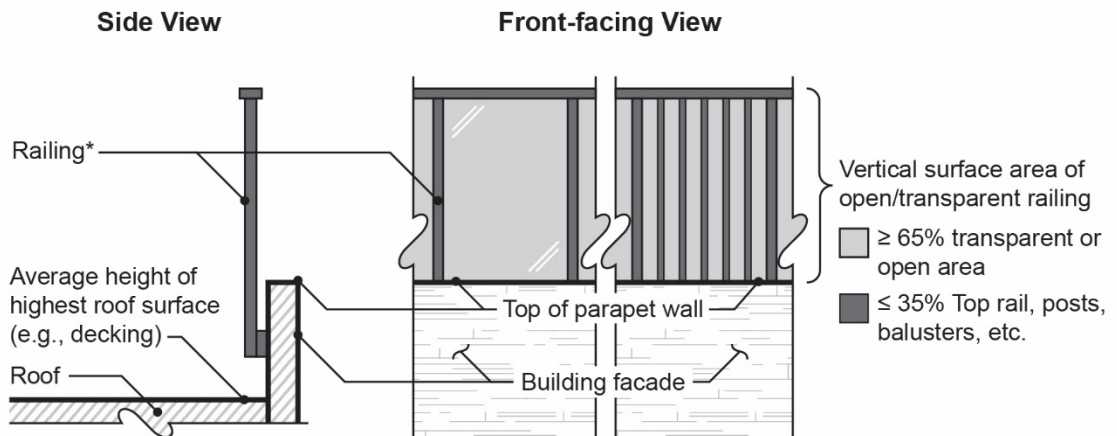
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**21.15.040 Definitions.**

\*\*\*      \*\*\*      \*\*\*

**Railing, Open or Transparent**

Any railing treatment that is comprised of clear glass, similar transparent materials, and/or openings (i.e., empty spaces) between materials used in its construction, for at least 65 percent of its vertical surface area.



\*Railing construction, including rail heights, spacing of posts and balusters, and other dimensions, shall comply with the requirements of the Building Code.

\*\*\*      \*\*\*      \*\*\*

**Story, [ONE-]Half**

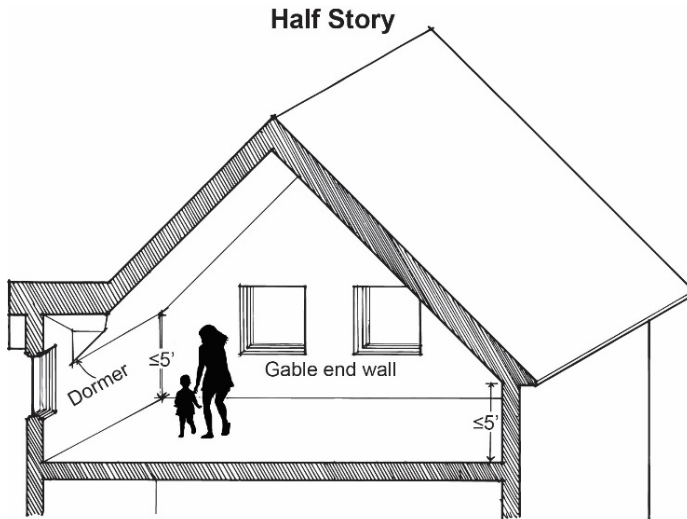
A story that has the following characteristics:

- Habitable floor area under a gable, hip, gambrel, mansard, or curved (e.g., barrel)[SHED, OR HIPPED] roof; [THAT CONTAINS HABITABLE FLOOR AREA, INCLUDING FLOOR AREA UNDER DORMERS,]
- All roof rafters located within five feet or less of the floor joists of such story, except at roof ends (e.g., gable ends) or where dormers are provided; and

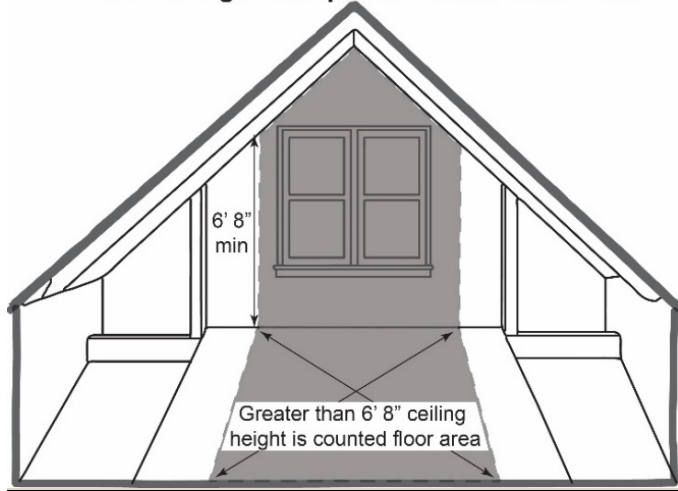


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- Gross floor area not exceeding 75[50] percent of the gross floor area of the story[FLOOR] below. The calculation for the gross floor area excludes portions of the half story where the ceiling height is six feet eight inches (6'8") or less.



Low Ceilings Exempt from Gross Floor Area



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\*\*\*      \*\*\*      \*\*\*

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-82, § 7, 7-28-15; AO No. 2015-100, § 9, 10-13-15; AO No. 2015-133(S), § 6, 2-23-16; AO No. 2015-138, § 5, 1-12-16; AO No. 2015-142(S-1), § 10, 6-21-16; AO No. 2016-3(S), § 18, 2-23-16; AO No. 2016-144(S), § 2, 1-1-17; AO No. 2017-55, § 14, 4-11-17; AO No. 2018-12, § 2, 2-27-18; AO No. 2018-67(S-1), § 9, 10-9-18; AO No. 2018-92, § 1, 10-23-18; AO No. 2017-75, § 4, 5-9-17; AO No. 2020-38, §§ 11, 14, 5-28-20)

1 **Section 6.** This ordinance shall become effective 30 calendar days after  
2 passage and approval by the Assembly.  
3

4 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_ day of  
5 \_\_\_\_\_, 2022.  
6

7  
8  
9  
10 \_\_\_\_\_  
Chair

11 ATTEST:  
12  
13

14  
15 \_\_\_\_\_  
16 Municipal Clerk  
17  
18

(Planning and Zoning Commission Case No. 2021-0111)

DRAFT

# **Attachment 3**

## **Zoning Code Amendment Language** **(Annotated)**

### **Title 21 Text Amendment to R-2 Zones** **Height and Bulk Standards**

#### **Public Hearing Draft**

**PZC Case No. 2021-0111**

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# Zoning Code Amendment Language (Annotated)

This *Zoning Code Amendment Language (Annotated)* document presents the public hearing draft Title 21 text amendments to the R-2 height and bulk standards, accompanied by supporting information, explanation, and illustrations.

The text amendments in this document are the same text amendments as provided in the *Draft Assembly Ordinance* (Attachment 1), except they are shaded in light brown to be easier to see.

All text amendments are arranged in order they appear in *Anchorage's Title 21 Zoning Ordinance*. Only sections of the zoning ordinance that are being amended are included. Proposed new zoning ordinance sections are marked “(New)” below:

Table of Contents: Amendments by Zoning Code Section	Page
21.03.120B. Minor Modifications	1
12.03.180F. Site Plan Review Approval Criteria	1
21.03.240J. Administrative Variances – For Encroachments into Step-backs (New)	1
21.04.020F.2. R-2M District-specific Standards	2
21.06.020B. Table 21.06-1.: Table of Dimensional Standards – Residential Districts	3
21.06.030D.6. Height Exceptions	4
21.06.030D.7. Three-story Entitlement in R-2A, R-2D, and R-2M Zoning Districts (New)	6
21.07.010D. Alternative Equivalent Compliance	10
21.15.040 Definitions	11

## How to Read this Document

Amended code language appears on the right-hand pages (numbered pages) and annotation on left-hand pages. The annotation explains how to interpret or apply the draft amendment language. Sometimes the annotation also describes the issue being addressed or the intent of the proposed code change.

Proposed changes to zoning code language (called “amendments”) appear as “tracked changes” text with a shaded background, as follows:

- Added code language is underlined.
- Deleted language is in [ALL-CAPITALIZED TEXT IN BRACKETS].
- Text without tracked-changes/shaded background is current code language not being changed.

Each page of tracked-changes code language begins with a header showing the chapter and major section that contains the proposed changes. In order to show only those subsections being changed, a row with three sets of asterisks (\*\*\*) indicates that all intervening parts of the chapter are unchanged between the section header above the asterisks and the language shown below the asterisks.

## **ANNOTATION FOR PAGE 1**

### **Section 21.03.120B.1.a.: Minor Modifications - Applicability**

An amendment is proposed to Title 21 Section 21.03.120B.1.a, *Minor Modifications - Applicability*, to include "step-back and building length requirements" to the list of allowed types of minor modifications. This will allow the Planning Director to approve minor deviations from height/bulk transition requirements in Title 21 including from the new height/bulk transition requirement proposed on page 7 of this document for where 3-story buildings are allowed in the R-2 zones.

In general, Title 21 allows for "minor modifications" as a form of administrative relief from certain dimensional standards (e.g., setbacks) when the size of the modification requested is only a small deviation from the dimensional standard, and adverse effects on nearby properties are unlikely, making it unnecessary to undergo a variance approval process. Minor modifications are limited to a maximum of five percent from the development standards and require the Planning Department to document the approval and its rationale in the building permit file.

### **Section 21.03.180F.: Site Plan Review - Approval Criteria**

An amendment to the Title 21 site plan review approval criteria is proposed on lines 14 - 23 of the next page. The amendment creates an exception from the generally applicable approval criteria for site plan reviews, by which developments seeking entitlement to 3-story buildings in the R-2 districts through an administrative site plan review shall be subject to the set of approval criteria specific to that purpose as proposed on page 9 below.

### **Section 21.03.240J.: Administrative Variances**

An administrative variance from the proposed 3-story building step-back requirement and building length limitation (page 7) is added to provide a more substantial form of administrative relief if topography or other site characteristic creates a hardship in meeting the step-back requirement. Administrative variances are approved by the Planning Director rather than a board or commission.

The proposed approval criteria (lines 32 - 43) are consistent with the approval criteria of other variances in Section 21.03.240.

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **CHAPTER 21.03: REVIEW AND APPROVAL PROCEDURES**

2 \*\*\* \*\*

3 **21.03.120 Minor Modifications**

4 \*\*\* \*\*

5 **B. Applicability**

6 **1. Minor Modifications to General Development and Zoning District Standards**

7 As part of the review and approval of any procedure set forth in this chapter, the director, the  
8 planning and zoning commission, or the urban design commission may approve minor  
9 modifications of up to a maximum of five percent from the following general development and  
10 zoning district standards provided that the approval criteria of subsection D. below are met.

11 **a.** Minimum lot area, [OR] setback, step-back, or building length requirements set forth  
12 in chapter 21.06, Dimensional Standards and Measurements;

13 \*\*\* \*\*

14 **21.03.180 Site Plan Review**

15 \*\*\* \*\*

16 **F. Approval Criteria – General**

17 Except as provided otherwise in G., [A]an application for administrative or major site plan review  
18 shall be approved upon a finding that the site plan meets all of the following criteria:

19 \*\*\* \*\*

20 *(The following inserts a new subsection G. and renumbers existing subsections G. and H.:)*

21 **G. Approval Criteria – Topic-Specific Site Plan Reviews**

22 **1.** Administrative site plan review approval criteria for proposals to exceed the two-and-one-  
23 half story height limit in the R-2A, R-2D, and R-2M districts are listed in 21.06.030D.7.d.

24 \*\*\* \*\*

25 **21.03.240 Variances**

26 \*\*\* \*\*

27 **J. Administrative Variances**

28 \*\*\* \*\*

29 **6. For Height Encroachments into Step-backs and Step-back Planes**

30 The director may grant an administrative variance from height/bulk transition requirements  
31 including building height step-back planes or limitations on building elevation length in  
32 Chapter 21.06, provided:

33 **a.** There exist physical circumstances of the subject property such as topography or  
34 exceptional lot configuration not shared by landowners in general;

35 **b.** Because of these physical circumstances, the strict application of the height/bulk  
36 transition or step-back plane would create an exceptional or undue hardship upon  
37 the property owner, and would deprive the applicant of rights commonly enjoyed  
38 by other properties in the same district under the terms of the zoning ordinance;

39 **c.** The hardship is not self-imposed, the special conditions and circumstances do not  
40 result from the actions of the applicant, and such conditions and circumstances do  
41 not merely constitute inconvenience; and

42 **d.** The administrative variance granted is the minimum deviation or encroachment  
43 necessary to address the hardship and development rights, and will cause the  
44 least interference possible with the intended protections for adjacent properties.

45 \*\*\* \*\*

## ANNOTATION FOR PAGE 2

### Section 21.04.020F.: R-2M District-Specific Standards

Chapter 4 of Title 21 establishes the zoning districts and provides district purpose statements and district-specific standards. District purpose statements explain the legislative intent behind each district. Purpose statements are not regulatory requirements.

The R-2M district-specific standards apply in addition to the generally applicable regulations found elsewhere in Title 21. As shown on lines 18-21 next page, this ordinance carries forward current district-specific standards a. and b. which limit how many dwelling units can be in a multifamily building and the length of multifamily buildings in the R-2M district, to keep all buildings compatible in scale in a mixed single-family/two-family neighborhood environment.

#### F.2.c.: Proposed New District-Specific Standard

Currently the R-2M district requires a 5-foot side yard setback for single-family, two-family, and townhouse<sup>1</sup> uses, and a 10-foot side yard setback for multifamily uses (3 or more units on a lot). The setback requirements can be seen on page 3 of this ordinance. The 10-foot setback for multifamily structures is intended to mitigate the massing of larger multi-unit structures.

Lines 22-30 of the next page (page 2) propose a new subsection c. in the R-2M district-specific standards that would allow the side yard setback for small multifamily buildings to be reduced from 10 feet to 5 feet, if the multifamily building's end wall length along the side lot line is similar with the length of typical new single-family, two-family (duplex), or townhouse use.

For example, the end wall of a multifamily building containing a row of attached townhouse-style residences, as it faces the side lot line, will sometimes have a similar length and height as the side-facing wall of a typical attached single-family or duplex unit. In such cases, the multifamily building bulk is no more impactful on abutting properties than an attached single-family or duplex residence would be. There is not much rationale for requiring the multifamily building to have a wider side setback in such a case. A 10-foot side setback can be a barrier against the construction of three or more units on a lot in the R-2M zone, because wider setbacks reduce the width of the buildable area of the lot.

The maximum length of 60 feet in subsection c.i. (lines 25-26) is intended to approximate the side-wall length of a typical new home, attached single-family residence, or duplex with front or rear garage and a backyard. The maximum length of 48 feet in subsection c.ii. (lines 27-30) accommodates three typical 24-foot-wide townhouse units in a row.

---

<sup>1</sup> In Title 21, a townhouse use is a building with three or more dwelling units attached in a row, in which each unit is on its own lot, so that the party walls between the units fall on the lot lines. Three or more dwelling units all located on the same lot, even if the units are attached in a row, are a multifamily use.



1 **CHAPTER 21.04: ZONING DISTRICTS**

2 \*\*\* \*\*

3 **21.04.020 Residential Districts**

4 \*\*\* \*\*

5 **F. R-2M: Mixed Residential District**

6 **1. Purpose**

7 The R-2M district is intended primarily for residential areas that allow for a variety of single-  
8 family, two-family, and multifamily dwellings, with gross densities between five and 15  
9 dwelling units per acre. The R-2M district provides residential neighborhoods with a  
10 greater diversity of housing by allowing a mix of both detached and a variety of attached  
11 dwelling types in close proximity to each other, rather than separated into different zoning  
12 districts. The R-2M district is to be located in established or redeveloping residential  
13 neighborhoods or is to create a transition between single-family, two-family, and higher-  
14 density multifamily and mixed-use areas. The design of new development, such as  
15 building scale and setbacks, parking facility size and location, and yard landscaping, should  
16 be complementary to the existing neighborhood and mix of dwelling types.

17 **2. District-Specific Standards**

18 **a.** Residential buildings shall contain no more than eight dwelling units.

19 **b.** The maximum length of a building elevation that is two and a half stories or more  
20 in height at any point shall be 150 feet. Otherwise, the maximum length shall be  
21 180 feet.

22 **c.** The minimum side setback established in Table 21.06-1 for multifamily dwellings  
23 in the R-2M district is reduced from 10 feet to 5 feet, provided the building elevation  
24 facing the side lot line is:

25 **i.** No more than 60 feet in length, in order to be compatible in scale to a  
26 single-family dwelling or duplex; or

27 **ii.** No more than 48 feet in length without a recess in its wall plane, such that  
28 the remaining portion of the building elevation has a minimum side setback  
29 of at least 15 feet, in order to appear as an arrangement of smaller,  
30 connected structures with backyard space.

31 \*\*\* \*\*

## **ANNOTATION FOR PAGE 3**

### **Section 21.06.020A.: Table 21.06-1. Table of Dimensional Standards**

Table 21.06-1 establishes the basic dimensional standards for lot size, setbacks, and building size in the residential zones. The next page is an excerpt from Table 21.06-1 that contains the dimensional standards for only the R-2A, R-2D, and R-2M zones.

#### **Maximum Height of Structures**

The maximum allowed height of structures is established in the right-hand column of the table. The current height limit in the R-2 zones is 30 feet, not to exceed two-and-one-half ( $2\frac{1}{2}$ ) stories. A story is defined in the current Title 21 as "That portion of a building included between the upper surface of a floor and the upper surface of the next floor or roof above." A building with  $2\frac{1}{2}$  stories means the building has two full stories and the third story is an attic-like living space tucked under the pitched roof.

The changes in the far right-hand column of the table on the next page would allow for 3-story buildings as exceptions in certain locations under certain conditions, and subject to additional height and bulk transition standards. These locations and conditions are set forth in the referenced code section 21.06.030D.7. that is proposed on pages 6 through 9.

#### **Side Setbacks for Multifamily Uses in R-2M Zone**

The changes to the R-2M zoning district multifamily side setbacks would allow for five-foot setbacks under certain conditions, which are set forth in the referenced section on page 2 of this document.

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **CHAPTER 21.06: DIMENSIONAL STANDARDS**

2 \*\*\* \*\*

3 **21.06.020 Dimensional Standards Tables**

4 \*\*\* \*\*

5 **A. Table of Dimensional Standards: Residential Districts**

TABLE 21.06-1: TABLE OF DIMENSIONAL STANDARDS - RESIDENTIAL 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 <sup>1</sup>		Max lot coverage (%)	Min. Setback Requirements (ft)			Max number of principal structures per lot or tract <sup>2</sup>	Maximum height of structures (ft)
	Area (sq ft)	Width (ft)		Front	Side	Rear		
<b>R-2A: Two-Family Residential District (larger lot)</b>								
Dwelling, single-family detached	7,200	60	40	20	5	10	1	Principal: 30, not to exceed two and one-half stories, <u>except where three stories are allowed per 21.06.030D.7.</u> Accessory garages/carpports: 25 Other accessory: 12
Dwelling, two-family	8,400	70	40	20	5	10	1	
Dwelling, single-family attached	3,500	35 (40 on corner lots)	40	20	N/A on common lot line; otherwise 5	10	1	
All other uses	7,200	60	40	20	5	10	N/A	
<b>R-2D: Two-Family Residential District</b>								
Dwelling, single-family detached	6,000	50	40	20	5	10	1	Principal: 30, not to exceed two and one-half stories, <u>except where three stories are allowed per 21.06.030D.7.</u> Accessory garages/carpports: 25 Other accessory: 12
Dwelling, two-family	6,000	50	40	20	5	10	1	
Dwelling, single-family attached	3,500	35 (40 on corner lots)	40	20	N/A on common lot line; otherwise 5	10	1	
All other uses	6,000	50	40	20	5	10	N/A	
<b>R-2M: Mixed Residential District</b>								
Dwelling, single-family detached	6,000	50	40	20	5	10	1	Principal: 30, not to exceed two and one-half stories, <u>except where three stories are allowed per 21.06.030D.7.</u> Accessory garages/carpports: 25 Other accessory: 12
Dwelling, two-family	6,000	50	40	20	5	10	1	
Dwelling, single-family attached	3,000	35 (40 on corner lots)	40	20	N/A on common lot line; otherwise 5	10	1	
Dwelling, townhouse	2,400	24 (30 on corner lots)	60	20		10	1	
Dwelling, multifamily (up to 8 units permitted per building)	8,500 + 2,300 for every unit over 3	50	40	20	10, <u>except where 5 is allowed as provided in 21.04.020F.2.c.</u>	10	More than one principal structure may be allowed on any lot or tract in accordance with subsection 21.07.110F.2.	
Dwelling, multifamily, with single- or two-family style construction of multiple buildings on a lot	3,000 per unit	50	40	20	10, <u>except where 5 is allowed as provided in 21.04.020F.2.c.</u>	10		
All other uses	6,000	50	40	20	5	10		
*** **								

## ANNOTATION FOR PAGE 4

### Section 21.06.030D.6.c.: Height Exceptions

Title 21 allows building appurtenances like antennas, chimneys, and rooftop access enclosures to exceed the maximum allowed building height, within limitations to address potential impacts.

The changes on the next page are proposed to mitigate the potential impacts of amendments in this ordinance that enable construction of 3-story, flat-roofed buildings with rooftop access in the R-2 zones. They primarily address rooftop stairwells, elevator enclosures, and parapet walls.

### Height of Rooftop Access Enclosures and Parapet Walls

Currently, subsection 21.06.030D.6.iv. allows rooftop stairwells and mechanical enclosures to exceed the R-2 zones' 30-foot height limit by 15 feet. Rooftop elevator access enclosures may exceed by 25 feet. The proposed changes to subsection iv. on lines 33-35 reduce the exception for stairwells to 12 feet and for elevators to 18 feet. These revised dimensions are based on consultations with municipal building review staff, homebuilders and designers, municipal elevator inspectors, and local elevator installation companies regarding the height needs of rooftop access stairwells and elevator enclosures commonly used on 2- to 3-story residential buildings.

On lines 36-42 of subsection iv., the height exception for rooftop parapet walls in the R-2 districts is proposed to be reduced from 4 to a maximum allowed height of 2 feet. Parapet walls are low protective walls at the edge of the roof. They form the part of the building's exterior wall that rises above the flat rooftop. Parapets increase the height of flat-roofed buildings, so they increase bulk and shadowing impacts. The proposed 2-foot limit reflects consultations with building and design experts regarding how much clearance parapets need above the flat roof surface while still

accommodating open or transparent safety railings mounted to the parapet. Page 11 of this ordinance provides a definition for open and transparent railings.



Transparent railing on left and solid parapet at right.

### Stairwell Enclosure Setbacks from Front Façade Walls

Lines 44-46 would require stairwell and elevator enclosures above the 30-foot height limit in the R-2 zones to be set back at least 4 feet from the front street-facing building façade wall. This is intended to ensure that the front façade wall is no taller than 3 stories and the 12- to 18-foot access enclosure on top of it visually appears as a separate mass farther away, as pictured above.

1 **CHAPTER 21.06: DIMENSIONAL STANDARDS**

2 \*\*\* \*\*

3 **21.06.030 Measurements and Exceptions**

4 \*\*\* \*\*

5 **D. Height**

6 \*\*\* \*\*

7 **6. Height Exceptions**

8 \*\*\* \*\*

9 **c.** Except as specifically provided elsewhere in this title, the height limitations  
10 contained in this chapter do not apply to appurtenances on buildings, such as  
11 spires and similar religious appurtenances, belfries, cupolas, flagpoles, chimneys,  
12 antennas, rooftop mechanical equipment and its screening, stairwell  
13 and[TOWERS,] elevator enclosures[PENTHOUSES], parapets, firewalls, open or  
14 transparent railings, solar reflectors, photovoltaic panels, skylights, or similar  
15 appurtenances; provided, however, the following:

16 **i.** The appurtenance does not interfere with Federal Aviation Regulations,  
17 Part 77, Objects Affecting Navigable Airspace[.];]

18 **ii.** Enclosure[THE] appurtenances such as stairwells, elevators, mechanical  
19 enclosures, and skylights cumulatively cover no more than one-third of the  
20 roof area of the building, except that when it has been demonstrated to the  
21 director and the building official that building HVAC requirements  
22 necessitate a larger mechanical enclosure[PENTHOUSE], the  
23 appurtenances may cumulatively cover up to one-half of the roof area.

24 **iii.** The appurtenance is not constructed for the purpose of providing  
25 additional floor area, usable space, or storage room for the building,  
26 except that a storage room of 60 square feet or less, combined with[ A]  
27 stairwell [TOWER ]or elevator enclosures[HOUSING], and directly related  
28 to a rooftop use (such as tool storage for a rooftop garden), is allowed[.;  
29 AND]

30 **iv.** The appurtenance does not exceed the height limit of the district by more  
31 than 12 feet in the R-2A, R-2D, and R-2M zoning districts and up 15 feet  
32 otherwise, with the following exceptions:

33 \*\*\* \*\*

34 **(D)** Elevator enclosures[PENTHOUSES] may exceed by up to 18 feet  
35 on residential buildings in the R-2A, R-2D, and R-2M zoning  
36 districts and up to 25 feet otherwise.[.];]

37 **(E)** Parapets, required fire-resistant rated walls[FIREWALLS], and  
38 skylights may exceed by up to two feet on residential buildings in  
39 the R-2A, R-2D, and R-2M zoning districts and up to four feet  
40 otherwise.

41 **(F)** Any railing or portion of a railing that exceeds the maximum  
42 allowed parapet height in (E) shall be an open or transparent  
43 railing as defined in section 21.15.040.

44 **v.** Rooftop stairwell and elevator enclosures in the R-2A, R-2D, and R-2M  
45 districts are set back from the perimeter of street-facing building façade  
46 walls by at least four feet.

47 \*\*\* \*\*

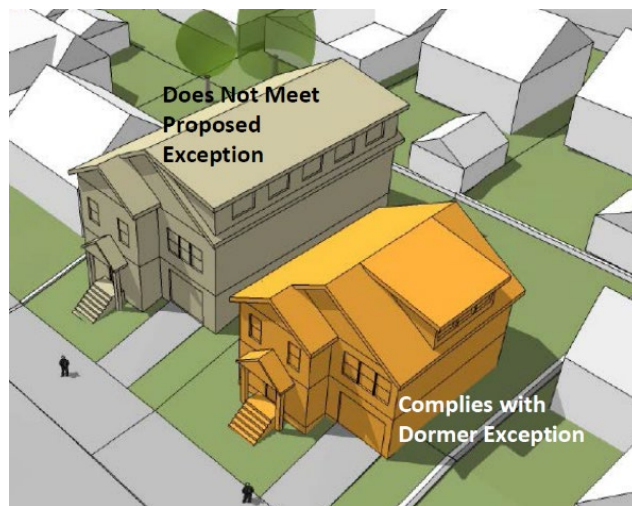
## ANNOTATION FOR PAGE 5

### Section 21.06.030D.6.e.: Height Exceptions - Dormers (new)

The amendments on the next page establish a height exception for dormers. This change clarifies the ground rules and eliminates a potential regulatory barrier against third floors being tucked under pitched roofs as half-story attic living spaces.

Currently, Title 21 does not list dormers as a height exception. A dormer typically sits above the lowest eave of the main roof. For this reason, the midpoint of a dormer's roof is sometimes higher than the midpoint of the building's main roof. Since Title 21 measures building height based on the midpoint of the highest roof surface, some dormer configurations can trigger Title 21 to measure the building as being taller than its main roof form when it has a dormer.

The proposed height exception would accommodate dormers that are sized to remain a secondary roof mass and not cover the entire top floor. Wall dormers, whose facial wall plane is flush with the building wall below, would be exempted from the height limit calculation if they comprise no more than 33 percent of the total length of the roof form they project from. Dormers whose facial wall plane is stepped back from the building wall below them can comprise up to 75 percent of the length of the roof form and still be exempted.



Half-story attic living spaces with dormers can help larger structures compliment the neighborhood residential scale. When the third floor is tucked into a pitched roof with dormers, the building appears less bulky and can fit in better with existing neighborhood scale. Dormers help make attic living spaces function as they add useable space, windows, and daylighting.

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **CHAPTER 21.06: DIMENSIONAL STANDARDS**

2 \*\*\* \*\*

3 **21.06.030 Measurements and Exceptions**

4 \*\*\* \*\*

5 **D. Height**

6 \*\*\* \*\*

7 **6. Height Exceptions**

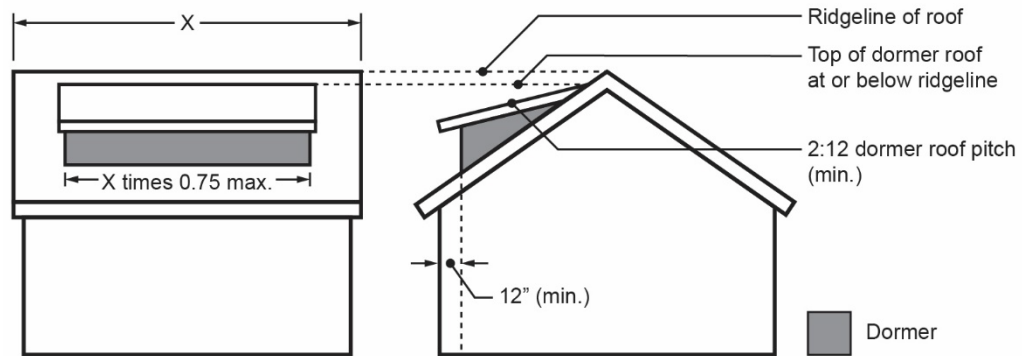
8 \*\*\* \*\*

9 e. Dormers that meet subsection i. below and have a total width of not more than 33  
10 percent of the width of the roof from which the dormer(s) project may extend  
11 above the height limit. Dormers with a total width greater than 33 percent may  
12 extend above the height limit when:

13 i. The roof of the dormer has a pitch of at least 2:12 and no part of the dormer  
14 extends above the ridgeline of the main roof;

15 ii. The walls of the dormer are stepped back at least one foot from the exterior  
16 wall plane of the floor below, including from end-of-house corner  
17 walls/gable end walls; and

18 iii. The total width of the dormer(s) is not more than 75 percent of the width  
19 of the roof from which the dormer(s) project.



20

21 \*\*\* \*\*

## ANNOTATION FOR PAGE 6

### Section 21.06.030D.7.: Three-story Entitlements in R-2 Zoning Districts (new)

The amendments on page 6 propose a new subsection of the height regulations to allow three-story buildings as exceptions to the 2½-story limit in the R-2 zones, in locations and situations that are most likely to provide housing opportunities while minimizing height and bulk impacts within existing R-2 neighborhoods.

Subsection b. on the next page would allow 3-story buildings as exceptions on certain kinds of sites: large development sites, at transitions to higher-intensity zoning districts, and other low-impact locations that minimize height and bulk impacts within existing R-2 neighborhoods. Residences in these locations would be allowed to be 3 stories through the regular building and land use permit process, subject to additional height and bulk transition standards (see page 7):

- i. **Large development sites** at least ½ acre (21,780 square feet) in size: These sites have enough space to accommodate multiple residential buildings and are the most likely to yield more housing because of the spatial efficiencies afforded by 3-story buildings. They also comprise most of the remaining buildable R-2 zoned land capacity for housing within the R-2 districts. Sites ½ acre or larger in size are not commonly located within existing R-2 neighborhood blocks, so 3-story buildings on these lots will have less impacts.
- ii. **Transitional sites** located adjacent to a multifamily district, or a commercial or industrial district abutting at the side lot line or facing across the local or collector street <sup>2</sup>. These sites can provide a transition in scale to the rest of the R-2 neighborhood. Their peripheral locations minimize impacts to the interior of existing R-2 neighborhoods. Transition sites are also strategic because they can support more housing opportunities next to employment, services, and public transit routes.
- iii. **Other low-impact sites** adjacent only to non-residential uses such as schools or parks, or to existing three-story residential uses. These sites are considered least likely to impact neighboring R-2 residences.

---

<sup>2</sup> R-2 lots separated from higher-intensity zones by greenbelts, major arterial roadways, or other major geographic barriers are not considered transitional. R-2 lots that only back up to the higher-intensity zone at their rear lot line or across an alley are also not considered transitional, as their only relationship along their front and side lot lines is to their R-2 residential street block.



CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **CHAPTER 21.06: DIMENSIONAL STANDARDS**

2 \*\*\* \*\*

3 **21.06.030 Measurements and Exceptions**

4 \*\*\* \*\*

5 **D. Height**

6 \*\*\* \*\*

7 *(The following inserts a new subsection 7. and renumbers existing subsections 7. Through 9.:)*

8 **7. Three-story Entitlement in R-2A, R-2D, and R-2M Zoning Districts**

9 **a. Purpose**

10 The intent of this section is to allow three-story buildings in the R-2 zoning districts  
11 at transitions to higher-intensity zones or in locations that minimize bulk,  
12 shadowing, privacy, and character impacts on R-2 zoned residential  
13 neighborhoods.

14 **b. Three-story Entitlement on Large or Transitional Sites**

15 Development sites that meet one or more of criteria i. to iii. are exempt from the  
16 two-and-one-half story limit in Table 21.06-1, provided all structures meet the 30-  
17 foot height limit and provide the height/bulk transition described in subsection c.:

18 **i.** The development site is at least 1/2 acre;

19 **ii.** The site is located at a transition to an R-3, R-3A, R-4, R-4A, commercial,  
20 or industrial zoning district, either abutting at its side lot line (except not  
21 the side lot line opposite the primary front lot line on a corner lot), or  
22 adjacent facing across a class I or II street (except not a secondary  
23 frontage opposite the primary frontage on a double-fronted lot); or

24 **iii.** The site is adjacent only to non-residential or three-story residential uses.

## ANNOTATION FOR PAGE 7

### Section 21.06.030D.7.: Three-story Entitlements in R-2 Zoning Districts (cont'd)

#### **Subsection c., Height/Bulk Transition**

Subsection c. on the next page propose that the 3-story buildings allowed by the amendments on page 6 must provide a transition in height and bulk to neighboring residences, to minimize bulk, shadowing, privacy, and neighborhood scale/character impacts on existing R-2 neighborhoods. The transition requirement would apply where the development site's exterior lot lines are adjacent to residential properties located in the R-2 districts and other low-density residential zones. The transition standards are described below. It would not apply along lot lines shared with residences in R-3, R-4, or non-residential zones. Exceptions, administrative relief, and flexibility from the height and bulk transition requirements are provided on page 8.

#### **Subsection c.i.: Step-back Plane:**

Three-story buildings would be required to be stepped back, set back further, or their rooftops sloped away from the adjacent residential lots, to avoid encroaching into a step-back "plane." The step-back would be measured starting from 20 feet above grade at the lot line of the development site and rising inward over the site at an 8:12 rise-to-run angle. This step-back measurement re-creates the approximate height of a 2½-story building built to its minimum side yard setback from the neighboring lots. This is intended to achieve the following:

- a) Protects a similar minimum level of sunlight access, daylighting, privacy, and building scale mitigation for neighboring lots as the 2½-story limit provides; and
- b) Allows a similar building bulk entitlement along the shared lot line for the builder as the 2½-story limit provides. For example, the step-back plane provides enough space to accommodate a typical attic/half-story living space above the second story.

#### **Subsection c.ii.: Maximum Sidewall Length:**

There would be a limitation on the length of the 3-story portion of a building wall facing an adjacent residential lot. This mitigates potential impacts of long, 3-story buildings extending most of the depth of the lot becoming more frequent and eliminating backyards. This could affect neighboring lots' backyards and break from moderate-scale R-2 development patterns.

The proposed maximum length of 70 percent of lot depth would allow for 3-story building length of 98 feet on a standard urban 140-foot lot depth. For example, that should allow for a 4-unit townhouse structure on a 140-foot lot depth, where the individual townhouse units are 24 feet wide (4x24=96 feet). That would preserve 22 feet of backyard to the rear lot line.

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **CHAPTER 21.06: DIMENSIONAL STANDARDS**

2 \*\*\* \*\*

3 **21.06.030 Measurements and Exceptions**

4 \*\*\* \*\*

5 **D. Height**

6 \*\*\* \*\*

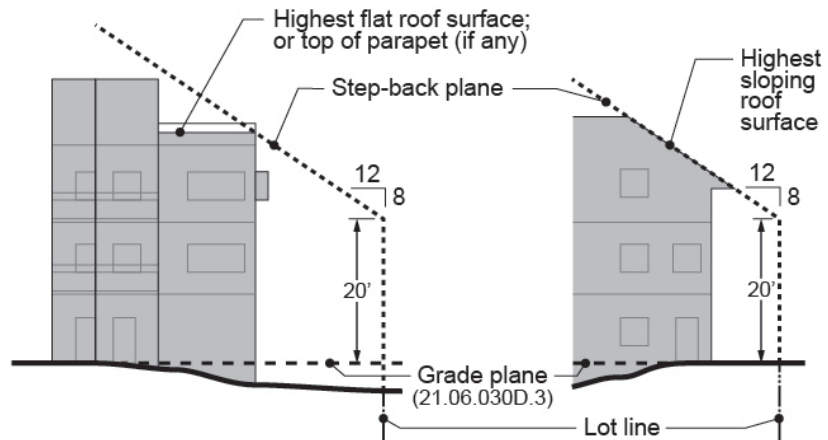
7 **7. Three-story Entitlement in R-2A, R-2D, and R-2M Zoning Districts**

8 \*\*\* \*\*

9 **c. Height/Bulk Transition Standards**

10 Three-story buildings shall provide a transition in height to neighboring residences.  
11 This transition requirement applies where the development site's lot lines are  
12 adjacent to residentially zoned properties not listed in 21.06.030D.7.b.ii. and b.iii.  
13 The transition requirement is as follows:

14 i. Buildings shall not encroach into a step-back plane measured starting from  
15 20 feet above the grade plane established in 21.06.030D.3., *Grade Plane*,  
16 at the lot lines of the development site, and rising inward over the site at an  
17 8:12 rise-to-run angle.



18  
19 ii. The three-story portion(s) of building elevation(s) facing a side lot line shall  
20 have a length no more than 70 percent of the lot depth.

## ANNOTATION FOR PAGE 8

### **Section 21.06.030D.7.: Three-story Entitlements in R-2 Zoning Districts (cont'd)**

The amendments on page 8 continue the new subsection D.7. for three-story building entitlements from the previous two pages.

#### **Subsection d., *Exceptions to Height/Bulk Transition***

The proposed exemptions i., ii., and iii., on lines 12-18 from the step-back requirement are intended to allow the kinds of building appurtenances and features as allowed under the current 2½-story height limit. Most roof appurtenances such as chimneys, antennae, and dormers are allowed to exceed the 2½-story height limit, for example.

Exception iii., gable ends of sloping roof forms, is currently allowed as part of 2½-story home.

Parapets and stairwell enclosures on top of three-story structures are not exempted. This is because a parapet wall or the long axis of a 12-foot stairwell enclosure, when placed atop the newly allowed three-story flat roofed buildings, would create greater shadowing impacts than a 2½-story building does, and would thwart the proposed step-back requirement on page 7.

#### **Subsections d.iv. and d.v., *Administrative Relief and Flexibility***

Item iv. on lines 19-20 provides two forms of administrative relief from the height/bulk transition requirements: minor modifications and administrative variances. Item v. on lines 21-22 provides access to administrative flexibility through the Title 21 alternative equivalent compliance procedure.

- **Minor Modifications:** Allows small deviations of up to five percent from the dimensional requirements of the step-back plane or maximum length requirements on page 7, through the Minor Modifications procedure in Title 21 section 21.03.120.
- **Administrative Variances:** Allows larger deviations or exceptions from the step-back plane or maximum length requirements in cases of hardship due to topography or other challenging site characteristics, by adding an Administrative Variance procedure for this purpose in Title 21 Section 21.03.240J.
- **Alternative Equivalent Compliance:** Allows developers and designers to propose a different way to achieve the intent of the height/bulk transition, through the Alternative Equivalent Compliance procedure in Title 21 Section 21.07.0010D.

These changes coordinate with the amendments shown on page 1. See also the annotation for page 1.

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **CHAPTER 21.06: DIMENSIONAL STANDARDS**

2 \*\*\* \*\*

3 **21.06.030 Measurements and Exceptions**

4 \*\*\* \*\*

5 **D. Height**

6 \*\*\* \*\*

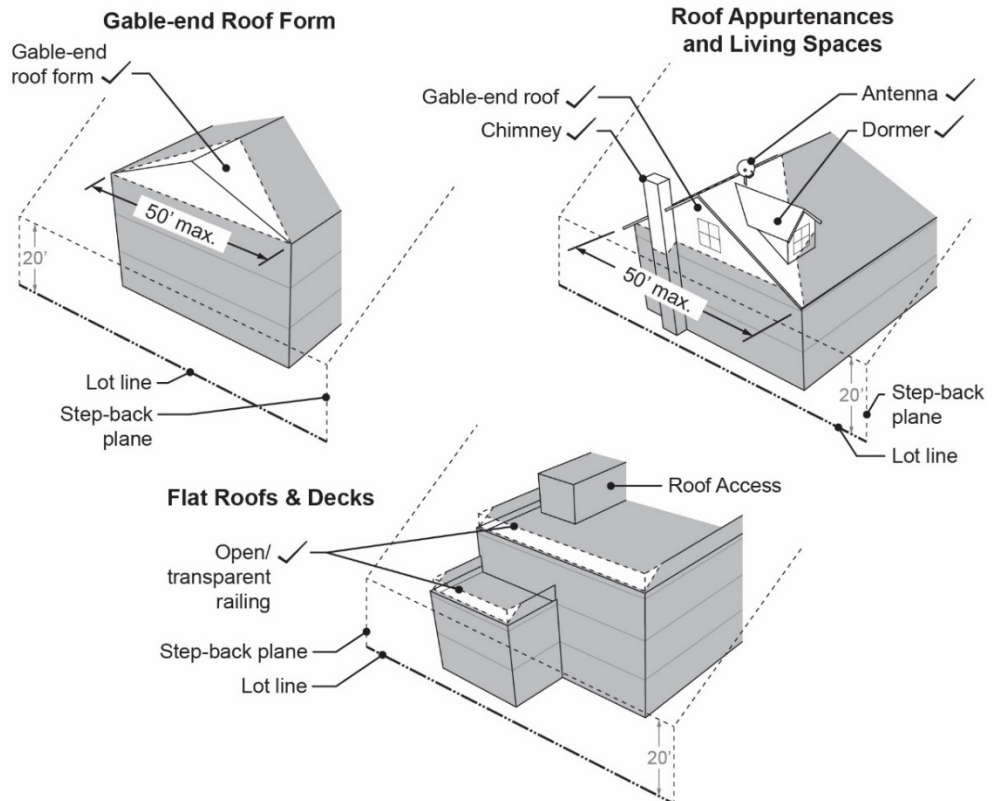
7 **7. Three-story Entitlement in R-2A, R-2D, and R-2M Zoning Districts**

8 \*\*\* \*\*

9 **d. Exceptions to Height/Bulk Transition**

10 The following exceptions are allowed to the height/bulk transition standards in c.,  
11 including encroachments above the step-back plane:

- 12 i. Incidental architectural features listed in subsection 21.06.030C.2.d.
- 13 ii. Building appurtenances and dormers listed as height exceptions in  
14 subsection 21.06.030D.6., except parapet walls and rooftop stairwell,  
15 elevator, and mechanical enclosures are not exempt, as illustrated below.
- 16 iii. Gable ends of sloping roof forms, provided the portion of the gable end  
17 that penetrates above the step-back plane, including any roof overhang,  
18 has a maximum width of 50 feet or less, as illustrated below.
- 19 iv. Encroachments approved through the minor modifications process in  
20 21.03.120B., or the administrative variance process in 21.03.240J.6.
- 21 v. The alternative equivalent compliance procedure in section 21.07.010D.  
22 may be used to propose alternatives to the standards in c.



## ANNOTATION FOR PAGE 9

### Section 21.06.030D.7.: Three-story Entitlements in R-2 Zoning Districts (cont'd)

The amendments on page 9 complete the new subsection D.7. for three-story building entitlements from the previous pages.

#### Subsection d., *Three-Story Entitlement through Administrative Site Plan Review*

Subsection d. on the next page would provide applicants with an avenue to propose 3-story buildings on properties not exempted from 2½-story limit on page 6, through the Administrative Site Plan Review procedure in Title 21 Section 21.03.180. Subsection d. includes a new set of site plan approval criteria tailored to address 3-story building massing impacts within existing neighborhoods in the R-2 districts. The Planning Director has the discretion to require design features and massing limitations to ensure that three-story buildings are designed sensitively to the site conditions and for compatibility with surrounding neighbors.

Following are some examples of ways to address each of the proposed administrative site plan review approval criteria i. through v. on the next page. The content below is intended to be further developed and illustrated into a how-to/informational handout to assist applicants and the public. Additionally, an updated version of the administrative site plan review application form will be provided to reflect these approval criteria.

- i. Ways to address approval criteria i. could include providing a larger setback, a step-back in building height, placing rooftop stairwell towers further away from neighboring properties, breaking up the upper-level massing into smaller forms allowing sunlight penetration in between, or sensitive placement of the three-story mass.
- ii. Ways to address approval criteria ii. could include limiting building length next to side lot lines shared with abutting residences, modulating long building walls to visually break up the building massing, or recessing part of the building to provide yard space across the fence from neighboring backyards.
- iii. Ways to address approval criteria iii. could include providing primary entrances no higher than six feet above grade plane, ground-floor windows, or amply wide ground-floor entry porches or stoops highlighted by roof forms, side light windows, or wall articulation.
- iv. Ways to address approval criteria iv. could include the placement of three-story buildings in relation to neighboring the size and placement of windows and rooftop decks, and placement of upper-level exterior lighting to avoid spillover glare.



CODE LANGUAGE to be added is underlined. Language to be deleted is in ~~strikethrough~~.

1 **CHAPTER 21.06: DIMENSIONAL STANDARDS**

2 \*\*\* \*\*

3 **21.06.030 Measurements and Exceptions**

4 \*\*\* \*\*

5 **D. Height**

6 \*\*\* \*\*

7 **7. Three-story Entitlement in R-2A, R-2D, and R-2M Zoning Districts**

8 \*\*\* \*\*

9 **e. Three-story Entitlement through Administrative Site Plan Review**

10 Developments on sites that do not meet the criteria in 21.06.030D.7.b. may  
11 propose to exceed the two-and-one-half story limit through the administrative site  
12 plan review process in 21.03.180, subject to the following set of approval criteria.  
13 The following approval criteria apply instead of the generally applicable site plan  
14 review approval criteria in 21.03.180F.

15 **i.** The site plan provides a compatible building height that compliments or  
16 transitions to the scale of the adjacent properties and minimizes loss of  
17 sunlight access to adjacent properties, through building (and rooftop  
18 appurtenance) height transitions, massing, placement or setbacks, and/or  
19 changes in topography;

20 **ii.** The site plan provides a compatible building width and length that  
21 compliments or transitions to the scale of single-family and two-family  
22 development anticipated by the R-2 zoning for the area, including building  
23 width along street frontages, breaks in massing between townhouse units,  
24 and sidewall length relative to total lot depth, while considering site-  
25 specific conditions;

26 **iii.** The site plan provides ground-floor primary entries or habitable floor area  
27 (21.15.040) in street-facing building facades, mitigates garages and blank  
28 walls, and minimizes exterior stairs (motel-style) to second-story entries;  
29 and

30 **iv.** The site plan minimizes disruptions to the privacy and outdoor activities  
31 on adjacent properties, including through the size and placement of upper-  
32 level windows, rooftop decks, building mass, and exterior lighting.

33 \*\*\* \*\*

## ANNOTATION FOR PAGE 10

### **Section 21.07.010D.2: Alternative Equivalent Compliance - Applicability**

The Alternative Equivalent Compliance procedure in Title 21 allows developers and designers to propose to meet the intent of a development standard through alternative means and methods. The proposed alternative design must achieve the intent of the site development standard to the same or better degree than would strict application of the site development standard.

The proposed change on the next page provides for flexibility in the application of step-back requirement proposed on pages 6-7 by amending Section 21.07.010D.2: *Alternative Equivalent Compliance - Applicability*, to add the Step-back to the list of sections in Title 21 for which the alternative equivalent compliance process is available.



1 **CHAPTER 21.07: DEVELOPMENT AND DESIGN STANDARDS**

2 \*\*\* \*\*

3 **21.07.010 General Provisions**

4 \*\*\* \*\*

5 **D. Alternative Equivalent Compliance**

6 **1. Purpose**

7 Alternative equivalent compliance is a procedure that allows development to meet the  
8 intent of this title[CHAPTER] through an alternative design. The procedure permits a site-  
9 specific plan that is equal to or better than the strict application of a design standard  
10 specified in this title. This procedure is not intended as a substitute for a variance or  
11 administrative modification or as a vehicle for relief from standards in this title[CHAPTER].

12 **2. Applicability**

13 The alternative equivalent compliance procedure shall be available only for the following  
14 sections of this title:

15 **a.** Subsection 21.06.030D.7.c., Height/Bulk Transitions;

16 **b[A].** Subsection 21.06.030D.9-8., Height Transitions for Neighborhood Compatibility;

17 **c[B].** Subsection 21.07.060F., Pedestrian Amenities;

18 **d[C].** Subsection 21.07.080, Landscaping, Screening, and Fences;

19 **e[D].** Subsection 21.07.090M.3., Structured Parking; Façade Treatment;

20 **f[E].** Section 21.07.110, Residential Design Standards;

21 **g[F].** Section 21.07.120, Large Commercial Establishments;

22 **h[G].** Subsection 21.09.080, Building Design Standards (Girdwood); and

23 **i[H].** Section 21.11.070G., Standards for Urban Design Amenities (Downtown).

24 \*\*\* \*\*

## ANNOTATION FOR PAGE 11

### **Section 21.15.040: Definitions:**

Chapter 15 of Title 21 sets forth the terms and definitions used throughout Title 21.

#### **"Railing, open or transparent"**

A definition for open or transparent railings is provided to support the amendments on page 4, lines 37-43, which limit the height exception for solid parapet walls in the R-2 zones to 2 feet above the 30-foot rooftop height limit, but allow for open or transparent railings mounted above the parapet to extend more than 2 feet above the height limit.

See the annotation for page 4 for a photo of a transparent railing.

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **CHAPTER 21.15: RULES OF CONSTRUCTION AND DEFINITIONS**

2 \*\*\* \*\*

3 **21.15.040 Measurements and Exceptions**

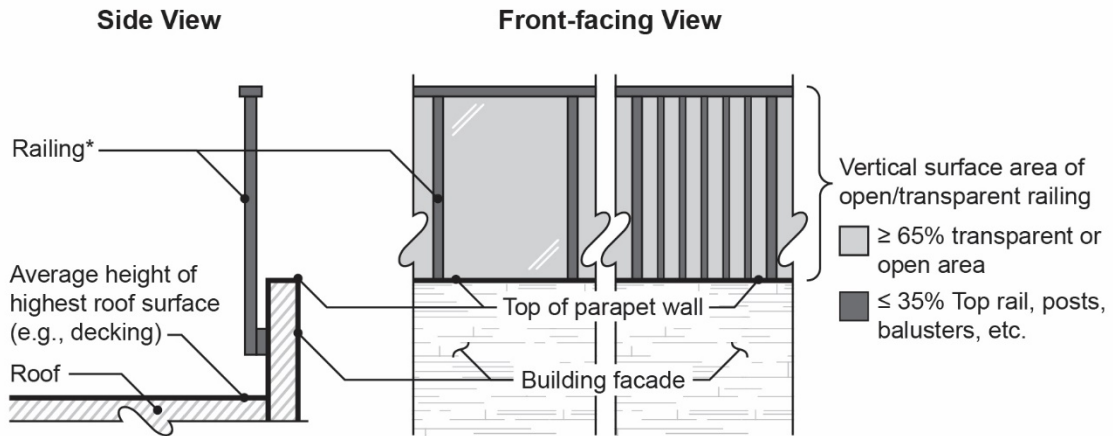
4 \*\*\* \*\*

5 **D. Definitions**

6 \*\*\* \*\*

7 **Railing, Open or Transparent**

8 Any railing treatment that is comprised of clear glass, similar transparent materials, and/or openings  
9 (i.e., empty spaces) between materials used in its construction, for at least 65 percent of its vertical  
10 surface area.



\*Railing construction, including rail heights, spacing of posts and balusters, and other dimensions, shall comply with the requirements of the Building Code.

11

12

\*\*\* \*\*

## ANNOTATION FOR PAGE 12

### Section 21.15.040: Definitions (Cont'd):

#### "Story, half"

The current term "Story, One-half" is shortened to "Story, half." Its definition is edited for content and clarity. Two illustrations are added. Discussion of the changes:

- Both the current and proposed definition include "habitable floor area." Title 21 defines habitable floor area as floor area used for living, sleeping, eating, or cooking.
- The current definition allows only three roof styles: gable, "hipped," or shed. The amendment adds gambrel, mansard, and curved (e.g., half-cylindrical) roof styles, to provide a more comprehensive list of roof styles that provide a downward roof pitch on at least two opposing sides of the building. The amendment removes "shed" style roof because shed roofs, like butterfly roofs, provide downward sloping roof pitches on only one wall, which does not reflect the intended meaning or objectives of a half story.
- The current definition is unclear as to how far the half story living space must be tucked up into the sloping roof form. A more typical code definition would clarify that the roof rafters should come down to within two feet of the floor joists of the half story, on at least two opposite exterior walls. The Anchorage municipal Property Appraisal manual identifies half stories as having the rafters coming down to within four feet (i.e., at least two opposite exterior walls are no more than four feet tall). The amendments generally take that approach.
- The current definition limits the gross floor area of the half story to no more than half the gross floor area of the story below. Based on testing and a review of several other codes, the amendment proposes increasing the maximum floor area to 75 percent of the story below. This increase seems necessary for an attic living space to be able to wholly occupy the interior of a pitched roof, especially if the living space includes dormers.
- The amendment also clarifies that floor areas in the half story that have a ceiling height less than 6'8" under the sloping roof are exempt from the gross floor area calculation.

The revised language is adapted from standard architectural dictionaries and a review of other zoning codes to convey the intended meaning more clearly. It also reflects consideration of the Building Code provisions for minimum ceiling heights, and the Anchorage municipal Property Appraisal Department's manual for describing stories and half-stories.

CODE LANGUAGE to be added is underlined. Language to be deleted is [ALL CAPS IN BRACKETS].

1 **CHAPTER 21.15: RULES OF CONSTRUCTION AND DEFINITIONS**

2 \*\*\* \*\*

3 **21.15.040 Measurements and Exceptions**

4 \*\*\* \*\*

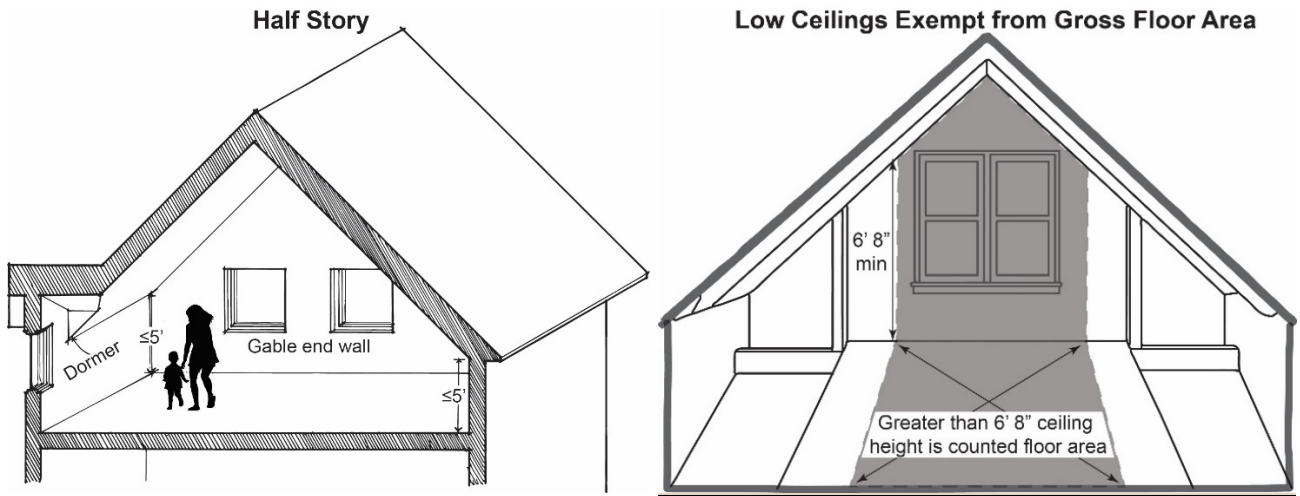
5 **D. Definitions**

6 \*\*\* \*\*

7 **Story, [ONE-]Half**

8 A story that has the following characteristics:

- 9
- 10 • Habitable floor area under a gable, hip, gambrel, mansard, or curved (e.g., barrel)[SHED, OR HIPPED] roof;[THAT CONTAINS HABITABLE FLOOR AREA, INCLUDING FLOOR AREA UNDER DORMERS,]
  - 11
  - 12
  - 13
  - 14 • All roof rafters located within five feet or less of the floor joists of such story, except at roof ends (e.g., gable ends) or where dormers are provided; and
  - 15
  - 16
  - 17 • Gross floor area not exceeding 75[50] percent of the gross floor area of the story[FLOOR] below. The calculation for the gross floor area excludes portions of the half story where
  - 18 the ceiling height is six feet eight inches (6'8") or less.
  - 19
  - 20



21

22 \*\*\* \*\*



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[www.muni.org/Planning/2040Actions.aspx](http://www.muni.org/Planning/2040Actions.aspx)