

# *Municipality of Anchorage*

## MEMORANDUM

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**DATE:** May 29, 2015

**TO:** Assembly Title 21 Committee

**FROM:** Planning Division

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

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

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

Section 1 of the ordinance eliminates the two-tiered system for floor area ration (FAR) in the R-4 and R-4A districts, and eliminates maximum height limitations in both districts. Measures to mitigate the effects of higher density are deleted.

Section 2 makes similar changes to the B-3 and RO districts. Changes proposed to the B-3 district are puzzling, as it is rare to see multifamily development in the B-3 district. Maximum height restrictions are lifted for certain areas of the Bowl, but mitigating measures for taller buildings are eliminated.

In section 3, side setbacks are reduced, and front and rear setbacks are reduced where alleys are present, for tri-plex and four-plex buildings in the R-3 district. The reduction in side setbacks may be appropriate where the abutting lot is in the same or a more dense district, but if the abutting lot is a lower density residential district, it is not appropriate to reduce the side setback.

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

Section 5 proposes changes to the amount of open space required per unit in the R-3, R-4, and R-4A districts. The department has already offered similar amendments. The only difference is that the department's proposal is for 280 sf in the R-3 district while this ordinance proposes 250 sf.

In section 6, on-site vehicle maneuvering is proposed to be allowed for tri-plex and four-plex developments under "appropriate circumstances" and with the Traffic Engineer's approval. Discussions with the Traffic Engineer indicate that she is not necessarily opposed to this idea, but would prefer to develop specific standards so that a discretionary review (which takes time and does not provide certainty for the applicant) is not necessary.

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

The department has worked hard over the last eight months to prepare and test significant changes to the multifamily design standards. These are the standards that have generated the most concern from the development community, and reviews of recent projects helped inform where amendments were needed. The Assembly Title 21 committee has reviewed the ordinance that proposes these changes to the multifamily design standards (as well as the open space standards and some other provisions), and

it is currently being reviewed by the Planning and Zoning Commission. Both *Anchorage 2020* and the *Chugiak-Eagle River Comprehensive Plan*, as well as multiple neighborhood and district plans adopted in the last ten years, call for design standards. *Anchorage 2020* notes that design standards respond “to the need to be more efficient with land use, the importance of design in the economic success of urban areas, as well as the community’s desire to be more attractive, comfortable year-round, and reflective of our natural setting.” Design standards seek “to improve the appearance and function of developments.” The significant changes proposed by staff and approved by the Assembly Title 21 committee seek to provide design standards that add value to the community, create new developments that are functional and attractive, fit new projects – particularly higher density projects – into existing neighborhoods, and not place too much burden on the developer. Efforts to make multifamily development more economical should look at and propose solutions for ALL the various reasons housing is more expensive to develop in Anchorage, and not eliminate reasonable standards called for in our adopted, community-developed, and community-supported plans.