



Municipality of Anchorage

Planning Department

Memorandum



Date: November 2, 2022

To: Daniel Volland

From: Planning Department staff

Subject: Applicability of Amended Bicycle Parking Requirements to Existing Buildings

This memorandum follows up on the question regarding how changes in Title 21 development standards apply to existing buildings, as discussed at the 10/24/2022 parking ordinance S-version working group meeting. For example, how would the amended bicycle parking standards apply to developments that are simply changes of use type or modifying existing buildings?

AO 2022-80(S) amends the current bicycle parking requirement by requiring a minimum of two bike spaces (e.g., one U-shaped bike rack) for most developments. It increases the number of required bicycle parking spaces for larger developments. It also requires a percentage of required bike spaces to be secure, sheltered *long-term* (i.e., employee or resident) bike parking. A development scenario of interest is a change of use in an existing commercial building that may not have enough front outdoor space available to accommodate the addition of bike racks.

Consultation with Land Use Review staff confirms the initial response from Planning staff on 10/24. Existing buildings have legal nonconforming rights. Per Title 21 subsection 21.13.060B., *Parking Out of Compliance*, if a change of use or a building expansion does not result in an increase in the bike parking requirement, then no new bike spaces will be required, provided the property has legal nonconforming rights for the lack of required bike spaces.

For example, existing uses will have non-conforming rights to not provide the two required bike spaces. When there is a change of use or building expansion, such as to a different tenant or a somewhat larger building size that is also required to have two bike spaces, the property will continue to have non-conforming rights for the lack of two spaces. Title 21 treats the property as if the two required bike spaces already exist and would not require any additional bike spaces.

If a change of use or building expansion results in an increase in the number of required bike spaces, then the number of bike spaces related to the increase must be provided. For example, if an office, health service, or retail establishment expands from 10,000 to 20,000 square feet of building floor area, the bicycle parking requirement will increase by 2 bike spaces (e.g., one U-shaped bike rack), from 2 to 4 spaces total. Such a development project continues to have nonconforming rights for the lack of two spaces and will be required to provide only the additional 2 bike spaces related to the 10,000 square-foot building expansion.

For projects of this size, a bike space is easier to add than an automobile parking space. However, if adding a bike space presents a practical difficulty on a particular site, then AO 2022-80(S) subsection 21.07.090K.4., *Administrative Adjustments*, provides for administrative relief without need for a Variance or fee.