



Compatible-Scale Infill Housing (R-2 Zones) Project

*An Update to Anchorage's Zoning Rules for Residential Development
in the R-2A, R-2D, and R-2M Zoning Districts*



PZC Case No. 2019-0009

Public Hearing Draft

for Public Hearing on **March 4, 2019** ~~February 4, 2019~~

Anchorage 2040 Land Use Plan
Implementation Action 4-4



EXHIBIT B: Zoning Code Amendments

Submit comments or testimony by
March 4, 2019. See inside cover.

*Revised: 12/12/18
Public Hearing Date Revised: 1/25/19*

Compatible-Scale Infill Housing (R-2 Zones) Project:

The Compatible-Scale Infill Housing (R-2 Zones) project is updating Anchorage's R-2A, R-2D, and R-2M zoning code rules for the height and bulk of residential development, in order to allow more housing opportunities while ensuring that the scale of new development complements existing neighborhoods.

This project helps carry out implementation Action 4-4 of the *Anchorage 2040 Land Use Plan's Goal 4: Housing and Neighborhoods*. It is related to other ongoing 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: www.muni.org/Planning/2040actions.aspx

Contact the project team: Tom Davis, 343-7916, davistg@muni.org
Francis McLaughlin, 343-8003, mclaughlinfd@muni.org
Long-Range Planning Division, 343-7921, anchorage2040@muni.org

Other Public Hearing Draft Documents: (under separate covers; list corrected on 1/25/19)

Adopting Ordinance

Exhibit A: Staff Report

Exhibit C: PZC Resolution

Exhibit D: Policy Guidance from the Comprehensive Plan

Exhibit E: Public Comments Received

Exhibit F: Comment Issue-Response

12/11/18 Revision: Page 2, F.2.c., yellow highlighting removed around "At least one elevation"

Page 6, Annotation, missing illustration added

Page 6, clarification added at bottom of new subsection, (*Renumber subsequent subsections of 21.06.030D.*)

12/12/18 Revision: Page 3, Annotation, near bottom after "...The largest recent duplex size in R-2M zone..." corrected from "5440 SF" to "5,784 SF" and yellow highlighting removed

Page 3, Annotation, near bottom of page, the bottom illustration is enlarged and enhanced for readability

Page 10, clarification added to the top header, (*new subsection C.*), and to the bottom line, (*Renumber subsequent subsections of 21.12.040*)

1/25/19 Revision: Date of PZC Public Hearing was changed from February 4 to March 4, 2019.

How to Testify and Comment:

The Compatible-Scale Infill Housing (R-2 Zones) project Public Hearing Draft will be considered by the municipal Planning and Zoning Commission (PZC). The public is invited to submit formal comments and testimony to the PZC, in writing or in person at the public hearing.

The Planning and Commission public hearing is scheduled for **Monday, March 4, 2019, at 6:30 p.m. in the Assembly Chambers of the Z.J. Loussac Library, 3600 Denali Street, Anchorage.**

For written comments to be included in the case packet that will go to the Commission before the public hearing, please provide comments to the Planning Department by February 21. Any comments that the Planning Department receives after February 21 will go to the Commission as a supplementary packet.

Written comments to PZC may be submitted in the following ways:

by CityView: <http://munimaps.muni.org/planning/allcomments.cfm>
(insert case number 2019-0009)

by email: Anchorage2040@muni.org

by fax: (907) 343-7927

by mail: Long-Range Planning Division
MOA Planning Department
PO Box 196650
Anchorage, AK 99519-6650

Next Steps:

After the PZC deliberates and votes, its recommendations will be forwarded to the Assembly. The public will have an opportunity for testimony on the *PZC Recommended Draft* when that is reviewed by the Assembly. The Assembly may amend the PZC Recommended Draft before they vote to adopt it.

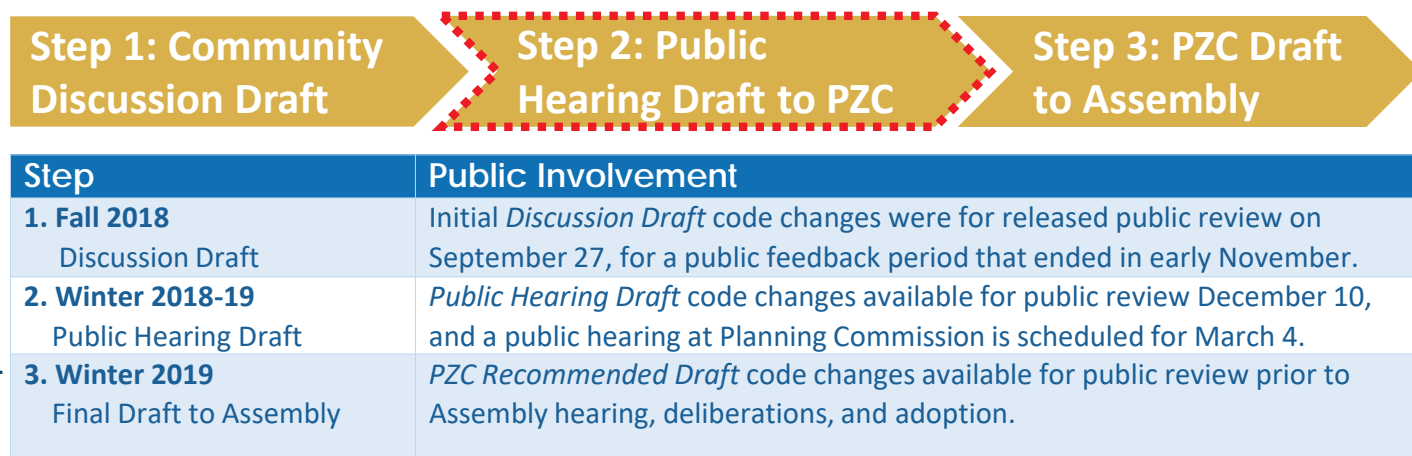


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Exhibit B: Zoning Code Amendments presents the public hearing draft code amendment language for the *Compatible-Scale Infill Housing (R-2 Zones)* Project. (Exhibit A: Staff Report and Summary Analysis, under a separate cover, provides the project introduction, its public process, and an analysis of the proposed amendments. Subsequent Exhibits C through G provide other supporting information.)

The code amendments in this document are arranged in order of the zoning code sections affected:

Table of Contents: Amendments by Zoning Code Section	Page
21.03.120B.1.a. Minor Modifications – Applicability	1
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How to Read this Document

This document is formatted to ease readability by showing the amended code language on the right-hand (numbered) pages, and explanatory annotation on left-hand pages. The annotation explains or illustrates 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.

The explanatory annotation (left-hand page) is in **Comic Sans Serif** font. Zoning code language (right-hand page) is in **Arial** font and has line numbering in its left margin.

Proposed changes to zoning code language (called “amendments”) appear as “tracked changes” text:

- Added code language is underlined.
- Deleted language is in ~~striketrough text~~.
- Text without underlines, strike-throughs, or highlights 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 set of three 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.

Cross-reference to Key Proposed Changes

The crosswalk table below is not an exhaustive list of all code changes, but highlights key proposals in the *Compatible-Scale Infill Housing (R-2 Zones) Project* and where those code changes appear in this document.

Proposal (Summary of Proposed Change)	Code Reference	Page Reference
HEIGHT AND SCALE OF HOUSING		
Removal of 2.5-story limitation on construction heights.	21.06.020B.; Table 21.06-1	3
New floor area ratio (FAR) limit on the size of housing structures in proportion to the size of the lot.	21.06.020B.; Table 21.06-1	3
Exclusion of basements, attic and half-story areas with low ceilings heights, and additions to pre-existing homes from FAR limits.	21.06.030E.	7
Exclusion of floor area in accessory structures from FAR limits.	21.06.030E.	7
Availability of administrative minor modifications from new FAR limits.	21.03.120B.1.a.	1
HEIGHT OF ROOF-TOP “APPURTENANCES”		
Reduction in the maximum exempted height for rooftop access stairwells and elevator enclosures.	21.06.030D.6.c.	4
Reference to a new height step-back from neighboring homes that is applicable to parapets and rooftop access enclosures.	21.06.030D.6.c.	4
Exemption for dormers from building height measurement.	21.06.030D.6.e.	5
MITIGATION OF 3-STORY BUILDING DESIGN		
Requirement that flat, blank, 3-story facades abutting neighboring properties be divided into smaller sections (wall planes).	21.04.020F.2.	2
New limit on main entrance stair height above grade.	21.04.020F.2.	2
New solar access step-back from abutting lot with residences.	21.06.030D.7.	6
Alternative equivalent compliance made available for design alternatives to solar access step-backs and wall plane modulations.	21.07.010D.	8

ANNOTATION FOR PAGE 1

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

Floor Area Ratio (FAR) as a zoning tool is not new to the Municipality. It is found in the R-4, R-4A, and other district-specific regulations as well as in most residential zones in the Chapter 21.09, Girdwood regulations. The proposed ordinance introduces the FAR tool in the R-2 districts (as provided on page 3). FARs and how it is to be applied may be unfamiliar to some, which was expressed in some of the comments received on the September 27, 2018 Community Discussion Draft of this ordinance.

To provide for administrative flexibility in the application of FARs, an amendment is proposed to the Section 21.03.120B.1.a, Minor Modifications - Applicability, to include "maximum floor area ratio requirement" to the list. This will allow minor deviations from the FAR standards that may be approved by the director. Minor modifications may be applied for when the small size of the modification requested and the unlikelihood of any adverse effects on nearby properties or neighborhood, make it unnecessary to undergo a formal variance process. Minor modifications are limited to a maximum of five percent from the stated development standards.

1 **Section 21.03.120B.1.a., *Minor Modifications - Applicability***

2 **A. Purpose and Scope**

3 This section sets out the required review and approval procedures for “minor modifications,” which
4 are minor deviations from otherwise applicable standards that may be approved by the director,
5 the planning and zoning commission, or the urban design commission. Minor modifications are to
6 be used when the small size of the modification requested, and the unlikelihood of any adverse
7 effects on nearby properties or the neighborhood, make it unnecessary to complete a formal
8 variance process.

9 **B. Applicability**

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

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

- 16 **a.** Minimum lot area, ~~or setback,~~ and maximum floor area ratio requirements set forth
17 in chapter 21.06, Dimensional Standards and Measurements;

18 * * *

ANNOTATION FOR PAGE 2

Section 21.04.020F.: R-2M Mixed Residential District

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

The purpose statement for the R-2M district, along with the policies of the *Anchorage 2040 Plan* and other elements of the *Comprehensive Plan*, has helped to guide the draft code changes.

F.2. District-Specific Standards

The R-2M district-specific standards apply in addition to the generally-applicable regulations found elsewhere in the code.

The standard in b. is intended to help keep taller townhouse structures from becoming as large as apartment complexes that are out of context with the R-2M neighborhood. The proposed change in F.2.b. replaces a reference to 2.5 stories with its closest equivalent in feet (25 ft.). This reflects other changes in this ordinance that delete the 2-1/2 story limit.

New subsection c. also responds to the deletion of the 2-1/2 story limit. It seeks to mitigate the adjacencies of 3-story, multi-family structures constructed on lots abutting existing residential properties in R-2M neighborhoods. There is a concern about 3-story building side walls like shown top right. Its objective is to promote mindful design of 3-story walls when abutting other residential properties, and tall blank walls.



The language in c. applies an existing building articulation menu from the Title 21 residential design standards. It would require that three-story multifamily building walls be divided into smaller, distinct sections (or wall planes) whenever they front on neighborhood streets or face abutting residential properties.



New subsection d. limits the height of the main front entry to the first story above grade, rather than have exterior stairs up to second-story entries (see bottom photo). The objective is to “anchor” dwellings closer to the ground and reduce the apparent height of three-story structures.



New subsection e. allows the Director to approve design alternatives to the standards in c. and d.

Section 21.04.020, *Residential Districts*

* * *

F. R-2M: Mixed Residential District

1. Purpose

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

2. District-Specific Standards

Residential buildings with three or more dwelling units shall comply with the following requirements in order to mitigate potential scale and height impacts on the neighborhood:

- a. Residential buildings shall contain no more than eight dwelling units.
- b. For buildings greater than 25 feet in height, the maximum length of a building elevation that is two and a half stories in height at any point shall be 150 feet. Otherwise the maximum length shall be 180 feet.
- c. Three-story building elevations that are street-facing or that face an abutting residential zoned lot shall comply with the building articulation menu of section 21.07.110C.7. At least one elevation that is not an end wall of a row of dwelling units shall utilize wall plane projections or recesses in one of the menu choices.
- d. Exterior stairs providing access to a primary front entrance shall not extend higher than six feet above grade plane or finished grade, whichever is greater.
- e. The alternative equivalent compliance procedure in 21.07.010D. may be used to propose alternatives to c. and/or d. above that meet the intent of this section. For example, vegetation or changes in topography that screen the development from abutting properties may be approved as alternative equivalent compliance.

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 R-2A, R-2D, and R-2M zones are excerpted on the next page.

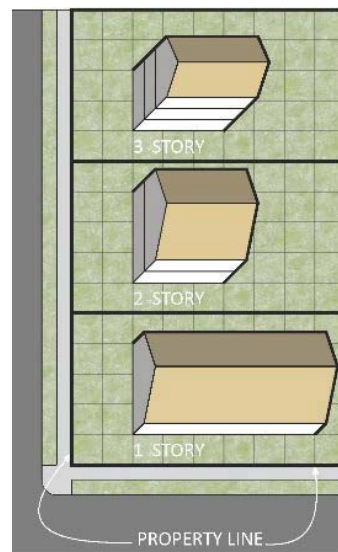
Maximum Height of Structures

The "maximum height" column on the far-right of the table for R-2A, R-2D, and R-2M districts is amended by deleting the 2.5-story limitation. A reference is added to a step-back from abutting homes (see page 6). No change to the 30-foot building height limit.

Max FAR (Floor Area Ratio - see definition on p. 11.)

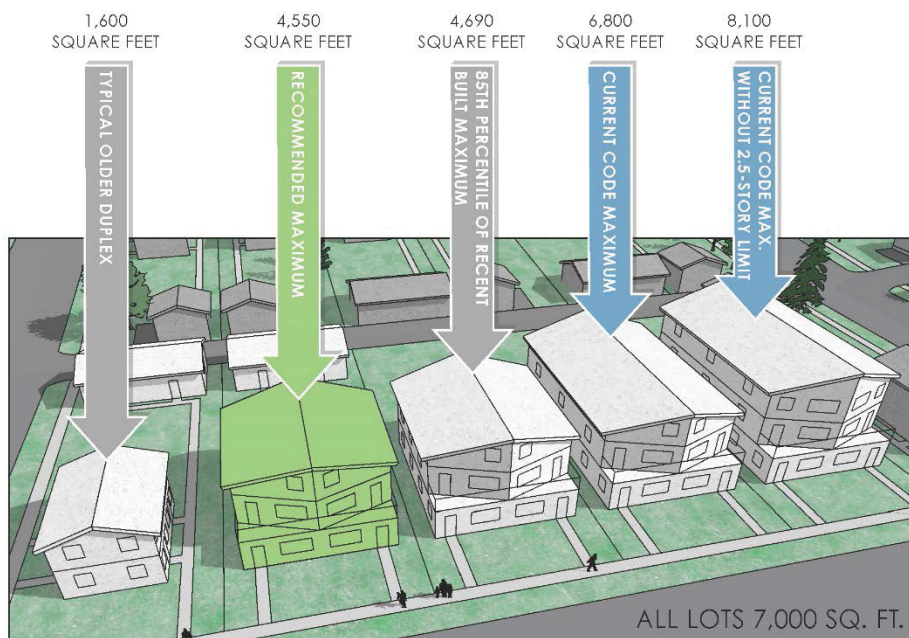
With the elimination of the 2.5-story limit, a new column with maximum floor area ratios ("Max FAR") is proposed to address overall building bulk. FAR is a simple tool for keeping the bulk of large structures in proportion to the size of the lot, while providing flexibility in building siting, style, and design. FAR is already used by Title 21 in some single-family, multifamily, and commercial zones. FAR provides for an amount of building square footage (SF) that is proportionate to the lot. It coordinates with maximum height and lot coverage so that the building scale is in context with the neighborhood.

Builders have the flexibility of how to allocate the square footage (SF). At right are three possible configurations of equally-sized structures all having 4 SF of floor area per 10 SF of lot area (0.4 FAR).



Comparison of Allowed Duplex Sizes

on 7,000 square-foot lots in R-2M zone



The proposed FARs accommodate the full number of housing units allowed by the R-2 districts for each lot size. For example, the illustration at left compares the potential size of duplexes under current regulations (blue arrows) and proposed regulations (green).

Most housing typically is not built to the maximum allowed size. Unit sizes have increased in recent years. The largest recent duplex in R-2M zone is 5,784 SF. The proposed FARs accommodate the 85th to 90th percentile size of recent duplex projects built.

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

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 ¹		Max lot coverage (%)	Minimum Setback Requirements (ft)			Max number of principal structures per lot or tract ²	Max. FAR ⁷	Maximum height of structures (ft)
	Area (sq ft)	Width (ft)		Front	Side	Rear			
R-2A: Two-Family Residential District (larger lot)									
Dwelling, single-family detached	7,200	60	40	20	5	10	1	0.50	Principal: 30, subject to 21.06.030D.7.; not to exceed two and one-half stories
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	0.60	Accessory garages/carports: 25 Other accessory: 12
All other uses	7,200	60	40	20	5	10	N/A		
R-2D: Two-Family Residential District									
Dwelling, single-family detached	6,000	50	40	20	5	10	1	0.50	Principal: 30, subject to 21.06.030D.7.; not to exceed two and one-half stories Accessory garages/carports: 25 Other accessory: 12
Dwelling, two-family	6,000	50	40	20	5	10	1	0.60	
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		
R-2M: Mixed Residential District									
Dwelling, single-family detached	6,000	50	40	20	5	10	1	0.50	Principal: 30, subject to 21.06.030D.7.; not to exceed two and one-half stories Accessory garages/carports: 25 Other accessory: 12
Dwelling, two-family	6,000	50	40	20	5	10	1	0.65	
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	0.90	
Dwelling, multifamily (up to 8 units permitted per building)	8,500 + 2,300 for every unit over 3	50	40	20	10	10	More than one principal structure may be allowed on any lot or tract in accordance with subsection 21.07.110F.2.	0.80	
Dwelling, multifamily, with single- or two-family style construction of multiple buildings on a lot	3,000 per unit	50	40	20	10	10		0.60	
All other uses	6,000	50	40	20	5	10			
* * *									
⁷ FAR (Floor Area Ratio) is defined in subsection 21.14.040, <i>Definitions</i> . See subsection 21.06.030E. for exemptions and potential increases to FAR.									

Section 21.06.030D.6.c.: Height Exceptions

Title 21 allows building appurtenances to not be counted toward the maximum allowed building height in the district. Appurtenances are things like antennas, chimneys, and rooftop stairwell enclosures. Section 21.06.030D.6.c. sets the rules for these exceptions. While not counted, appurtenances in residential neighborhoods do contribute to the bulk and scale of buildings.

Subsection iv., *Height in Excess of District Maximum*

The changes to subsection 21.06.030D.6.c.iv. respond to other amendments in this ordinance that enable construction of three-story, flat-roofed buildings with rooftop stairwell enclosures.

Currently, subsection iv. allows stairwells and mechanical enclosures to exceed the R-2 districts' 30-foot height limit by 15 feet. Elevator enclosures may exceed by 25 feet. The proposed changes reduce the exemption for stairwells to 11 feet, and for elevators to 16 feet.

The current exceptions were written for multi-story apartment complexes and commercial office buildings in higher intensity districts, and not for the scale of the R-1 and R-2 zones. Historically, this was not an issue because three-story flat-roofed buildings with stairwell towers were rare in these zones. But recent trends are toward taller buildings with greater massing and height which have impacted their neighbors.

The proposed rooftop enclosure dimensions reflect consultations with municipal building structural reviewers and elevator inspectors regarding the minimum height needs of rooftop access stairwells and elevator models that are commonly used in residential buildings of three stories or less.

The height exemption for solid parapet walls is also proposed to be reduced, from 4 to 3 feet. Solid parapets effectively increase the wall height of flat-roofed buildings, contributing to bulk and shadowing impacts. The new parapet limit reflects expert consultations regarding how much clearance parapets need above the roof surface. The changes still allow open and transparent railings to exceed the height limit by more than three feet.



Transparent railing on left and solid parapet at right. Roof access enclosures in both.

Section 21.06.030D.6., *Height Exceptions*

* * *

- c. Except as specifically provided elsewhere in this title, the height limitations contained in this chapter do not apply to appurtenances on buildings, such as spires and similar religious appurtenances, belfries, cupolas, flagpoles, chimneys, antennas, rooftop mechanical equipment and its screening, stairwell ~~towers, and/or~~ elevator ~~enclosures~~ ~~penthouses~~, parapets, firewalls, open or transparent railings, solar reflectors, ~~solar photovoltaic energy collectors~~ ~~panels~~, skylights, or similar appurtenances; provided, however, the following:
- i. Aviation Regulations.
The appurtenance does not interfere with Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace.;
- ii. Roof Coverage.
~~Enclosed The~~ appurtenances such as stairwells, elevators, mechanical enclosures, and skylights cumulatively cover no more than one-third of the roof area of the building, except that when it has been demonstrated to the director and the building official that building HVAC requirements necessitate a larger mechanical ~~enclosure~~ ~~penthouse~~, the appurtenances may cumulatively cover up to one-half of the roof area.
- iii. Usable Floor Area.
The appurtenance is not constructed for the purpose of providing additional floor area, usable space, or storage room for the building, except that a storage room of 60 square feet or less, combined with ~~a stairwell tower or elevator enclosure~~ ~~housing~~, and directly related to a rooftop use (such as tool storage for a rooftop garden), is allowed.;; and
- iv. Height in Excess of District Height Maximum.
The appurtenance does not exceed the height limit of the district by more than 11 feet on residential buildings in the R-1, R-1A, R-2A, R-2D, and R-2M districts and 15 feet on other buildings and in other districts, with the following exceptions:
- (A) The allowed height of high voltage transmission towers is addressed in subsection 21.05.040J.1.;
- (B) The allowed height of antennas and other telecommunications infrastructure is addressed in subsection 21.05.040K.;
- (C) Flagpoles and spires and similar religious appurtenances may exceed up to 30 feet in residential districts and up to 50 feet in nonresidential districts;
- (D) Elevator ~~enclosures~~ ~~penthouses~~ may exceed up to 16 feet on residential buildings in the R-1, R-1A, R-2A, R-2D, and R-2M districts and 25 feet on other buildings and in all other districts;
- (E) Parapets, required fire-resistant rated walls ~~firewalls~~, and skylights may exceed up to three ~~four~~ feet.;
- (F) Any railing or portion of a railing that exceeds by more than three feet shall be an open or transparent railing as defined in section 21.14.040.; and
- (G) Parapets and rooftop access enclosures in the R-2 districts shall be subject to a solar access step-back from abutting residential lots as provided in subsection 21.06.030D.7.

ANNOTATION FOR PAGE 5

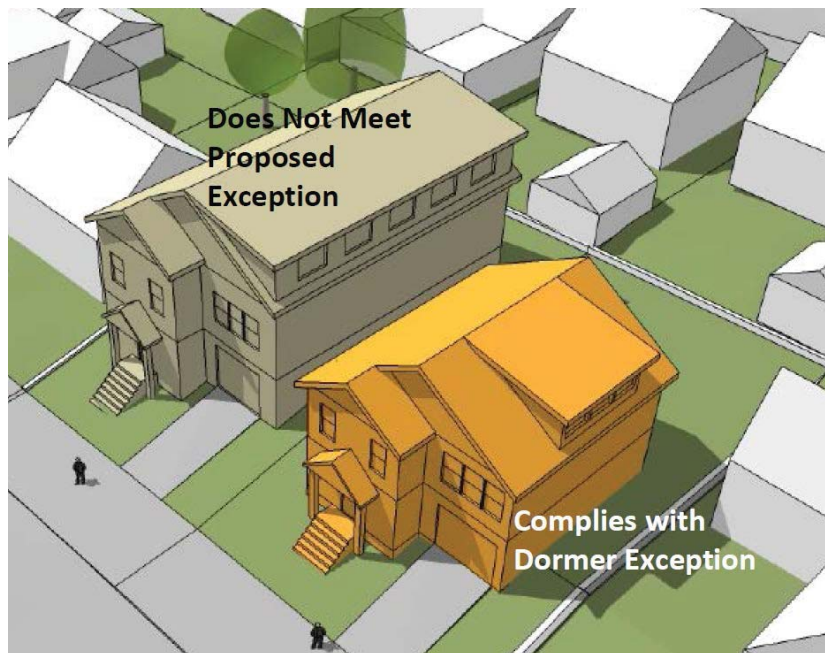
Section 21.06.030D.6.e.: Height Exceptions – Dormers (new)

The amendments on the next page create a height exception for dormers. This change eliminates a disincentive against third floors tucked into attics under pitched roofs. Attic spaces with sloping ceilings are more expensive to build and often need dormers.

Currently, dormers are not listed as an exception to the height limit. A dormer typically sits above the lowest eave of the main roof, making the midpoint of a dormer roof higher than the midpoint of the main roof, even when the highest point on the dormer's roof is lower than the peak of the main roof. Therefore, this causes the building to be measured by Title 21 as taller when it has a dormer. This puts buildings with attic living spaces at a disadvantage.

When the upper floor is tucked into a pitched roof, it makes a 3-story structure less bulky and fit in better with the existing neighborhoods. Dormers can add useable space and daylighting to attic or half-story rooms. They can also add architectural interest and variety to roof masses. The proposed exception would allow dormers as height exceptions, provided they are sized to remain a secondary roof mass, and are not fully covering the entire top floor as a way to circumvent the height limit.

In practice, municipal land use reviewers have not counted small dormers when measuring roof height. There is an undefined, "common-sense" threshold for dormer size. The land use reviewers may determine the dormer is substantial enough to where the measurement of the building's roof height must be to the midpoint of the dormer. The proposed language provides clarity and certainty whether a dormer may be an exception from the height limit.



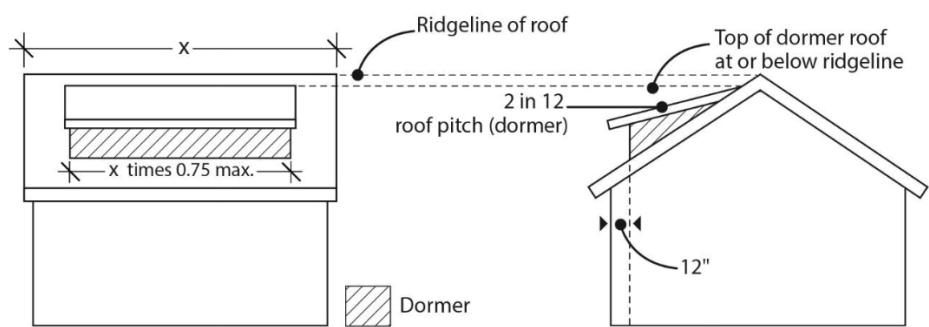
Section 21.06.030D.6.e., *Height Exceptions* (new subsection e.)

6. Height Exceptions (continued from page 7)

* * *

e. Dormers may extend above the height limit when:

- i. The roof of the dormer has a pitch of at least 2:12 and no part of the dormer extends above the ridgeline of the roof;
- ii. The walls of the dormer are stepped back at least one foot from the wall plane of any exterior wall of the floor below; and
- iii. The width of the dormer(s) is not more than 75 percent of the width of the roof from which the dormer(s) project.



Section 21.06.030D.7.: Solar Access Step-back (new)

This proposed new subsection is intended to retain an equivalent level of solar access protection for residences in the R-2A, R-2D, and R-2M districts as existed prior to the removal of the 2.5-story height limit from these districts. The step-back re-creates the approximate height of a 2.5-story building built to the minimum side yard setback next to an existing home. The step-back's starting height of 22 feet and its 6:12 incline is intended to approximate a typical sloping roof pitch over an attic/half-story living space. This effectively retains a similar building entitlement for the builder along the shared lot line as existed prior to this ordinance.

The level of solar access proposed addresses only the marginal increase in potential shadowing that this ordinance would enable in allowing three-story, 30-foot tall buildings. It does not attempt a broader resolution of what should be the appropriate level of solar access protection for all residences in Anchorage's residential zoning districts. Such a broader code amendment is beyond the scope of this ordinance.

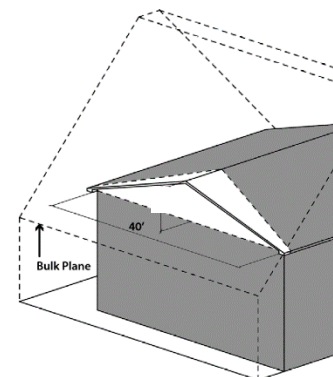
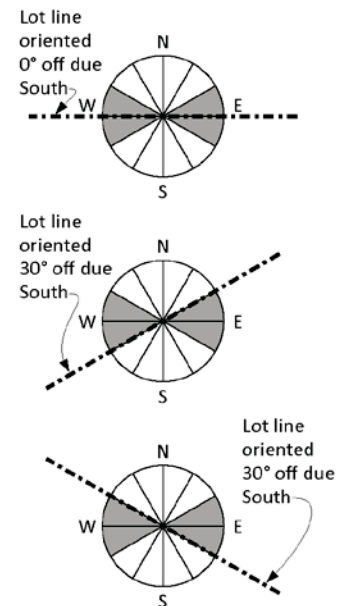
Subsection b., *Applicability*

The step-back requirement would apply where the proposed development shares a side lot line with a residential property to its north, east, or west. It does not apply along the development's southern property boundary. Any southern property boundary line oriented within 30 degrees of due south is included in this exemption. The sketch at right illustrates this concept.

Subsection d., *Exceptions*

The list of exemptions also approximates the former 2.5-story height limit. For example, most rooftop appurtenances such as chimneys, antennae, dormers, and even solar PV panels are allowed to exceed the 2.5-story height limit, and would have only limited shadowing impacts. Exception iii., gable ends of sloping roof forms, is included because they would have been allowed as part of 2.5-story home.

However, parapets and stairwell enclosures are not exempted. A parapet wall or the long axis of an 11-foot tall stairwell enclosure could have significant shadowing impacts and negate the step-back.



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

Section 21.06.030D.7., **Solar Access Step-back (new subsection D.7.)**

7. Solar Access Step-back

a. Purpose

The intent of this subsection is to retain an amount of solar access protection for residences in the R-2A, R-2D, and R-2M districts.

This subsection serves as a placeholder for such time as when the municipality may complete a public process for code amendments to address solar access more broadly.

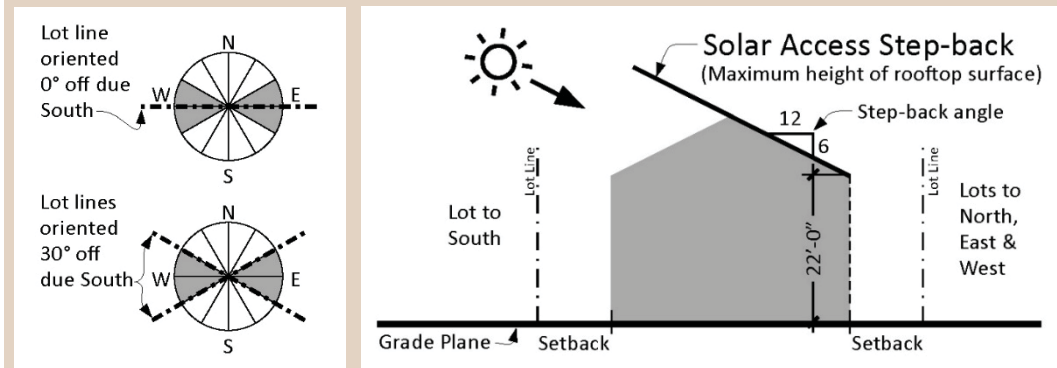
b. Applicability

This standard applies in the R-2A, R-2D, and R-2M districts to development that abuts a residential-zoned lot, except where:

- i. The primary use on the abutting lot is a community use; or
- ii. The shared lot line is on the development's south property boundary and oriented within 30 degrees of due south.

c. Standard

Structures shall adhere to a step-back that begins at a height of 22 feet above grade plane at the minimum setback, and rises inward over the development lot at 6:12 rise-to-run.



d. Exceptions

The following may penetrate above the solar access step-back:

- i. Roof overhangs and incidental architectural features listed in subsection 21.06.030C.2.d.
- ii. Building appurtenances other than parapet walls or rooftop stairwell or elevator enclosures, listed as height exceptions in subsection. 21.06.030D.6.
- iii. Gable ends of sloping roof forms, provided the roof ridge of the gable end, including any roof overhang, has a maximum width of 40 feet.
- iv. An alternative building design that will provide equivalent or better solar access may be approved through subsection 21.07.010D., *alternative equivalent compliance*. A shadow analysis will be required that demonstrates the shadowing impact that the proposed building would have on the abutting properties.

(Renumber subsequent subsections of 21.06.030D.)

ANNOTATION FOR PAGE 7

Section 21.06.030E.2.: Areas Not Considered in Measuring Floor Area Ratio

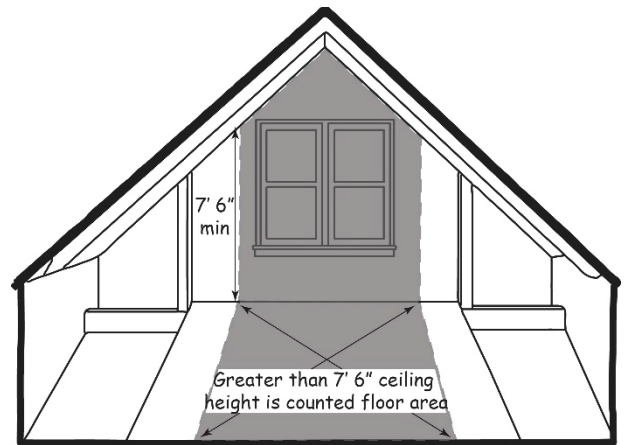
Section 21.06.030 establishes the generally applicable ground rules for applying FAR limitations. FAR is defined in the Chapter 14 definitions section 21.14.020. (See page 11).

Subsection E.2. Areas Not Measured (i.e., FAR Exemptions)

Basements, attic living spaces, and certain spaces are not included in the calculation of FAR. The proposed changes to the FAR exceptions for attics and detached accessory structures better address the smaller lots and structures that typify the R-2 residential zones.

Attic exceptions a. and b. are combined into a single, more inclusive exception. It provides for standard roof pitches and "half stories" (defined on page 11) that have dormers and side walls that rise a few feet off the floor.

The attic revision exempts attic spaces with ceiling heights less than 90" (i.e., 7'6", see illustration), which are not counted as habitable area per the building code. Because of their low ceiling heights these spaces do not contribute very much to a building's bulk or shadowing effects.



The detached accessory structure exception in item d. is revised to exempt the first 0.15 FAR worth of floor area. This addresses the bulk impacts that large accessory structures could have in low-rise residential zones. (See 2-story detached garage at right.) The proposed FAR limits accommodate all types of accessory structures (garages, B&B vacation rental units, maximum-sized ADUs, etc.). Retaining the 0.15 FAR exception encourages breaking up the massing of buildings on a site.



An exception to floor area limits is provided for existing houses to have one addition that exceeds the FAR limits.

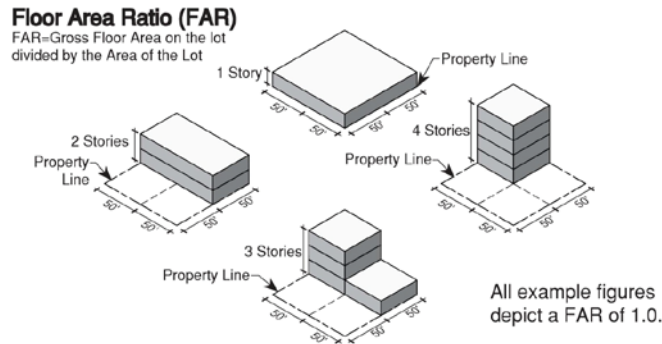
The middle house at right illustrates all of this at once. Its two main floors count toward FAR. It has a daylight basement that is not counted in FAR. Its attic half-story and detached garage (in back) are partially counted.



Section 21.06.030E., *Floor Area Ratio (FAR)*

1. Purpose

Floor area ratio (FAR) establishes the amount of use (the intensity) on a site. FAR provides a means to match the potential amount of uses with the intended functions and character of the area and the provision of public infrastructure and services. FARs also work with the height, setback, and lot coverage standards to ensure the overall bulk of development is compatible with the area. It is also the purpose of this title to provide floor area ratio bonuses to encourage development characteristics that advance community objectives, such as affordable housing, below grade parking, and open space.



2. Areas Not Considered in Measuring Floor Area Ratio

Unless otherwise provided in this title, all gross floor area shall be considered in determining FAR except for the following:

~~a. Uninhabitable attics in residential structures;~~

~~a. b. Portions of an attic or half story where the ceiling height is ninety inches or less. Residential space in an attic under a roof slope of between 8:12 and 12:12, provided the residential space is limited to one story;~~

~~c. Crawl spaces less than five feet from floor to ceiling;~~

~~b. d. Floor area in a story stories below grade plane, as defined in 21.14.040.;~~

~~c. e. Detached accessory structures, up to a combined FAR of 0.15 for all accessory structures on the lot;~~

~~d. Single- and two-family dwellings existing on (effective date of this ordinance), that exceed the maximum floor area ratio, or building additions that would cause the building to exceed the maximum floor area ratio, may increase the gross floor area one time by no more than 400 square feet or 0.10 FAR, whichever is less.~~

* * *

3. Maximum Floor Area Ratios

~~a. Where Maximum FARs Are Established Downtown and Other Districts~~

~~For zoning districts in which FARs apply, maximum FARs in the DT-1, DT-2, DT-3, R-4, R-4A, and other districts in which FARs may apply are established within the dimensional standards tables of section 21.06.020 or in the district-specific standards in chapter 21.04. Increases in allowable FAR are available in some districts through incentives also provided in the district-specific standards.~~

* * *

Section 21.07.010D.2: Alternative Equivalent Compliance - Applicability

Note: Purpose statement is provided for context only, with no changes proposed.

Solar access is important to many Municipal residents and community members. Page 6 of this ordinance proposes how to address Solar Access in the R-2 Districts because of the many properties that are already zoned this way. With the proposed deletion of the 2.5-story design standard, the concern about protecting solar access was raised numerous times in comments at community consultations as well as in written comments on the Public Review Draft of this ordinance. Some properties have topographic, orientation, configuration, or accessibility complications that merit flexibility in the application of a solar access standard.

To provide for flexibility in the application of Solar Access standards, an amendment is proposed to the Section 21.07.010D.2: Alternative Equivalent Compliance - Applicability, to add Solar Access Step-back to the list. Alternative equivalent compliance is a procedure that allows development to meet the intent of this chapter through an alternative design. The procedure permits a site-specific plan that is equal to or better than the strict application of a design standard. This procedure is not intended as a substitute for a variance or administrative modification or as a vehicle for relief from standards in this chapter.

Section 21.07.010D.2, *Alternative Equivalent Compliance - Applicability*

D. Alternative Equivalent Compliance

1. Purpose

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

2. Applicability

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

a. ~~Subsections 21.04.020F.2.c. and d., *R-2M Mixed Residential District; District-specific Standards*, until the municipality completes a code amendment to address administrative adjustments and alternative compliance more generally;~~

b. ~~Subsection 21.06.030D.7., *Solar Access Step-back*;~~

c. a. ~~Subsection 21.06.030D.9-8., *Height Transitions for Neighborhood Compatibility*;~~

d. b. ~~Subsection 21.07.090M.3., *Structured Parking; Façade Treatment*;~~

e. c. ~~Section 21.07.110, *Residential Design Standards*;~~

f. d. ~~Section 21.07.120, *Large Commercial Establishments*; and~~

g. e. ~~Subsection 21.09.080, *Building Design Standards* (Girdwood).~~

* * *

Section 21.10.040: Chugiak-Eagle River Zoning Districts

Chapter 10 of Title 21 establishes the zoning districts and other land use regulations that apply only in Chugiak-Eagle River. Section 21.10.040 provides the district-specific standards for Chugiak-Eagle River's zoning districts.

Currently, the district-specific standards for Chugiak-Eagle River's CE-R-2M district supplement the Chapter 4 district-specific standards for the R-2M district (page 2 above) and are additional requirements. This means that properties in the CE-R-2M district must comply with both the R-2M district-specific standards in Chapter 4 and CE-R-2M district-specific standards in Chapter 10.

While most of Chapter 10 is a supplement that applies in addition to the rest of Title 21, there are exceptions. If any regulation of Chapter 10 conflicts with the other parts of Title 21, then the Chapter 10 regulation governs. For example, Chugiak-Eagle River has its own dimensional standards for lot size and height limits. Therefore, Table 21.06-1 (page 3) does not apply in the CE-R-2M zone.

21.10.040C.6.b.: CE-R-2M: Mixed Residential District District-specific Standards

The proposed new language on the next page exempts the CE-R-2M district from the proposed Chapter 4 R-2M district-specific standards that apply in the Anchorage Bowl. It clarifies that the Anchorage Bowl R-2M standards would not apply in Chugiak-Eagle River.

Most of the R-2M district standards in Chapter 4 are focused on mitigating the deletion of the 2.5-story limit from the Table 21.06-1 dimensional standards for the Anchorage Bowl. Table 21.06-1 (shown on page 3) does not apply in Eagle River, the CE-R-2M district does not contain a 2.5-story limit.

Section 21.10.040C.6., *CE-R-2M Mixed Residential District*

6. CE-R-2M: Mixed Residential District

* * *

b. District-Specific Standards

The following standards govern instead of the R-2M district-specific standards of section 21.04.020F.2.b.:

- i. Multifamily buildings shall contain no more than eight dwelling units per building.
- ii. On lots of one acre or more where more than one principal structure is allowed (see table 21.10-6), the development of two to four principal structures on a lot requires an administrative site plan review.
- iii. On lots of one acre or more where more than one principal structure is allowed (see table 21.10-6), the development of five or more principal structures on a lot shall be allowed through the planned unit development

Section 21.12.040: Nonconforming Structures

Chapter 12 of Title 21 regulates the continued existence of legal uses and structures that were established prior to the current regulations that no longer conform to the regulations. The acknowledgement and relief granted to existing property and structures provided in Chapter 12 are intended to minimize negative effects on development that was lawfully established prior to subsequent changes to the land use regulations.

21.10.040C. (New): Building Exceeding Maximum FAR

The proposed section recognizes that some existing buildings could become legally nonconforming as a result of the FAR bulk limits. Under the proposed FAR limits, this would be a small percentage of existing buildings. The proposed new subsection 21.10.040C. applies to any existing building that may become legally nonconforming as to FAR, and declares those buildings as conforming.

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

Section 21.12.040, *Nonconforming Structures (new subsection C.)*

* * *

C. Buildings Exceeding Maximum Floor Area Ratio (FAR)

1. If a lawful building erected prior to *(effective date of this ordinance)* does not comply with the requirements of this title with regard to floor area ratio (FAR), such building shall be deemed conforming with regard to FAR.

(Renumber subsequent subsections of 21.12.040.)

Section 21.14.040: Definitions:

Chapter 14 of Title 21 sets forth the terms and definitions used throughout the land use regulations.

"Floor Area Ratio"

No changes are proposed to the definition for FAR, except to add a residential example and accompanying illustration.

"Story, half"

The current term "Story, One-half" is shortened to "Story, half," and its definition amended, as it will no longer be used to support a 2.5-story height limitation in the R-2 districts.

Instead, its definition will support the FAR exemption for attics and "half-story" spaces on page 7. The new language is adapted from standard architectural dictionaries, the municipal property appraisal department's manual for describing half-stories, and other codes.

A new illustration is added for "half story."

Section 21.14.040, *Definitions*

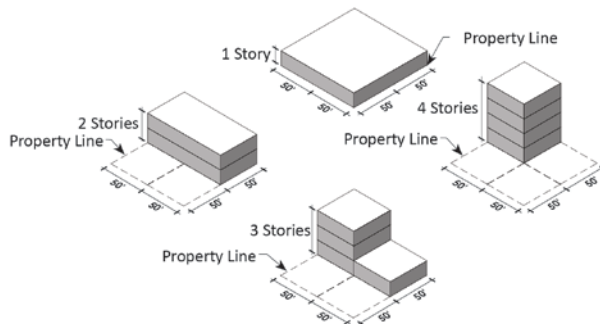
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Floor Area Ratio

The ratio of the total gross floor area of all building(s) on a lot, to the area of the lot. Floor area ratio is calculated by dividing the total gross floor area of all buildings on a lot by the area of the lot. For example, in the first illustration below, a floor area ratio of 1.0 yields 12,000 square feet of building gross floor area on a lot with an area of 12,000 square feet. A floor area ratio of 2.0 on the same lot would yield 24,000 square feet of building gross floor area. In the second illustration below, a floor area ratio of 0.5 yields 3,500 square feet of building gross floor area on a 7,000 square-foot lot: *(revise illustration as follows)*

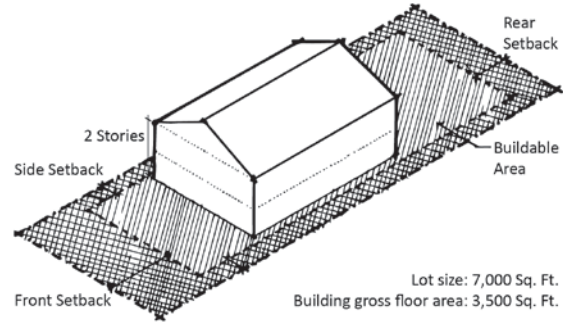
Floor Area Ratio (FAR) Example 1

Figures each depict a FAR of 1.0



Floor Area Ratio (FAR) Example 2

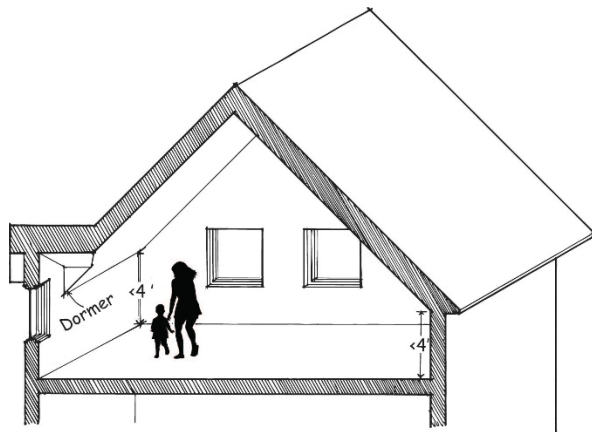
Figure depicts FAR of 0.5



* * *

Story, ~~One-Half~~

The uppermost story of a building, located within a sloping roof, in which the height of at least two opposite sidewalls, not including dormers, is less than four feet and the sloping ceiling replaces the upper part of these sidewalls. Half stories typically use dormer windows or windows located at the gable end-walls for natural lighting. A story under a gable, shed, or hipped roof, that that contains habitable floor area, including floor area under dormers, not exceeding 50 percent of the floor area of the floor below.



* * *

Railing, Open or Transparent

Any railing treatment that maintains a minimum of 75 percent transparency by using clear glass or similar transparent materials, or by openings between materials used in its construction that leave 75 percent of the vertical surface open.

* * *



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