

**Proposed Amendment # 5 to AO 2020-38, As Amended**

**AN ORDINANCE REPEALING AND AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21, LAND USE PLANNING, TO BRING THE EXISTING B-2A, B-2B, AND B-2C ZONING DISTRICTS FROM “OLD CODE” INTO “CURRENT CODE” TITLE 21, CREATE A NEW CHAPTER 21.11: DOWNTOWN, AND AMEND OTHER CHAPTERS AS NEEDED TO ADDRESS THE DOWNTOWN DISTRICTS.**

**Submitted by:** Assembly Member Weddleton

<b>PROPOSED AMENDMENT</b>
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**Purpose/Summary of Amendment 5:**

This floor amendment responds to a question from Assembly member John Weddleton regarding the wording of subsection 21.11.060D.1.f. in new Chapter 21.11, *Downtown*. The way this provision is worded is confusing and could make it difficult for users to understand what the requirement is. It seems to imply that if a building is too tall for the bonuses it has, the building size must be increased. However, that is not what provision was intended to mean.

This language was carried forward almost verbatim from the existing Downtown urban design amenities standards that have applied to bonus height under old Title 21 (Appendix A-1, page 127, paragraph “2” in Assembly Attachment 3). The language is intended to mean that proposed building additions must make up for any deficiencies in the amount of urban design amenities that the existing building has provided in order to earn its existing height. For example, if an existing building is five stories tall but provided only enough amenities to have earned four stories under the current bonus height standards, and the applicant is proposing to add a sixth story, then the applicant must not only provide enough amenities to earn the proposed sixth floor, but also make up for the amenities that would be needed to earn the fifth floor. This make-up requirement applies only when a building addition is proposed.

The floor amendment language on the following page clarifies the intended meaning of the existing language as it was applied under old Title 21, in order to avoid potential confusion among code users in context of the current Title 21.

**TEXT OF AMENDMENT 5**

(adding new language, [DELETING CURRENT CODE LANGUAGE] and [~~Deleting words proposed by the unamended AO that are not in current code~~])

**AO Section 11, page 46, beginning at Line 49**, at Section 21.11.060D.1.f., amend as follows:

D. *Bonus Height and Floor Area for Urban Design Amenities*

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1. Building floor area comprising additional stories may be constructed above the maximum building height allowed under table 21.11-4, subject to building tower bulk limits of table 21.11-5, by earning bonus gross floor area in return for amenities that improve and enhance downtown, as specified in table 21.11-6 below, provided the following:

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- f. **Proposed additions to existing buildings shall make up for [A]any deficiency in the amount of design amenities that the existing building has provided in order to earn its bonus floor area [in an existing building] which exceeds the base height set forth in Table 21.11-4. An amount of urban design amenities shall be provided with the building addition [FOR THE PARTICULAR ZONE SHALL BE MADE UP BY ANY ADDITION TO THAT BUILDING,]** so that the entire structure **comes into [is in]** compliance with the bonus requirements. This requirement does not apply to freestanding, separate buildings.

**Will there be any public or private economic effect to the proposed amendment?**

YES  NO (check one) **If yes, please detail below.**

No