





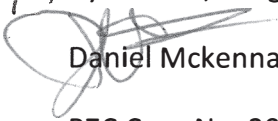
Municipality of Anchorage
Planning Department
Memorandum



Date: August 14, 2023

To: Planning & Zoning Commission

Thru:  Craig Lyon, Planning Director
 Ryan Yelle, Long-Range Planning Manager

From:  Daniel Mckenna-Foster, Senior Planner, Long-Range Planning Division

Subject: PZC Case No. 2023-0086, Ordinance Amending AMC Code Title 21, Land Use Planning, the Proposed Text Amendments for Chapter 11, Downtown

REQUEST

The Planning and Zoning Commission is requested to review and make a recommendation on the proposed text amendments for Title 21 Chapter 11, Downtown. The public hearing draft code, text amendments, and staff recommendation are included for your review and information. The Commission’s recommendations will be forwarded to the Assembly for consideration.

SUMMARY

On April 25, 2023, AO No. 2023-43, As Amended, was adopted to implement significant changes to Chapter 11 of Title 21. Since approval, the Planning Department has received feedback on potential points where clarification could be helpful in the adopted code. The table below describes the proposed changes by section and explanation:

Section of AO	Code Section	Change	Why?
1.	21.02.020, <i>Table of Decision and Review Authority</i> 21.02.030, <i>Planning and Zoning Commission</i>	<ul style="list-style-type: none"> • Renumber superscripts, footnotes, clarify that design variances go to UDC and dimensional variances go to ZBEA. • Delete sections that were specific to certain square footages, assign variance responsibility to all B-2A, B-2B, and B-2C development sites. 	Which boards/commissions hear which types of cases changed slightly and so the footnote references needed to be changed. Clarity & lack of clear justification for why there were special rules for development sites above and below 26,000 SF.

	Code Section	Change	Why?
2.	21.03.240, <i>Variances</i>	<ul style="list-style-type: none"> Send most dimensional standard variances to ZBEA, and design variances to UDC. Remove requirement for bulk and lot coverage variances because those types of standards no longer exist in Chapter 11: Downtown. 	Clarity
3.	21.06.030, <i>Dimensional Standards and Measurements Regulations</i>	<ul style="list-style-type: none"> Correct reference to airport height standards in 21.06. 	General correction to broken link in code.
4.	21.11.050, <i>Use Regulations & Table of Allowed Uses</i>	<ul style="list-style-type: none"> Allow parking structures as permitted uses. Change Marijuana testing from P (permitted) to T (special land use permit for marijuana). Clarify requirements for attached single family—must be alley accessed and must be on lots smaller than 2,000 SF. Remove use specific standards for commercial uses in Downtown. Remove use specific standards for parking lots in Downtown. 	<p>Omission of permitted parking was a mistake from the production process.</p> <p>Marijuana testing facilities are T in every other zone.</p> <p>Clarification of how standards apply to attached single family housing.</p> <p>Downtown-specific commercial use standards from Chapter 7 removed because Chapter 11 has its own standards.</p> <p>Parking lot use standards removed because a new use (parking structure) was added to the use table.</p>
5.	21.11.060, <i>Dimensional Standards for Sites and Buildings</i>	<ul style="list-style-type: none"> Correct reference to airport height standards in 21.06. 	Correction to broken link in code.
6.	21.11.070, <i>Development and Design Standards</i>	<ul style="list-style-type: none"> Change table 21.11-6 to include ROW with an exact width of 70'. Clarify that only 20' or 10% of a bulk reduction area is <i>allowed</i> to touch the façade. 	<ul style="list-style-type: none"> The previous language left a gap where there was no provision for instances when ROW was exactly 70'. The frontage section was not clear.

	Code Section	Change	Why?
		<ul style="list-style-type: none"> Delete restriction that towers couldn't be closer than 20' from each other Add information about building entries—clarify that these standards apply only when entries are recessed, and only when entries are under 10' wide. Delete text about snow guard applying to window calculations. Tree grates: clarify that grates are only required for trees in areas impacted by pedestrian circulation 	<ul style="list-style-type: none"> The tower separation restriction complicated development. The snow guard window calculation referred to a calculation by area, when these are done by length.
7.	21.13.050, <i>Nonconforming Lots of Record</i>	<ul style="list-style-type: none"> Exempt B2A, B-2B, and B-2C, since all lot sizes are legal now. 	<ul style="list-style-type: none"> Clarity
8.	21.15.040, <i>Definitions</i>	<ul style="list-style-type: none"> Change text to reflect that a tower is the section above the height thresholds adopted in 21.11.070C.2.a.i. 	<ul style="list-style-type: none"> Clarity

COMMENTS RECEIVED

Four agency comments of *no comment* or *objection* were received from (1) the Alaska Department of Transportation and Public Facilities and the MOA's (2) Traffic Department, (3) Development Services' Right-of-Way Section, and (4) Development Services' Addressing Section.

DEPARTMENT RECOMMENDATION

The Planning Department recommends approval to the Anchorage Assembly of PZC Case No. 2023-0086, the technical edits to Title 21 regarding the Downtown Code Update.

RECOMMENDED FINDINGS

1. The Planning and Zoning Commission held a public hearing on Case No. 2023-0086 at its August 14, 2023 meeting.

2. Goal 3-1 of the *Anchorage 2040 Land Use Plan* calls for amending Title 21 to simplify zoning regulations for mixed-use projects relative to commercial or other projects.
3. Clarifying code can help simplify development, and Goal LU-7 of the *Our Downtown Plan* calls for incentivizing the reuse and renovation of existing buildings to reduce landfill impacts and costs to help retain the historic fabric of Downtown

Attachment: 1. Draft Assembly Ordinance (Code Amendment)
2. Comments Received