

# **Zoning Code Amendment Language (Annotated)**

## **Title 21 Text Amendment to R-2 Zones Height and Bulk Standards**

**PZC Case No. 2021-0111**

**Public Hearing Draft with changes  
approved by PZC on December 6, 2021**

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# Zoning Code Amendment Language (Annotated)

This *Zoning Code Amendment Language (Annotated)* document presents the draft Title 21 text amendments to the R-2 height and bulk standards as recommended by the Planning and Zoning Commission, accompanied by supporting information, explanation, and illustrations.

The text amendments in this document are the same text amendments as provided in the *Draft Assembly Ordinance*, except they are shaded in light brown to be easier to see.

All text amendments are arranged in order they appear in *Anchorage's Title 21 Zoning Ordinance*. Only sections of the zoning ordinance that are being amended are included. Proposed new zoning ordinance sections are marked “(New)” below:

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## How to Read this Document

Amended code language appears on the right-hand pages (numbered pages) and annotation on left-hand pages. The annotation explains 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.

Proposed changes to zoning code language (called “amendments”) appear as “tracked changes” text with a shaded background, as follows:

- Added code language is underlined.
- Deleted language is in [ALL-CAPITALIZED TEXT IN BRACKETS].
- Text without tracked-changes/shaded background 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 row with three sets of 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.

## **ANNOTATION FOR PAGE 1**

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

An amendment is proposed to Title 21 Section 21.03.120B.1.a, *Minor Modifications - Applicability*, to include "step-back and building length requirements" to the list of allowed types of minor modifications. This will allow the Planning Director to approve minor deviations from height/bulk transition requirements in Title 21 including from the new height/bulk transition requirement proposed on page 7 of this document for where 3-story buildings are allowed in the R-2 zones.

In general, Title 21 allows for "minor modifications" as a form of administrative relief from certain dimensional standards (e.g., setbacks) when the size of the modification requested is only a small deviation from the dimensional standard, and adverse effects on nearby properties are unlikely, making it unnecessary to undergo a variance approval process. Minor modifications are limited to a maximum of five percent from the development standards and require the Planning Department to document the approval and its rationale in the building permit file.

### **Section 21.03.180F.: Site Plan Review - Approval Criteria**

An amendment to the Title 21 site plan review approval criteria is proposed on lines 14 - 23 of the next page. The amendment creates an exception from the generally applicable approval criteria for site plan reviews, by which developments seeking entitlement to 3-story buildings in the R-2 districts through an administrative site plan review shall be subject to the set of approval criteria specific to that purpose as proposed on page 9 below.

### **Section 21.03.240J.: Administrative Variances**

An administrative variance from the proposed 3-story building step-back requirement and building length limitation (page 7) is added to provide a more substantial form of administrative relief if topography or other site characteristic creates a hardship in meeting the step-back requirement. Administrative variances are approved by the Planning Director rather than a board or commission.

The proposed approval criteria (lines 32 - 43) are consistent with the approval criteria of other variances in Section 21.03.240.

1 **CHAPTER 21.03: REVIEW AND APPROVAL PROCEDURES**

2 \*\*\* \*\*

3 **21.03.120 Minor Modifications**

4 \*\*\* \*\*

5 **B. Applicability**

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

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

- 11 **a.** Minimum lot area, [OR] setback, step-back, or building length requirements set forth  
12 in chapter 21.06, Dimensional Standards and Measurements;

13 \*\*\* \*\*

14 **21.03.180 Site Plan Review**

15 \*\*\* \*\*

16 **F. Approval Criteria – General**

17 Except as provided otherwise in G., [A]an application for administrative or major site plan review  
18 shall be approved upon a finding that the site plan meets all of the following criteria:

19 \*\*\* \*\*

20 *(The following inserts a new subsection G. and rennumbers existing subsections G. and H.:)*

21 **G. Approval Criteria – Topic-Specific Site Plan Reviews**

- 22 **1.** Administrative site plan review approval criteria for proposals to exceed the two-and-one-  
23 half story height limit in the R-2A, R-2D, and R-2M districts are listed in 21.06.030D.7.d.

24 \*\*\* \*\*

25 **21.03.240 Variances**

26 \*\*\* \*\*

27 **J. Administrative Variances**

28 \*\*\* \*\*

29 **6. For Height Encroachments into Step-backs and Step-back Planes**

30 The director may grant an administrative variance from height/bulk transition requirements  
31 including building height step-back planes or limitations on building elevation length in  
32 Chapter 21.06, provided:

- 33 **a.** There exist physical circumstances of the subject property such as topography or  
34 exceptional lot configuration not shared by landowners in general;

- 35 **b.** Because of these physical circumstances, the strict application of the height/bulk  
36 transition or step-back plane would create an exceptional or undue hardship upon  
37 the property owner, and would deprive the applicant of rights commonly enjoyed  
38 by other properties in the same district under the terms of the zoning ordinance;

- 39 **c.** The hardship is not self-imposed, the special conditions and circumstances do not  
40 result from the actions of the applicant, and such conditions and circumstances do  
41 not merely constitute inconvenience; and

- 42 **d.** The administrative variance granted is the minimum deviation or encroachment  
43 necessary to address the hardship and development rights, and will cause the  
44 least interference possible with the intended protections for adjacent properties.

45 \*\*\* \*\*

## ANNOTATION FOR PAGE 2

### Section 21.04.020F.: R-2M District-Specific Standards

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

The R-2M district-specific standards apply in addition to the generally applicable regulations found elsewhere in Title 21. As shown on lines 18-21 next page, this ordinance carries forward current district-specific standards a. and b. which limit how many dwelling units can be in a multifamily building and the length of multifamily buildings in the R-2M district, to keep all buildings compatible in scale in a mixed single-family/two-family neighborhood environment.

#### F.2.c.: Proposed New District-Specific Standard

Currently the R-2M district requires a 5-foot side yard setback for single-family, two-family, and townhouse<sup>1</sup> uses, and a 10-foot side yard setback for multifamily uses (3 or more units on a lot). The setback requirements can be seen on page 3 of this ordinance. The 10-foot setback for multifamily structures is intended to mitigate the massing of larger multi-unit structures.

Lines 22-30 of the next page (page 2) propose a new subsection c. in the R-2M district-specific standards that would allow the side yard setback for small multifamily buildings to be reduced from 10 feet to 5 feet, if the multifamily building's end wall length along the side lot line is similar with the length of typical new single-family, two-family (duplex), or townhouse use.

For example, the end wall of a multifamily building containing a row of attached townhouse-style residences, as it faces the side lot line, will sometimes have a similar length and height as the side-facing wall of a typical attached single-family or duplex unit. In such cases, the multifamily building bulk is no more impactful on abutting properties than an attached single-family or duplex residence would be. There is not much rationale for requiring the multifamily building to have a wider side setback in such a case. A 10-foot side setback can be a barrier against the construction of three or more units on a lot in the R-2M zone, because wider setbacks reduce the width of the buildable area of the lot.

The maximum length of 72 feet in subsection c.i. (lines 25-26) approximates the typical side-wall length of a typical new home, attached single-family residence, or duplex with a front or rear garage, based on measurements of example developments. The maximum length of 48 feet in subsection c.ii. (lines 27-30) accommodates three typical 24-foot-wide townhouse units in a row.

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<sup>1</sup> In Title 21, a townhouse use is a building with three or more dwelling units attached in a row, in which each unit is on its own lot, so that the party walls between the units fall on the lot lines. Three or more dwelling units all located on the same lot, even if the units are attached in a row, are a multifamily use.

**CHAPTER 21.04: ZONING DISTRICTS**

\*\*\*      \*\*\*      \*\*\*

**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**

a. Residential buildings shall contain no more than eight dwelling units.

b. The maximum length of a building elevation that is two and a half stories or more in height at any point shall be 150 feet. Otherwise, the maximum length shall be 180 feet.

c. The minimum side setback established in Table 21.06-1 for multifamily dwellings in the R-2M district is reduced from 10 feet to 5 feet, provided the building elevation facing the side lot line is:

i. No more than 72 feet in length, in order to be compatible in scale to a single-family dwelling or duplex; or

ii. No more than 48 feet in length without a recess in its wall plane, such that the remaining portion of the building elevation has a minimum side setback of at least 15 feet, in order to appear as an arrangement of smaller, connected structures with backyard space.

\*\*\*      \*\*\*      \*\*\*

## **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 next page is an excerpt from Table 21.06-1 that contains the dimensional standards for only the R-2A, R-2D, and R-2M zones.

#### **Maximum Height of Structures**

The maximum allowed height of structures is established in the right-hand column of the table. The current height limit in the R-2 zones is 30 feet, not to exceed two-and-one-half ( $2\frac{1}{2}$ ) stories. A story is defined in the current Title 21 as "That portion of a building included between the upper surface of a floor and the upper surface of the next floor or roof above." A building with  $2\frac{1}{2}$  stories means the building has two full stories and the third story is an attic-like living space tucked under the pitched roof.

The changes in the far right-hand column of the table on the next page would allow for 3-story buildings as exceptions in certain locations under certain conditions, and subject to additional height and bulk transition standards. These locations and conditions are set forth in the referenced code section 21.06.030D.7. that is proposed on pages 6 through 9.

#### **Side Setbacks for Multifamily Uses in R-2M Zone**

The changes to the R-2M zoning district multifamily side setbacks would allow for five-foot setbacks under certain conditions, which are set forth in the referenced section on page 2 of this document.



1 **CHAPTER 21.06: DIMENSIONAL STANDARDS**

2 \*\*\* \*\*

3 **21.06.020 Dimensional Standards Tables**

4 \*\*\* \*\*

5 **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 <sup>1</sup>		Max lot coverage (%)	Min. Setback Requirements (ft)			Max number of principal structures per lot or tract <sup>2</sup>	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	Principal: 30, not to exceed two and one-half stories, <u>except where three stories are allowed per 21.06.030D.7.</u>  Accessory garages/carports: 25 Other accessory: 12
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	
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	Principal: 30, not to exceed two and one-half stories, <u>except where three stories are allowed per 21.06.030D.7.</u>  Accessory garages/carports: 25 Other accessory: 12
Dwelling, two-family	6,000	50	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	
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	Principal: 30, not to exceed two and one-half stories, <u>except where three stories are allowed per 21.06.030D.7.</u>  Accessory garages/carports: 25 Other accessory: 12
Dwelling, two-family	6,000	50	40	20	5	10	1	
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	
Dwelling, multifamily (up to 8 units permitted per building)	8,500 + 2,300 for every unit over 3	50	40	20	10, <u>except where 5 is allowed as provided in 21.04.020F.2.c.</u>	10	More than one principal structure may be allowed on any lot or tract in accordance with subsection 21.07.110F.2.	
Dwelling, multifamily, with single- or two-family style construction of multiple buildings on a lot	3,000 per unit	50	40	20	10, <u>except where 5 is allowed as provided in 21.04.020F.2.c.</u>	10		
All other uses	6,000	50	40	20	5	10		
***    ***    ***								

## ANNOTATION FOR PAGE 4

### Section 21.06.030D.6.c.: Height Exceptions

Title 21 allows building appurtenances like antennas, chimneys, and rooftop access enclosures to exceed the maximum allowed building height, within limitations to address potential impacts.

The changes on the next page are proposed to mitigate the potential impacts of amendments in this ordinance that enable construction of 3-story, flat-roofed buildings with rooftop access in the R-2 zones. They primarily address rooftop stairwells, elevator enclosures, and parapet walls.

#### Height of Rooftop Access Enclosures and Parapet Walls

Currently, subsection 21.06.030D.6.iv. allows rooftop stairwells and mechanical enclosures to exceed the R-2 zones' 30-foot height limit by 15 feet. Rooftop elevator access enclosures may exceed by 25 feet. The proposed changes to subsection iv. on lines 33-35 reduce the exception for stairwells to 12 feet and for elevators to 18 feet. These revised dimensions are based on consultations with municipal building review staff, homebuilders and designers, municipal elevator inspectors, and local elevator installation companies regarding the height needs of rooftop access stairwells and elevator enclosures commonly used on 2- to 3-story residential buildings.

On lines 36-42 of subsection iv., the height exception for rooftop parapet walls in the R-2 districts is proposed to be reduced from 4 to a maximum allowed height of 2 feet. Parapet walls are low protective walls at the edge of the roof. They form the part of the building's exterior wall that rises above the flat rooftop. Parapets increase the height of flat-roofed buildings, so they increase bulk and shadowing impacts. The proposed 2-foot limit reflects consultations with building and design experts regarding how much clearance parapets need above the flat roof surface while still

accommodating open or transparent safety railings mounted to the parapet. Page 11 of this ordinance provides a definition for open and transparent railings.



Transparent railing on left and solid parapet at right.

#### Stairwell Enclosure Setbacks from Front Façade Walls

Lines 44-46 would require stairwell and elevator enclosures above the 30-foot height limit in the R-2 zones to be set back at least 4 feet from the front street-facing building façade wall. This is intended to ensure that the front façade wall is no taller than 3 stories and the 12- to 18-foot access enclosure on top of it visually appears as a separate mass farther away, as pictured above.

1 **CHAPTER 21.06: DIMENSIONAL STANDARDS**

2 \*\*\* \*\*

3 **21.06.030 Measurements and Exceptions**

4 \*\*\* \*\*

5 **D. Height**

6 \*\*\* \*\*

7 **6. Height Exceptions**

8 \*\*\* \*\*

9 c. Except as specifically provided elsewhere in this title, the height limitations  
10 contained in this chapter do not apply to appurtenances on buildings, such as  
11 spires and similar religious appurtenances, belfries, cupolas, flagpoles, chimneys,  
12 antennas, rooftop mechanical equipment and its screening, stairwell  
13 and[TOWERS,] elevator enclosures[PENTHOUSES], parapets, firewalls, open or  
14 transparent railings, solar reflectors, photovoltaic panels, skylights, or similar  
15 appurtenances; provided, however, the following:

16 i. The appurtenance does not interfere with Federal Aviation Regulations,  
17 Part 77, Objects Affecting Navigable Airspace[.];]

18 ii. Enclosure[THE] appurtenances such as stairwells, elevators, mechanical  
19 enclosures, and skylights cumulatively cover no more than one-third of the  
20 roof area of the building, except that when it has been demonstrated to the  
21 director and the building official that building HVAC requirements  
22 necessitate a larger mechanical enclosure[PENTHOUSE], the  
23 appurtenances may cumulatively cover up to one-half of the roof area.

24 iii. The appurtenance is not constructed for the purpose of providing  
25 additional floor area, usable space, or storage room for the building,  
26 except that a storage room of 60 square feet or less, combined with[ A]  
27 stairwell [TOWER ]or elevator enclosures[HOUSING], and directly related  
28 to a rooftop use (such as tool storage for a rooftop garden), is allowed[.];  
29 AND]

30 iv. The appurtenance does not exceed the height limit of the district by more  
31 than 12 feet in the R-2A, R-2D, and R-2M zoning districts and up 15 feet  
32 otherwise, with the following exceptions:

33 \*\*\* \*\*

34 (D) Elevator enclosures[PENTHOUSES] may exceed by up to 18 feet  
35 on residential buildings in the R-2A, R-2D, and R-2M zoning  
36 districts and up to 25 feet otherwise.[:]

37 (E) Parapets, required fire-resistant rated walls[FIREWALLS], and  
38 skylights may exceed by up to two feet on residential buildings in  
39 the R-2A, R-2D, and R-2M zoning districts and up to four feet  
40 otherwise.

41 (F) Any railing or portion of a railing that exceeds the maximum  
42 allowed parapet height in (E) shall be an open or transparent  
43 railing as defined in section 21.15.040.

44 v. Rooftop stairwell and elevator enclosures in the R-2A, R-2D, and R-2M  
45 districts are set back from the perimeter of street-facing building façade  
46 walls by at least four feet.

47 \*\*\* \*\*

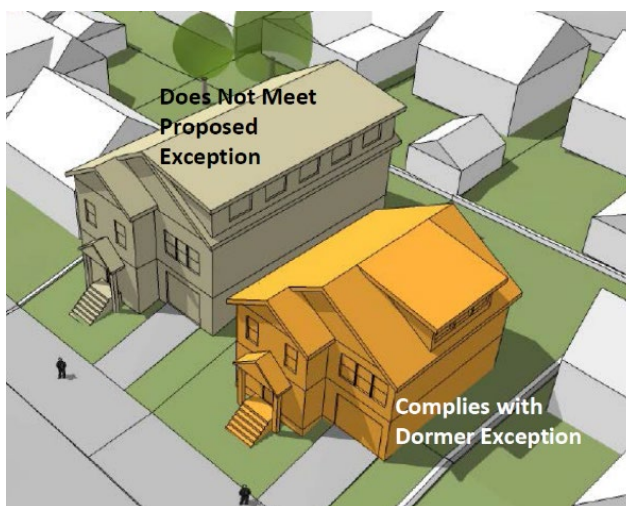
## ANNOTATION FOR PAGE 5

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

The amendments on the next page establish a height exception for dormers. This change clarifies the ground rules and eliminates a potential regulatory barrier against third floors being tucked under pitched roofs as half-story attic living spaces.

Currently, Title 21 does not list dormers as a height exception. A dormer typically sits above the lowest eave of the main roof. For this reason, the midpoint of a dormer's roof is sometimes higher than the midpoint of the building's main roof. Since Title 21 measures building height based on the midpoint of the highest roof surface, some dormer configurations can trigger Title 21 to measure the building as being taller than its main roof form when it has a dormer.

The proposed height exception would accommodate dormers that are sized to remain a secondary roof mass and not cover the entire top floor. Wall dormers, whose facial wall plane is flush with the building wall below, would be exempted from the height limit calculation if they comprise no more than 33 percent of the total length of the roof form they project from. Dormers whose facial wall plane is stepped back from the building wall below them can comprise up to 75 percent of the length of the roof form and still be exempted.



Half-story attic living spaces with dormers can help larger structures compliment the neighborhood residential scale. When the third floor is tucked into a pitched roof with dormers, the building appears less bulky and can fit in better with existing neighborhood scale. Dormers help make attic living spaces function as they add useable space, windows, and daylighting.

## CHAPTER 21.06: DIMENSIONAL STANDARDS

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### 21.06.030 Measurements and Exceptions

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#### D. Height

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##### 6. Height Exceptions

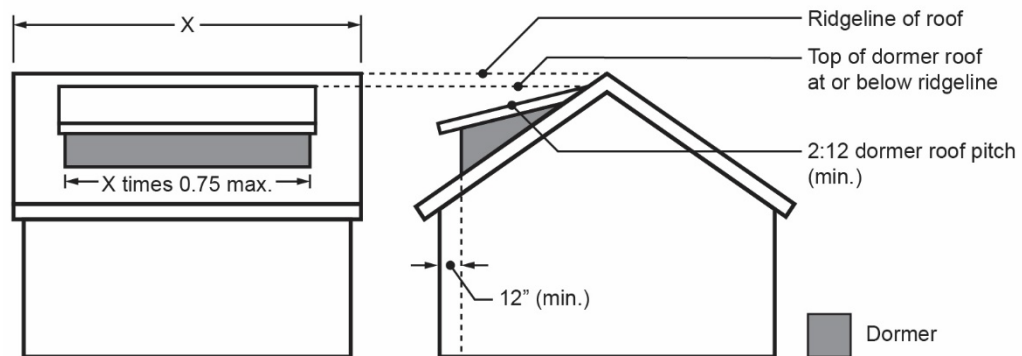
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e. Dormers that meet subsection i. below and have a total width of not more than 33 percent of the width of the roof form from which the dormers(s) project may extend above the height limit. Dormers with a total width greater than 33 percent may extend 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 main roof;

ii. The walls of the dormer are stepped back at least one foot from the exterior wall plane of the floor below, including from end-of-house corner walls/gable end walls; and

iii. The total 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.: Three-story Entitlements in R-2 Zoning Districts (new)**

The amendments on page 6 propose a new subsection of the height regulations to allow three-story buildings as exceptions to the  $2\frac{1}{2}$ -story limit in the R-2 zones, in locations and situations that are most likely to provide housing opportunities while minimizing height and bulk impacts within existing R-2 neighborhoods.

Subsection b. on the next page would allow 3-story buildings as exceptions on certain kinds of sites: large development sites, at *transitions* to higher-intensity zoning districts, and other low-impact locations that minimize height and bulk impacts within existing R-2 neighborhoods. Residences in these locations would be allowed to be 3 stories through the regular building and land use permit process, subject to additional height and bulk transition standards (see page 7):

- i. **Large development sites** at least  $\frac{1}{2}$  acre (21,780 square feet) in size: These sites have enough space to accommodate multiple residential buildings and are the most likely to yield more housing because of the spatial efficiencies afforded by 3-story buildings. They also comprise most of the remaining buildable R-2 zoned land capacity for housing within the R-2 districts. Sites  $\frac{1}{2}$  acre or larger in size are not commonly located within existing R-2 neighborhood blocks, so 3-story buildings on these lots will have less impacts.
- ii. **Transitional sites** located adjacent to a multifamily district, or a commercial or industrial district abutting at the side lot line or facing across the local or collector street <sup>2</sup>. These sites can provide a transition in scale to the rest of the R-2 neighborhood. Their peripheral locations minimize impacts to the interior of existing R-2 neighborhoods. Transition sites are also strategic because they can support more housing opportunities next to employment, services, and public transit routes.
- iii. **Other low-impact sites** adjacent only to non-residential uses such as schools or parks, or to existing three-story residential uses. These sites are considered least likely to impact neighboring R-2 residences.

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<sup>2</sup> R-2 lots separated from higher-intensity zones by greenbelts, major arterial roadways, or other major geographic barriers are not considered transitional. R-2 lots that only back up to the higher-intensity zone at their rear lot line or across an alley are also not considered transitional, as their only relationship along their front and side lot lines is to their R-2 residential street block.

1 **CHAPTER 21.06: DIMENSIONAL STANDARDS**

2 \*\*\* \*\*

3 **21.06.030 Measurements and Exceptions**

4 \*\*\* \*\*

5 **D. Height**

6 \*\*\* \*\*

7 *(The following inserts a new subsection 7. and renumbers existing subsections 7. Through 9.:)*

8 **7. Three-story Entitlement in R-2A, R-2D, and R-2M Zoning Districts**

9 **a. Purpose**

10 The intent of this section is to allow three-story buildings in the R-2 zoning districts  
11 at transitions to higher-intensity zones or in locations that minimize bulk,  
12 shadowing, privacy, and character impacts on R-2 zoned residential  
13 neighborhoods.

14 **b. Three-story Entitlement on Large or Transitional Sites**

15 Development sites that meet one or more of criteria i. to iii. are exempt from the  
16 two-and-one-half story limit in Table 21.06-1, provided all structures meet the 30-  
17 foot height limit and provide the height/bulk transition described in subsection c.:

18 **i.** The development site is at least 1/2 acre;

19 **ii.** The site is located at a transition to an R-3, R-3A, R-4, R-4A, RO, B-1B,  
20 B-3, I-1, or I-2 zoning district, either abutting at its side lot line (except not  
21 the side lot line opposite the primary front lot line on a corner lot), or  
22 adjacent facing across a local or collector street (except not a secondary  
23 frontage opposite the primary frontage on a double-fronted lot); or

24 **iii.** The site is adjacent only to non-residential or three-story residential uses.



**Section 21.06.030D.7.: Three-story Entitlements in R-2 Zoning Districts (cont'd)**

***Subsection c., Height/Bulk Transition***

Subsection c. on the next page propose that the 3-story buildings allowed by the amendments on page 6 must provide a transition in height and bulk to neighboring residences, to minimize bulk, shadowing, privacy, and neighborhood scale/character impacts on existing R-2 neighborhoods. The transition requirement would apply where the development site's exterior lot lines are adjacent to residential properties located in the R-2 districts and other low-density residential zones. The transition standards are described below. It would not apply along lot lines shared with residences in R-3, R-4, or non-residential zones. Exceptions, administrative relief, and flexibility from the height and bulk transition requirements are provided on page 8.

***Subsection c.i.: Step-back Plane:***

Three-story buildings would be required to be stepped back, set back further, or their rooftops sloped away from the adjacent residential lots, to avoid encroaching into a step-back "plane." The step-back would be measured starting from 20 feet above grade at the lot line of the development site and rising inward over the site at an 8:12 rise-to-run angle. This step-back measurement re-creates the approximate height of a 2½-story building built to its minimum side yard setback from the neighboring lots. This is intended to achieve the following:

- a) Protects a similar minimum level of sunlight access, daylighting, privacy, and building scale mitigation for neighboring lots as the 2½-story limit provides; and
- b) Allows a similar building bulk entitlement along the shared lot line for the builder as the 2½-story limit provides. For example, the step-back plane provides enough space to accommodate a typical attic/half-story living space above the second story.

***Subsection c.ii.: Maximum Sidewall Length:***

There would be a limitation on the length of the 3-story portion of a building wall facing an adjacent residential lot. This mitigates potential impacts of long, 3-story buildings extending most of the depth of the lot becoming more frequent and eliminating backyards. This could affect neighboring lots' backyards and break from moderate-scale R-2 development patterns.

The proposed maximum length of 70 percent of lot depth would allow for 3-story building length of 98 feet on a standard urban 140-foot lot depth. For example, that should allow for a 4-unit townhouse structure on a 140-foot lot depth, where the individual townhouse units are 24 feet wide (4x24=96 feet). That would preserve 22 feet of backyard to the rear lot line.



**CHAPTER 21.06: DIMENSIONAL STANDARDS**

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**21.06.030 Measurements and Exceptions**

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**D. Height**

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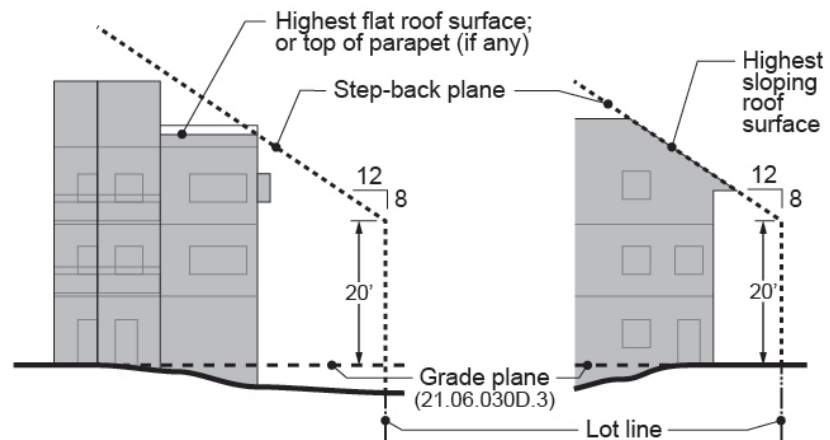
**7. Three-story Entitlement in R-2A, R-2D, and R-2M Zoning Districts**

\*\*\* \*\*

**c. Height/Bulk Transition Standards**

Three-story buildings shall provide a transition in height to neighboring residences. This transition requirement applies where the development site's lot lines are adjacent to residentially zoned properties not listed in 21.06.030D.7.b.ii. and b.iii. The transition requirement is as follows:

- i. Buildings shall not encroach into a step-back plane measured starting from 20 feet above the grade plane established in 21.06.030D.3., Grade Plane, at the lot lines of the development site, and rising inward over the site at an 8:12 rise-to-run angle.



- ii. The three-story portion(s) of building elevation(s) facing a side lot line shall have a length no more than 70 percent of the lot depth.

## ANNOTATION FOR PAGE 8

### **Section 21.06.030D.7.: Three-story Entitlements in R-2 Zoning Districts (cont'd)**

The amendments on page 8 continue the new subsection D.7. for three-story building entitlements from the previous two pages.

#### **Subsection d., *Exceptions to Height/Bulk Transition***

The proposed exemptions i., ii., and iii., on lines 12-18 from the step-back requirement are intended to allow the kinds of building appurtenances and features as allowed under the current 2½-story height limit. Most roof appurtenances such as chimneys, antennae, and dormers are allowed to exceed the 2½-story height limit, for example.

Exception iii., gable ends of sloping roof forms, is currently allowed as part of 2½-story home.

Parapets and stairwell enclosures on top of three-story structures are not exempted. This is because a parapet wall or the long axis of a 12-foot stairwell enclosure, when placed atop the newly allowed three-story flat roofed buildings, would create greater shadowing impacts than a 2½-story building does, and would thwart the proposed step-back requirement on page 7.

#### **Subsections d.iv. and d.v., *Administrative Relief and Flexibility***

Item iv. on lines 19-20 provides two forms of administrative relief from the height/bulk transition requirements: minor modifications and administrative variances. Item v. on lines 21-22 provides access to administrative flexibility through the Title 21 alternative equivalent compliance procedure.

- **Minor Modifications:** Allows small deviations of up to five percent from the dimensional requirements of the step-back plane or maximum length requirements on page 7, through the Minor Modifications procedure in Title 21 section 21.03.120.
- **Administrative Variances:** Allows larger deviations or exceptions from the step-back plane or maximum length requirements in cases of hardship due to topography or other challenging site characteristics, by adding an Administrative Variance procedure for this purpose in Title 21 Section 21.03.240J.
- **Alternative Equivalent Compliance:** Allows developers and designers to propose a different way to achieve the intent of the height/bulk transition, through the Alternative Equivalent Compliance procedure in Title 21 Section 21.07.0010D.

These changes coordinate with the amendments shown on page 1. See also the annotation for page 1.

## CHAPTER 21.06: DIMENSIONAL STANDARDS

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### 21.06.030 Measurements and Exceptions

\*\*\* \*\*

#### D. Height

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#### 7. Three-story Entitlement in R-2A, R-2D, and R-2M Zoning Districts

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##### d. Exceptions to Height/Bulk Transition

The following exceptions are allowed to the height/bulk transition standards in c., including encroachments above the step-back plane:

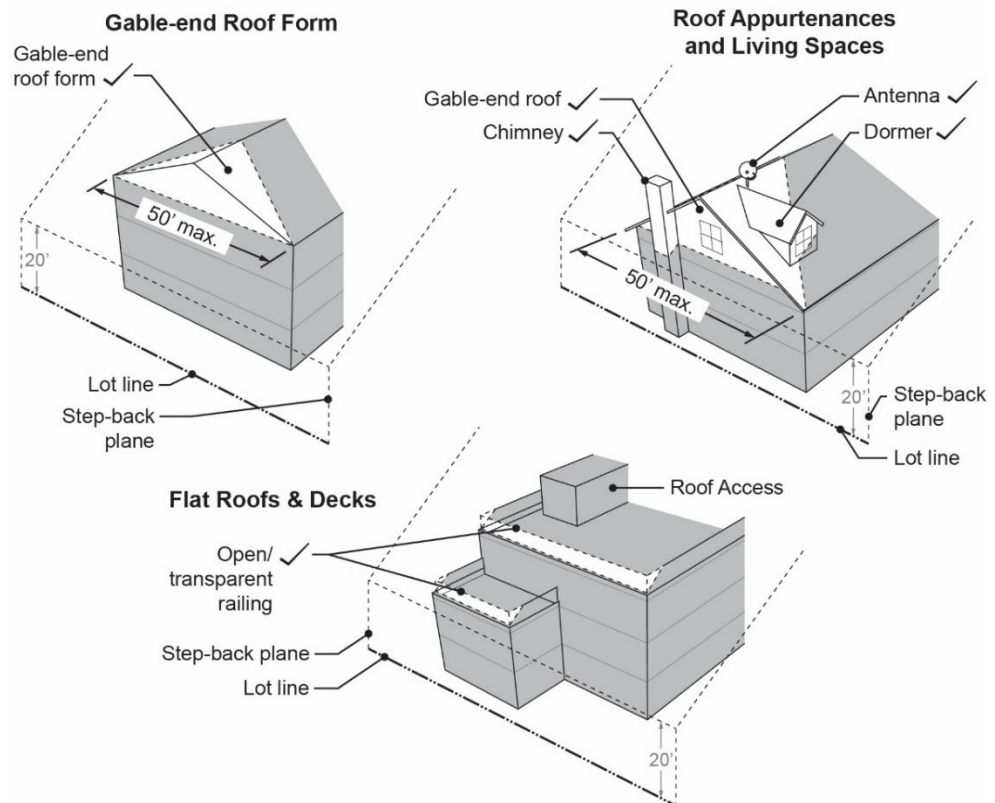
i. Incidental architectural features listed in subsection 21.06.030C.2.d.

ii. Building appurtenances and dormers listed as height exceptions in subsection 21.06.030D.6., except parapet walls and rooftop stairwell, elevator, and mechanical enclosures are not exempt, as illustrated below.

iii. Gable ends of sloping roof forms, provided the portion of the gable end that penetrates above the step-back plane, including any roof overhang, has a maximum width of 50 feet or less, as illustrated below.

iv. Encroachments approved through the minor modifications process in 21.03.120B., or the administrative variance process in 21.03.240J.6.

v. The alternative equivalent compliance procedure in section 21.07.010D. may be used to propose alternatives to the standards in c.



## ANNOTATION FOR PAGE 9

### Section 21.06.030D.7.: Three-story Entitlements in R-2 Zoning Districts (cont'd)

The amendments on page 9 complete the new subsection D.7. for three-story building entitlements from the previous pages.

#### **Subsection d., *Three-Story Entitlement through Administrative Site Plan Review***

Subsection d. on the next page would provide applicants with an avenue to propose 3-story buildings on properties not exempted on page 6 from the 2½-story limit, through the Administrative Site Plan Review procedure in Title 21 Section 21.03.180. Subsection d. includes a new set of site plan approval criteria tailored to address 3-story building massing impacts within existing neighborhoods in the R-2 districts. The Planning Director has the discretion to require design features and massing limitations to ensure that three-story buildings are designed sensitively to the site conditions and for compatibility with surrounding neighbors.

Following are some examples of ways to address each of the proposed administrative site plan review approval criteria iii. through vi. on the next page. The content below is intended to be further developed and illustrated into a how-to/informational handout to assist applicants and the public. Additionally, an updated version of the administrative site plan review application form will be provided to reflect these approval criteria.

- i. Ways to address approval criteria iii. could include providing a larger setback, a step-back in building height, placing rooftop stairwell towers further away from neighboring properties, breaking up the upper-level massing into smaller forms allowing sunlight penetration in between, or sensitive placement of the three-story mass.
- ii. Ways to address approval criteria iv. could include limiting building length next to side lot lines shared with abutting residences, modulating long building walls to visually break up the building massing, or recessing part of the building to provide yard space across the fence from neighboring backyards.
- iii. Ways to address approval criteria v. could include providing primary entrances no higher than six feet above grade plane, ground-floor windows, or amply wide ground-floor entry porches or stoops highlighted by roof forms, side light windows, or wall articulation.
- iv. Ways to address approval criteria vi. could include the placement of three-story buildings in relation to neighboring the size and placement of windows and rooftop decks, and placement of upper-level exterior lighting to avoid spillover glare.



1 **CHAPTER 21.06: DIMENSIONAL STANDARDS**

2 \*\*\* \*\*

3 **21.06.030 Measurements and Exceptions**

4 \*\*\* \*\*

5 **D. Height**

6 \*\*\* \*\*

7 **7. Three-story Entitlement in R-2A, R-2D, and R-2M Zoning Districts**

8 \*\*\* \*\*

9 **e. Three-story Entitlement through Administrative Site Plan Review**

10 Developments on sites that do not meet the criteria in 21.06.030D.7.b. may  
11 propose to exceed the two-and-one-half story limit through the administrative site  
12 plan review process in 21.03.180, subject to the following set of approval criteria,  
13 and provided the height/bulk transition standards in 21.06.030D.7.c. and d. are  
14 met. The following approval criteria apply instead of the generally applicable site  
15 plan review approval criteria in 21.03.180F., in order to limit the scope of design  
16 characteristics to be reviewed and provide clearer criteria:

17 **i.** The site plan is consistent with any previously approved subdivision plat,  
18 planned development master plan, or any other precedent plan or land  
19 use approval;

20 **ii.** The site plan complies with all applicable development standards set forth  
21 in this title;

22 **iii.** The site plan provides a compatible building height that compliments or  
23 transitions to the scale of the adjacent properties and minimizes loss of  
24 sunlight access to adjacent properties, through building (and rooftop  
25 appurtenance) height transitions, massing, placement or setbacks, and/or  
26 changes in topography;

27 **iv.** The site plan provides a compatible building width and length, including  
28 breaks in massing between townhouse units, that compliments or  
29 transitions to the scale of single-family and two-family development, while  
30 considering site-specific conditions;

31 **v.** The site plan provides ground-floor primary entries or habitable floor area  
32 (21.15.040) in street-facing building facades, mitigates garages and blank  
33 walls, and minimizes exterior stairs (motel-style) to second-story entries;  
34 and

35 **vi.** The site plan mitigates disruptions to the privacy and outdoor activities on  
36 adjacent properties, including through the size and placement of upper-  
37 level windows, rooftop decks, building mass, and exterior lighting.

38 **vii.** The site plan conforms to policies and guidelines regarding the height,  
39 bulk, and massing of buildings in adopted neighborhood and area-specific  
40 elements or applicable land use designations of the comprehensive plan.

41 \*\*\* \*\*

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

The Alternative Equivalent Compliance procedure in Title 21 allows developers and designers to propose to meet the intent of a development standard through alternative means and methods. The proposed alternative design must achieve the intent of the site development standard to the same or better degree than would strict application of the site development standard.

The proposed change on the next page provides for flexibility in the application of step-back requirement proposed on pages 6-7 by amending Section 21.07.010D.2: *Alternative Equivalent Compliance - Applicability*, to add the Step-back to the list of sections in Title 21 for which the alternative equivalent compliance process is available.

**CHAPTER 21.07: DEVELOPMENT AND DESIGN STANDARDS**

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**21.07.010 General Provisions**

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**D. Alternative Equivalent Compliance**

**1. Purpose**

Alternative equivalent compliance is a procedure that allows development to meet the intent of this title[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 title[CHAPTER].

**2. Applicability**

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

**a.**      Subsection 21.06.030D.7.c., *Height/Bulk Transitions*;

**b[A].**      Subsection 21.06.030D.9-8., *Height Transitions for Neighborhood Compatibility*;

**c[B].**      Subsection 21.07.060F., *Pedestrian Amenities*;

**d[C].**      Subsection 21.07.080, *Landscaping, Screening, and Fences*;

**e[D].**      Subsection 21.07.090M.3., *Structured Parking; Façade Treatment*;

**f[E].**      Section 21.07.110, *Residential Design Standards*;

**g[F].**      Section 21.07.120, *Large Commercial Establishments*;

**h[G].**      Subsection 21.09.080, *Building Design Standards* (Girdwood); and

**i[H].**      Section 21.11.070G., *Standards for Urban Design Amenities* (Downtown).

\*\*\*      \*\*\*      \*\*\*

## ANNOTATION FOR PAGE 11

### **Section 21.15.040: Definitions:**

Chapter 15 of Title 21 sets forth the terms and definitions used throughout Title 21.

#### **"Railing, open or transparent"**

A definition for open or transparent railings is provided to support the amendments on page 4, lines 37-43, which limit the height exception for solid parapet walls in the R-2 zones to 2 feet above the 30-foot rooftop height limit, but allow for open or transparent railings mounted above the parapet to extend more than 2 feet above the height limit.

See the annotation for page 4 for a photo of a transparent railing.



## CHAPTER 21.15: RULES OF CONSTRUCTION AND DEFINITIONS

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### 21.15.040 *Measurements and Exceptions*

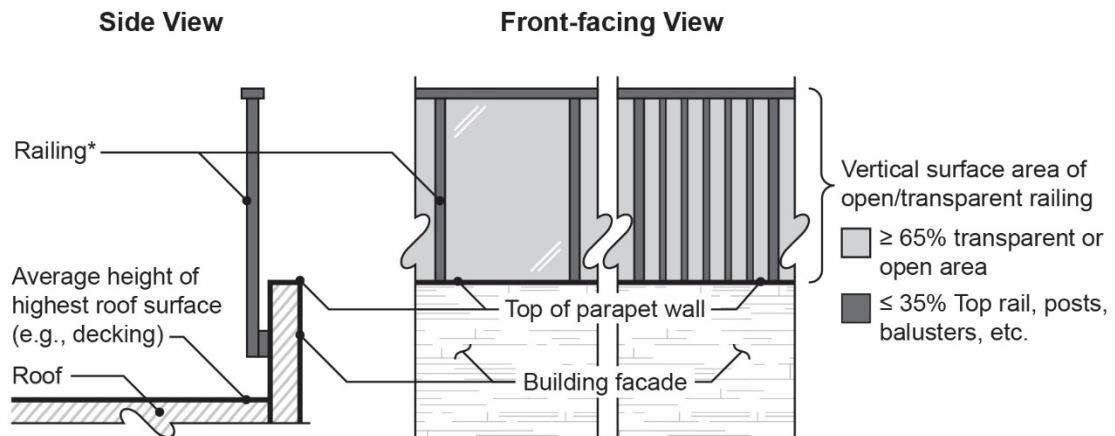
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#### D. Definitions

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##### Railing, Open or Transparent

Any railing that is comprised of clear glass, similar transparent materials, and/or openings (i.e., empty spaces) between materials used in its construction, for at least 65 percent of its vertical surface area per railing panel.



\*Railing construction, including rail heights, spacing of posts and balusters, and other dimensions, shall comply with the requirements of the Building Code.

\*\*\*      \*\*\*      \*\*\*

### Section 21.15.040: Definitions (Cont'd):

#### "Story, half"

The current term "Story, One-half" is shortened to "Story, half." Its definition is edited for content and clarity. Two illustrations are added. Discussion of the changes:

- Both the current and proposed definition include "habitable floor area." Title 21 defines habitable floor area as floor area used for living, sleeping, eating, or cooking.
- The current definition allows only three roof styles: gable, "hipped," or shed. The amendment adds gambrel, mansard, and curved (e.g., half-cylindrical) roof styles, to provide a more comprehensive list of roof styles that provide a downward roof pitch on at least two opposing sides of the building. The amendment removes "shed" style roof because shed roofs, like butterfly roofs, provide downward sloping roof pitches on only one wall, which does not reflect the intended meaning or objectives of a half story.
- The current definition is unclear as to how far the half story living space must be tucked up into the sloping roof form. A more typical code definition would clarify that the roof rafters should come down to within two feet of the floor joists of the half story, on at least two opposite exterior walls. The Anchorage municipal Property Appraisal manual identifies half stories as having the rafters coming down to within four feet (i.e., at least two opposite exterior walls are no more than four feet tall). The amendments generally take that approach, allowing for opposite exterior walls up to five feet tall.
- The current definition limits the gross floor area of the half story to no more than half the gross floor area of the story below. Based on testing and a review of several other codes, the amendment proposes increasing the maximum floor area to 75 percent of the story below. This increase seems necessary for an attic living space to be able to wholly occupy the interior of a pitched roof, especially if the living space includes dormers.
- The amendment also clarifies that floor areas in the half story that have a ceiling height less than 6'8" under the sloping roof are exempt from the gross floor area calculation.

The revised language is adapted from standard architectural dictionaries and a review of other zoning codes to convey the intended meaning more clearly. It also reflects consideration of the Building Code provisions for minimum ceiling heights, and the Anchorage municipal Property Appraisal Department's manual for describing stories and half-stories.

## CHAPTER 21.15: RULES OF CONSTRUCTION AND DEFINITIONS

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### 21.15.040 Measurements and Exceptions

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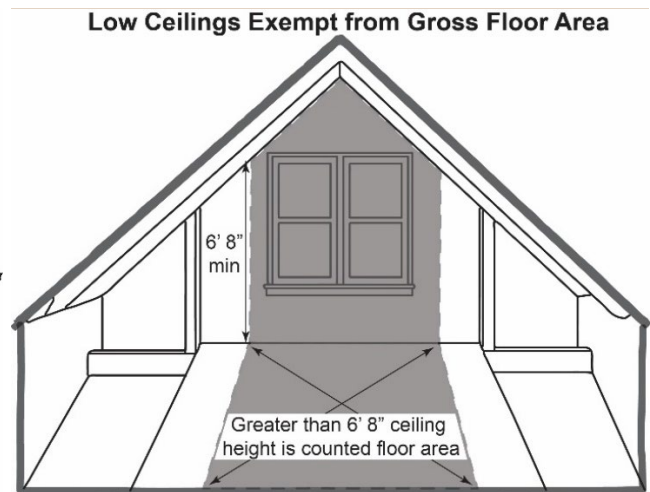
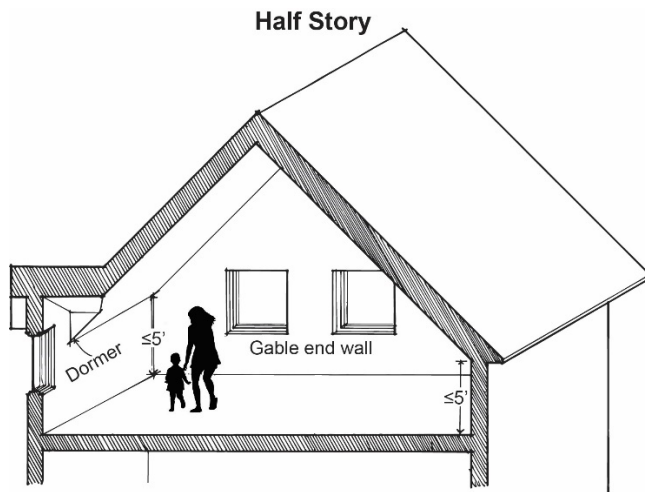
#### D. Definitions

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##### Story, [ONE-]Half

A story that has the following characteristics:

- Habitable floor area under a gable, hip, gambrel, mansard, or curved (e.g., barrel)[SHED, OR HIPPED] roof; and[. THAT CONTAINS HABITABLE FLOOR AREA, INCLUDING FLOOR AREA UNDER DORMERS.]
- All roof rafters extend down to the top plate of walls five feet or less in height above the floor joists of such story, except at roof ends (e.g., gable ends) or where dormers are provided; and
- The gross floor area does not exceed 75[NOT EXCEEDING 50] percent of the gross floor area of the story[FLOOR] below. The calculation for the gross floor area for the half story excludes areas where the ceiling height is six feet eight inches (6'8") or less.



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