


Municipality of Anchorage

MEMORANDUM

DATE: March 2, 2017

TO: Mr. Jack Frost, Mr. Michael Packard, and Mr. Tony Barganier, Building Safety Division

FROM:  Terry Schoenthal, Acting Planning Department Director

SUBJECT: Code interpretation that duplexes of a townhouse style design should be subject to multifamily design standards for townhouse development

The intent is quite clear in AMC Title 21 that single family homes and duplexes (Two-Family Homes) would not be treated in the same fashion as multi-family development and that they would not be subject to the design standards that are imposed on multi-family housing. There are conflicting sections of code, however that can and have led to other interpretations.

With this memorandum, the Planning Department wishes to provide guidance that duplexes of any style are not subject to the design standards for Multifamily and Townhouse Residential development found in 21.07.110C.

AMC, Title 21, Chapter 21.05.030A. 2., defines multi-family housing as:

- a. *Definition.* A residential building or multiple residential buildings comprising three or more dwelling units on one lot. The definition includes the terms "apartment" or "apartment building."

Sub-paragraph b of this same subsection reads:

- b. *Use-Specific Standards*
 - i. Multifamily developments that consist of three or more units in one building shall comply with subsection 21.07.110C., standards for multifamily residential, except as provided in subsection b.iii., below.

(Clearly indicates that one and two family residential units would not be considered multi-family units)

- ii. Dwellings with single-family style and two-family style construction in multi-family developments shall comply with the residential design standards in subsections 21.07.110E.

(The reference, 21.07.110E, is clearly in error. This subsection is reserved for prohibited structures. I believe the correct reference should be 21.07.110D.)

- iii. Dwellings with townhouse style construction in multifamily developments shall comply with Section 21.07.110D., Standards for Townhouse Residential.

(This reference is also in error, as there is no section that specifically addresses "Standards for Townhouse Residential" and 21.07.110D is the section for "Standards for Some Single and Two-Family Residential Structures")

Conflicting sections of code that have led to an alternate interpretation include: AMC 21.14, the Definitions chapter, in which a townhouse style structure is defined as:

A residential building with two or more dwelling units in a row attached primarily at the side wall or rear wall, in which each dwelling unit has its own primary entrance to the outside, its own ground-floor and roof, and is separated from the other units by common fire-resistant walls.

Another conflicting section of code can be found in 21.07.110D. 1. b. which addresses the applicability of standards for some single-family and two-family residential structures. It reads as follows:

- b. Any two-family use that is not constructed in townhouse-style and is on a lot less than 20,000 square feet.

(This would indicate that a two-family use constructed in townhouse style would be subject to other standards)

To address these conflicts, the Planning Department will proceed with a Title 21 text amendment to correct the definition so that it states "- three or more dwelling units". In the second case, the reference to townhouse style construction will be dropped.

In the interim, the Planning Department requests that all two-family dwelling units, regardless of design style, be subject only to the requirements of 21.07.110D.