

# OCTOBER 5, 2017, PROPOSED AMENDMENTS TO THE TURNAGAIN COMMUNITY COUNCIL BYLAWS

Amended and Adopted May 5, 2016

## STATEMENT:

At the October 5, 2017, Turnagain Community Council (TCC) general membership meeting, the TCC Executive Board is introducing the following amendments to ARTICLE VIII. VOTING, and ARTICLE X. EXECUTIVE BOARD-OFFICERS-QUALIFICATIONS-TENURE-RECALL-VACANCIES, of the current TCC Bylaws (last amended and adopted May 5, 2016). These proposed amendments will be considered and voted on at the TCC November 2, 2017, general membership meeting.

## 1. PROPOSED RELATED AMENDMENTS — Increase Board Member at Large from One to Two Positions:

### ARTICLE VIII. VOTING

#### SECTION 2. ELECTION OF OFFICERS (page 5)

A. Elected Positions: The members shall elect a President, Vice President, Secretary, Treasurer and two [A] Board Members at Large at the November Council meeting.

### ARTICLE X. EXECUTIVE BOARD–OFFICERS–QUALIFICATIONS–TENURE–RECALL–VACANCIES

#### SECTION 2. OFFICERS (page 6-7)

A. Officer Positions: The elected officers of the Council shall be a President, Vice President, Secretary, Treasurer, and two [ONE] Members at Large.

F. Board Members at Large: The Board Members at Large do [DOES] not have specific duties, but may perform duties as assigned.

#### REASON FOR AMENDMENT(S):

To date for 2017, the TCC Executive Board has been conducting business with only four Board members, due to the inability of the council to fill the President position this year. At times, only three Board members have been available to handle Board duties. Considering the significant amount of responsibilities that have typically fallen upon the Executive Board, the TCC Board feels that — regardless if there is a fully-elected Executive Board in place — two Board Members at Large, instead of just one at present, would allow duties to be more appropriately distributed among the Executive Board. It would also provide additional opportunities for council members to become engaged at the Executive Board level, and potentially step up to higher-ranking positions in the future.

## 2. PROPOSED AMENDMENT — Remove Term Limits from Secretary, Treasurer & Board Member at Large Positions:

#### SECTION 4. TENURE (page 7)

A. Term: Officers will be elected for one-year terms. The term of office is January 1 thru December 31 of each calendar year.

B. Partial Term: An officer elected to fill a partial term of three (3) months or less shall be eligible for three full consecutive terms in that position.

C. Term Limits: [OFFICERS WILL BE ELECTED FOR ONE-YEAR TERMS.] Terms shall be as follows:

1. Re-election to the offices of President and Vice President [SAME POSITION] for up to three (3) consecutive terms is permissible, at which point the individual is no longer eligible for that position until the following year.

2. An exception may be made for a past President who holds the position of Vice President at the time the existing President resigns or is no longer able to serve. In this case, the individual can temporarily assume the duties of President until there is a new special election held to fill the President position.

3. All other officer positions are not subject to term limits.

**REASON FOR AMENDMENT(S):**

While TCC's bylaws have historically had three-year term limits for all Executive Board positions, to ensure officers do not stay in any one position for long periods of time — and the TCC Board still feels this is appropriate for the President and Vice President offices — the Board is proposing term limits be removed from the remaining Executive Board positions. This would provide more flexibility during elections to retain Board members in their current positions, when circumstances warrant it.

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# TURNAGAIN COMMUNITY COUNCIL

c/o Federation of Community Councils  
1057 West Fireweed Lane, Suite 100  
Anchorage, Alaska 99503

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TO: Members of the Anchorage Assembly and Planning & Zoning Commission  
FROM: Turnagain Community Council **REVIEW DRAFT**  
DATE: Thursday, October 5, 2017  
RE: Comments on Proposed ADU Ordinance Changes, Case 2017-0095

*Note: these comments are a review draft for internal use by the TCC Land Use committee. A refined version of these comments will be brought to TCC membership at the October 5 meeting.*

Members of the Assembly and the Planning & Zoning Commission:

Thank you for the opportunity to provide written comments on the proposed ordinance with some changes to the existing Accessory Dwelling Unit (ADU) ordinance (Case 2017-0095), which would allow homeowners more flexibility in building or converting their existing home to have an accessory dwelling unit, which can be used as a rental unit.

Turnagain Community Council understands the need for more housing opportunities in Anchorage, and that the Muni is considering a variety of ways to change local policies to meet those needs. TCC generally supports the concept of ADUs, and the opportunity for homeowners to seek additional income from a rental property. However, we have several concerns about the specific proposal, and its potential impacts and unintended consequences for established neighborhoods:

1. The changes to code include allowing ADUs to be created in single family (R-1) neighborhoods. While not all homeowners would likely create ADUs, there is a real possibility that many will, effectively turning a single-family neighborhood into one with many more housing units. TCC is concerned about how neighborhood character could change over time, as well as potential loss in property value for adjacent homes next to those with ADUs.

**Recommendation:** Reconsider allowing ADUs in R-1 zoning districts, or make more restrictive requirements for this zoning district. For example, larger setbacks, smaller maximum size or relative size, and/or require all off-street parking.

2. The changes also include specific dimensional standards like setbacks (from 60 ft to 40 ft), maximum size (from 700 to 900 sf), size relative to the main housing unit (from 35% to 75%), and keeping the existing height limit of 25 feet. In addition, the language requiring the ADU to look the same as the main house was also removed. We feel that the result of these changes, while they will give more flexibility for people with relatively small homes, could also result in ADUs that are much larger, taller, and/or closer to neighbors' houses. Rather than looking like a small addition to the main house, these could effectively look like two houses on the same property. TCC is again concerned about the impacts on neighbors in single-family neighborhoods, where these kind of structures are not common.

**Recommendation:** Reconsider these dimensional standards, or how these standards can be applied without negatively impacting neighboring properties.

3. Neighborhoods in the Turnagain area tend to be relatively older and built on narrower roads, or with narrow lots with few on-street parking spaces available to those without driveways or alleys. We are concerned about the potential increase in traffic and demand for parking in these

neighborhoods, with two households on one parcel instead of one. The changes to code eliminate the requirement that all parking spaces be provided off-street, and allow the homeowner to use an on-street space to meet the code requirements.

If multiple properties “count” the same street parking spaces, will this actually meet the parking needs? If many more cars are parking in the same neighborhood, how will this impact traffic on the street, for other neighbors or for emergency vehicles?

**Recommendation:** Require owners of ADUs to provide all required parking spaces on their own property or with an off-street solution, rather than adding more cars to the street.

4. Similar to the concerns about parking, TCC’s older single-family neighborhoods were not necessarily built to accommodate a large increase in housing units, and we are concerned about potential strain on infrastructure to serve a lot of new units: the electrical and gas grids, water and sewer lines, and (for properties with their own systems) impacts on private wells or septic systems that could be overwhelmed or cause problems for neighbors if a spill occurs. Additional infrastructure costs the Municipality more, and cleanups are also expensive. Has the Municipality analyzed potential impacts to infrastructure in older neighborhoods, and whether adding several new housing units will put too much strain on these systems?
5. Like all land use issues, what one owner does with their property often affects their neighbors. The potential impacts of building new dwelling units in single-family neighborhoods, closer to the property line and larger than previously allowed in code, could negatively impact other properties (and property values) if the new ADU becomes problematic. TCC would like to know what if any current review process there is for a homeowner constructing a new ADU, and whether this includes notification of surrounding homeowners? If there is not a public notice process for this activity, TCC urges including in the ordinance a mechanism for neighbors to be informed about a proposed new ADU, and an opportunity to weigh in.

Again, thank you for your consideration of our comments on this matter.

Sincerely,  
Cathy L. Gleason  
Turnagain Community Council Acting President

NOTICE OF PROPOSED CHANGES TO IN THE REGULATIONS OF THE MARIJUANA  
CONTROL BOARD REGARDING THE ADDITION OF AN ONSITE MARIJUANA  
CONSUMPTION ENDORSMENT TO THE RETAIL MARIJUANA LICENSE

The Marijuana Control Board proposes to adopt regulation changes in 3 AAC 306 of the Alaska Administrative Code, dealing with onsite marijuana consumption endorsements for retail marijuana establishments, including the following:

- (1) 3 AAC 306.370 proposes to allow retail marijuana licensees to apply for an onsite consumption endorsement if certain conditions are met.
- (2) 3 AAC 306.990 proposes to define “marijuana consumption area” and “retail marijuana store premises.”

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the Alcohol & Marijuana Control Office at 550 West 7<sup>th</sup> Avenue, Suite 1600, Anchorage, AK 99501. Additionally, the Marijuana Control Board will accept comments by electronic mail at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 4:30 pm on October 27, 2017.

You may submit written questions relevant to the proposed action to the Marijuana Control Board by email at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or at 550 West 7<sup>th</sup> Avenue, Suite 1600, Anchorage, AK 99501. The questions must be received at least 10 days before the end of the public comment period. The Alcohol & Marijuana Control Office will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jedediah Smith at [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov) or (907) 269-0350 not later than October 16, 2017 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting the Alcohol & Marijuana Control Office at (907) 269-0350 or [amco.regs@alaska.gov](mailto:amco.regs@alaska.gov).

After the public comment period ends, the Marijuana Control Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

**Statutory authority:** AS 17.38.010; AS 17.38.070; AS 17.38.121; AS 17.38.150; AS 17.38.190;

AS 17.38.200; AS 17.38.900

**Statutes being implemented, interpreted, or made specific:** AS 17.38.070 AS 17.38.200 AS 17.38.210

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

Date: August 21, 2017

A handwritten signature in black ink that reads "Erika McConnell". The signature is written in a cursive, flowing style.

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Erika McConnell, director

ADDITIONAL REGULATION NOTICE INFORMATION  
(AS 44.62.190(d))

1. Adopting agency: Marijuana Control Board
2. General subject of regulation: Onsite Marijuana Consumption Endorsement
3. Citation of regulation (may be grouped): 3 AAC 306.370; 3 AAC 306.990
4. Department of Law file number, if any: JU2017200548

5. Reason for the proposed action:

- Compliance with federal law or action (identify): \_\_\_\_\_
- Compliance with new or changed state statute
- Compliance with federal or state court decision (identify): \_\_\_\_\_
- Development of program standards
- Other (identify): \_\_\_\_\_

6. Appropriation/Allocation: \$0

7. Estimated annual cost to comply with the proposed action to:

A private person: \$0

Another state agency: \$0

A municipality: \$0

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY <u>18</u>	Subsequent Years
Operating Cost	<u>\$ 0</u>	<u>\$ 0</u>
Capital Cost	<u>\$ 0</u>	<u>\$ 0</u>
1002 Federal receipts	<u>\$ 0</u>	<u>\$ 0</u>
1003 General fund match	<u>\$ 0</u>	<u>\$ 0</u>
1004 General fund	<u>\$ 0</u>	<u>\$ 0</u>
1005 General fund/ program	<u>\$ 0</u>	<u>\$ 0</u>
Other (identify)	<u>\$ 0</u>	<u>\$ 0</u>

9. The name of the contact person for the regulation:

Name: Jedediah Smith  
Title: Local Government Specialist  
Address: 550 West 7<sup>th</sup> Ave, Suite 1600 Anchorage, AK 99501  
Telephone: (907) 269-0350  
E-mail address: amco.regs@alaska.gov

10. The origin of the proposed action:

- Staff of state agency
- Federal government
- General public
- Petition for regulation change
- Other (identify): Marijuana Control Board

11. Date: August 21, 2017      Prepared by: 

Name (printed): Jedediah Smith  
Title (printed): Local Government Specialist  
Telephone: (907) 269-0350

3 AAC 306 is amended by adding a new section to read:

**3 AAC 306.370. Onsite consumption endorsement for retail marijuana stores.**

(a) A licensed retail marijuana store with an approved onsite consumption endorsement is authorized to

(1) sell marijuana and marijuana product, excluding marijuana concentrates, to patrons for consumption on the licensed premises only in an area designated as the marijuana consumption area and separated from the remainder of the premises, either by being in a separate building or by a secure door and having a separate ventilation system;

(2) sell for consumption on the premises

(A) marijuana bud or flower in quantities not to exceed one gram to any one person in a single transaction, unless prohibited by local ordinance or state law;

(B) edible marijuana products in quantities not to exceed 10 mg of THC to any one person in a single transaction; and

(C) food or beverages not containing marijuana or alcohol; and

(3) allow a person to remove from the licensed premises marijuana or marijuana product that has been purchased on the licensed premises for consumption under this section, provided it is packaged in accordance with 3 AAC 306.345.

(b) A licensed retail marijuana store with an approved onsite consumption endorsement may not

(1) sell marijuana concentrate for consumption in the marijuana consumption area;

(2) allow any licensee, employee, or agent of a licensee to consume marijuana or marijuana product, including marijuana concentrate, during the course of a work shift;

(3) allow a person to consume tobacco or tobacco products in the marijuana consumption area;

(4) allow intoxicated or drunken persons to enter or to remain in the marijuana consumption area;

(5) sell, give, or barter marijuana or marijuana product to an intoxicated or drunken person;

(6) allow a person to bring into or consume in the marijuana consumption area any marijuana or marijuana product that was not purchased at the licensed retail marijuana store;

(7) deliver marijuana or marijuana product to a person already known to be in possession of marijuana or marijuana product that was purchased for consumption on the premises;

(8) sell, offer to sell, or deliver marijuana or marijuana product at a price less than the price regularly charged for the marijuana or marijuana product during the same calendar week;

(9) sell, offer to sell, or deliver an unlimited amount of marijuana or marijuana product during a set period of time for a fixed price;

(10) sell, offer to sell, or deliver marijuana or marijuana product on any one day at prices less than those charged the general public on that day;

(11) encourage or permit an organized game or contest on the licensed premises that involves consuming marijuana or marijuana product or the awarding of marijuana or marijuana product as prizes; or

(12) advertise or promote in any way, either on or off the premises, a practice prohibited under this section.

(c) An applicant for an onsite consumption endorsement must file an application on a form the board prescribes, including the documents and endorsement fee set out in this section, which must include

(1) the applicant's operating plan, in a format the board prescribes, describing the retail marijuana store's plan for

(A) security, in addition to what is required for a retail marijuana store, including:

- (i) doors and locks;
- (ii) windows;
- (iii) measures to prevent diversion; and
- (iv) measures to prohibit access to persons under the age of 21;

(B) ventilation. If consumption by inhalation is to be permitted, ventilation plans must be

- (i) signed and approved by a licensed mechanical engineer;
- (ii) sufficient to remove visible smoke; and
- (iii) consistent with all applicable building codes and ordinances;

(C) isolation of the marijuana consumption area from other areas of the retail marijuana store. The marijuana consumption area must

- (i) include a smoke-free area for employees monitoring the marijuana consumption area; and
- (ii) be entirely outdoors in a designated smoking area or separated from other retail areas by a wall with a secure door;

(D) unconsumed marijuana, by disposal or by packaging in accordance with 3 AAC 306.345; and

(E) preventing introduction into the marijuana consumption area of marijuana or marijuana products not sold by the retail marijuana store; and

(2) a detailed premises diagram showing the location of

(A) serving area or areas;

(B) ventilation exhaust points, if applicable;

(C) doors, windows, or other exits;

(D) access control points; and

(E) adequate separation from non-consumption areas of the retail marijuana store and consistent with 3 AAC 306.370(a)(1).

(d) An application for a new onsite consumption endorsement must meet the requirements of 3 AAC 306.025(b) and include in that notice the license number of the retail marijuana store requesting the endorsement.

(e) The non-refundable fee for a new or renewal onsite consumption endorsement is \$1,000.

(f) The retail marijuana store holding an onsite consumption endorsement under this chapter shall

(1) destroy all unconsumed marijuana left abandoned or unclaimed in the marijuana consumption area in accordance with the operating plan and 3 AAC 306.740;

(2) maintain a ventilation system that directs air from the marijuana consumption area to the outside of the building through a filtration system adequate to reduce odor;

- (3) include in the security plan how the licensee intends to restrict access to the marijuana consumption area to persons under the age of 21;
- (4) monitor patrons for overconsumption;
- (5) display all warning signs required under 3 AAC 360.360 within the marijuana consumption area, visible to all consumers;
- (6) provide written materials containing marijuana dosage and safety information for each type of marijuana or marijuana product sold for consumption in the marijuana consumption area at no cost to patrons; and
- (7) label all marijuana or marijuana product sold for consumption on the premises as required in 3 AAC 306.345.

(g) The right of local governments to protest the issuance or renewal of individual retail marijuana store onsite consumption endorsements is separate from the right to protest the issuance of a retail marijuana store license. Not later than 60 days after the director sends notice of an application for a new or renewal onsite consumption endorsement, a local government may protest the application by sending the director and the applicant a written protest and the reasons for the protest. The director may not accept a protest received after the 60-day period. If a local government protests an application for a new or renewal onsite consumption endorsement, the board will deny the application unless the board finds that the protest is arbitrary, capricious and unreasonable.

(h) A local government may recommend that the board approve an application for a new or renewal onsite consumption endorsement with conditions. The board will impose a condition recommended by a local government unless the board finds the recommended condition to be arbitrary, capricious and unreasonable. If the board imposes a condition recommended by a local

government, the local government will assume responsibility for monitoring compliance with the condition unless the board provides otherwise.

(i) The holder of an onsite consumption endorsement must apply for renewal annually at the time of renewal of the underlying retail marijuana store license.

**3 AAC 306.990 (b)** is amended to add the following subsections:

(27) “marijuana consumption area” means a designated area within the licensed premises of a retail marijuana store that holds a valid onsite consumption endorsement, where marijuana and marijuana products, excluding marijuana concentrates, may be consumed.

(28) “retail marijuana store premises” means an area encompassing both the retail marijuana store and any marijuana consumption area.

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# TURNAGAIN COMMUNITY COUNCIL

c/o Federation of Community Councils  
1057 West Fireweed Lane, Suite 100  
Anchorage, Alaska 99503

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TO: Members of the Anchorage Assembly  
FROM: Turnagain Community Council Executive Board  
DATE: Wednesday, September 13, 2017  
RE: Comments on Proposed Regulations for Onsite Marijuana Consumption

*Note: In order to meet the Assembly Community & Economic Development Committee's September 14<sup>th</sup> deadline, the Turnagain Community Council (TCC) Executive Board is submitting the following comments, which are based on previous views expressed during discussion of potential retail onsite marijuana consumption in 2016, as well as concerns expressed by TCC members this year. TCC's Land Use, License and Permit Review Committee will also be meeting later this month to discuss the onsite marijuana consumption proposal. Any additional or amended recommendations will be presented by the committee at TCC's October 7, 2017, general meeting. We will provide the Assembly our final, approved comments to the Assembly before its October 10<sup>th</sup> public hearing on this matter.*

Members of the Assembly:

Thank you for the opportunity to provide written comments on the Marijuana Control Board's proposed regulations to allow onsite consumption of marijuana at retail stores. Below is a list of TCC members' concerns, many of which were raised last year during review of the Muni's draft marijuana licensing and land use ordinances, when the Assembly briefly considered allowing onsite consumption in AO 2016-16.

While Turnagain does not currently have any marijuana retail establishments, our neighborhood is adjacent to Spenard Road and just down the road from Midtown, where several retail stores have already opened and which may have spillover impacts into our neighborhood, such as drivers under the influence heading home on Northern Lights Blvd. or Spenard Rd. We are therefore interested in voicing our concerns, as potential impacts from onsite consumption may affect all neighborhoods — not just those immediately adjacent to a retail establishment — and these retail onsite consumption sites could be in areas where Turnagain residents choose to “work, live and play” within our city. While TCC members have expressed mixed opinions on the overall concept of allowing onsite marijuana consumption in Anchorage, the following comments have had broad agreement, and focus on specific health and safety impacts of the onsite consumption proposal.

1. TCC is concerned about the implications of the Assembly endorsing the state's proposal to allow onsite consumption of marijuana at retail stores, and in the process weakening or undoing the current smokefree indoor air ordinance (AMC 16.65.010).

Keeping our public places, including bars, restaurants and similar establishments, free of tobacco smoke is a critically important health protection for the public and in particular for workers at these establishments. Permitting smoking of marijuana, which involves combusting plant material similar to the process of smoking cigarettes, could re-open public discussion about the smokefree ordinance, or create an inconsistent policy about indoor smoke.

2. While the science on the health effects of marijuana is still limited, there are studies demonstrating that tobacco and marijuana smoke have similar carcinogenic properties, which suggests that

exposure to secondhand smoke from either product poses health risks to customers, workers and others in nearby areas where secondhand smoke is released into the air.

The draft regulation requires the business to maintain a smokefree area for employees to monitor the consumption area, but it is unrealistic to require the business to keep employees away from smoke during their entire work shift, and workers would still be exposed to marijuana smoke when they enter the consumption area. This undermines the goals of the existing smokefree ordinance, and in the absence of evidence that marijuana smoke is *not* harmful, would treat two similar substances differently.

3. The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) publishes national indoor air quality standards, and has for several years stated that there is no acceptable level of environmental tobacco smoke (ETS) to be considered having safe indoor air. They find that there is no existing ventilation system that can sufficiently remove these particles from the air, and that an indoor smoking ban is much more effective to ensure adequate air quality. More recently, ASHRAE added marijuana smoke and e-cigarette vapor to this list.

The current proposal includes ventilation requirements for establishments that allow smoking, which may reduce or eliminate odors within or outside of the consumption area, but ventilation will not address the health impacts of marijuana smoke and would therefore not be effective protection against secondhand smoke.

4. The proposed regulations also allow for an outdoor onsite consumption area — TCC is concerned about the impacts of exposure/inhalation to outdoor areas, including surrounding businesses, sidewalks, parking lots, and neighborhoods. While smoke would dissipate faster outdoors, it would still expose others to the odor and secondhand smoke in the surrounding area, and it is unclear how this could be adequately controlled while remaining an unenclosed outdoor area.

Allowing outdoor consumption on premises would also not be consistent with the intent of the Municipality’s smokefree ordinance.

5. TCC is also concerned about what happens to customers after leaving the consumption area, particularly if they are inexperienced with marijuana use and/or have overconsumed:

Will intoxicated customers drive home after taking a large dose? What about consuming edibles, which can take several hours to work through a person’s system? The regulation allows consumption of 1 gram of marijuana in one sitting, which is a significant amount for one person in the space of two hours. What public safety impacts will the Muni have to deal with from drugged driving, given that most people use vehicles to get around, and there may be many inexperienced people trying these products?

6. Another potential public safety concern is exposure to secondhand smoke for police, fire department, and EMS staff who may need to enter a marijuana establishment designated consumption area for a consumption-related incident or an unrelated incident.

If this smoke has sufficient potency to create a “buzz” from inhaling, this could impact their ability to do their jobs, or require wearing ventilation equipment. See Alaska Journal of Commerce, “Homer City Council will reconsider marijuana business on spit ,” September 10, 2017. <http://www.alaskajournal.com/cannabis#.WbYtta2ZOuV>

7. Ballot Measure 2, passed in 2014 legalizing commercial production and sales of marijuana, included a specific list of licenses, none of which were intended to allow onsite consumption, and specifically banned marijuana consumption in public places.

There does not appear to be a legal basis for creating a new license activity in regulation where it is not supported in statute, and in conflict with the public consumption ban, with the definition of a “public place” including indoor establishments like bars and package stores. TCC requests that the Assembly seek a legal opinion on this matter — and provide this opinion to the public — before considering its own ordinance, which would be based on a regulation that is not supported in statute.

8. Given all of these concerns about secondhand smoke and associated impacts, **TCC urges the Assembly to consider only allowing consumption of marijuana-infused edibles at retail establishments.**

While there would still be concerns about over-consumption, drugged driving and other potential impacts, allowing edibles only would:

- Be consistent with the existing Anchorage smokefree indoor air ordinance;
- Not require businesses to install additional ventilation that will ultimately not solve the problem it is intended to solve; and
- Limit exposure for workers, customers who are not consuming products, public safety personnel, and the general public.

This still allows businesses to showcase a wide variety of products, pair marijuana-infused products with other foods, and allows consumers an opportunity to use marijuana outside their home or other private space. TCC is not specifically in favor of allowing edibles, but recognizes that compromise will likely be necessary, depending on the actions of the Marijuana Control Board on these regulations.

9. Finally, TCC urges the Assembly to review the presentation and other materials provided to the Marijuana Control Board before making any policy decisions about marijuana consumption, including these two documents attached:

- Alaska Department of Social Services, Division of Public Health in May 2017 presentation about the health harms of marijuana smoke and the ineffectiveness of ventilation against indoor smoke, and
- CDC’s letter citing collected evidence to date about marijuana and health.

Again, thank you for reaching out to community councils regarding input on the proposal to allow onsite consumption of marijuana at retail establishment in Anchorage. Please don’t hesitate to contact me if you have any questions regarding Turnagain Community Council’s input at this stage of the Assembly’s consideration of this matter.

Sincerely,  
Cathy L. Gleason  
Turnagain Community Council Acting President

*Please note; I am currently out of state, but plan to be back in Anchorage by Monday, September 18<sup>th</sup>. If you need to contact a TCC Board Member before then, please contact TCC Secretary Anna Brawley at [annab.brawley@gmail.com](mailto:annab.brawley@gmail.com).*

**RETURN COMMENTS TO:**

Municipality of Anchorage Planning Department  
Current Planning Division  
PO Box 196650  
Anchorage, Alaska 99519-6650  
Phone: 907-343-7943

**CASE NO:** 2017-0110

**REQUEST:** Review and Recommendation by Planning and Zoning Commission to the Assembly of a Draft Ordinance amending AMC Subsections 21.04 Zoning Districts, 21.05 Use Regulations, 21.06 Dimensional Standards and Measurements, 21.07 Development and Design Standards and 21.08 Subdivision Standards in order to establish a new R-3A (Residential Mixed Use) District . Documentation can viewed at the following link:  
<http://www.muni.org/Departments/OCPD/Planning/Pages/ProposedWorkingDraftR-3AZoningDistrict.aspx>

**SITE ADDRESS:** N/A

**CURRENT ZONING:** N/A

**ORIG SUBD/LEGAL:** N/A

**COMMENTS AND MEETING SCHEDULE**

Planning and Zoning Commission  
Loussac Library Assembly Chambers  
3600 Denali Street  
Anchorage, Alaska

**Hearing Date:** Monday, October 09, 2017

**Agency Comments Due:** Monday, September 11, 2017

**Council Comments Due:** Monday, September 18, 2017

**COMMUNITY COUNCIL(S):**

All Community Councils  
CERAB

**Municipality of Anchorage**  
**Planning Department**  
**MEMORANDUM**

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**DATE:** August 15, 2017

**TO:** Reviewing Agencies

**THRU:** Carol Wong, Division Manager, Long Range Planning

**FROM:** Jon Cecil, Senior Planner  
Thede Tobish, Senior Planner  
Long-Range Planning Division

**SUBJECT:** Case 2017-0110, Amendment to Anchorage Municipal Code  
Establishing a New R-3A Zoning District

**Background**

Over the past few years and recently during the development of *the Anchorage 2040 Land Use Plan* (2040 LUP), it became increasingly apparent that the Anchorage Municipal Code needed a new medium-density residential mixed-use zoning district. Such a district could supply a range of residential units between the higher city center, R 4A densities and the widespread R-2M duplex- and R-3 apartment-dominated residential districts. The draft 2040 LUP includes an implementation action item calling for the Municipality to adopt a medium-density residential mixed use district that allows residential in combination with non-residential use in an integrated neighborhood setting in select areas of the Anchorage Bowl.

**Description**

This new R-3A zoning district ordinance amends Chapter 4, Zoning Districts, and relevant sections of Chapter 5, Use Regulations, Chapter 6, Dimensional Standards and Measurement, Chapter 7, Development and Design Standards, and Chapter 8, Subdivision Standards. In terms of residential densities, new R-3A district calls for 12-30 gross Dwelling Units per Acre (DUA), which aligns closely with R-3 but is distinctly below the higher densities and commercial uses allowed in-the R-4A district. R-3A is first and foremost a residential district that allows up to one-third of a development's gross floor area to be non-residential. This district has a by-right base height of 40' or three stories. There are provisions in the form of menu items, to increase total building height to a maximum of 70' or six stories.

The R-3A ordinance includes distinct neighborhood protections and location requirements, to ensure compatibility with adjacent residential areas and location criteria where the district may be used. Specifically at locations designated as "Compact Mixed Residential Medium" on the Municipality's Land Use Plan Map, or through a similar

designation in a District or Neighborhood Plan. These sites are usually found to be able to support the higher densities and mixed uses and are served by transit running on a collector road or higher in classification. This district allows a somewhat higher lot coverage than the R-3 district, but couples that with higher standards for a quality residential living environment, common open space areas, landscaping, and other features that benefit the new residents as well as the surrounding neighborhood. The non-residential/commercial aspects of this mixed-use district are intended to serve neighborhood needs, compatibility, and promote pedestrian access to sustain local shopping.

### **Staff Recommendation**

Approval of the ordinance amending Chapter 4, Zoning Districts, and relevant sections of Chapter 5, Use Regulations, Chapter 6, Dimensional Standards and Measurement, Chapter 7, Development and Design Standards, and Chapter 8, Subdivision Standards, of Title 21 regarding the R-3A zoning district.

Attachments

# Municipality of Anchorage



Planning Department  
Long-Range Planning Division

## Memorandum



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**Date:** August 15, 2017  
**To:** R-3A Review Panel  
**From:** Planning Staff  
**Subject:** Draft R-3A Zoning District – Code Amendment Annotation

The following text introduces the code amendment language, and provides commentary annotated on every other page.

### Amendments to the Zoning Code

#### How to read this section.

The draft amendments are arranged in the order they appear in the Title 21 Land Use Regulations (Zoning Code). The majority of the amendments are concentrated in Chapter 4 Section 21.04.020, Residential Districts. This is where a new subsection 21.04.020H. establishes the R-3A Residential Mixed-use District and its district-specific standards. Amendments in other sections of Title 21 have been made where they relate to the R-3A District. For example, Chapter 5 Table 21.05-1: Table of Allowed Uses establishes what uses would be allowed or prohibited in the R-3A. Chapter 6 Table 21.06-1: Table of Dimensional Standards – Residential Districts establishes setback, lot coverage, and building height standards. Later sections in Chapters 6, 7 and 8 address the R-3A district in the code's site development and subdivision regulations.

The amended code language is located on the odd-numbered pages. The facing (even-numbered) pages contain annotation about the code amendments. The annotation includes descriptions of the issue and the legislative intent of the solution. Annotation also provides guidance information for how to interpret and apply the draft amendment language.

Commentary is in **Comic Sans Serif**.

Code language appears on the right page in **Arial**.

Added language is underlined, and deleted language is ~~struckthrough~~, except that the new subsection 21.04.020H. is shown without underlines because all of subsection H. is new.

## **Section 21.04.020H.**

Chapter 4 of Title 21 provides the district purpose statements and district-specific standards for each zoning district. This new subsection H. establishes the R-3A District.

The subsection places most regulations specific to the new R-3A District in one section, to maximize a single stop clearinghouse for users. It provides references to the other sections of Title 21 that apply to the R-3A District.

### **H.1. Purpose**

The purpose statement explains the legislative intent behind the R-3A district. Purpose statements in Title 21 are not substantive requirements. They provide context whereby the regulatory provisions (located in subsection H.2.) can be better understood. This section refers to gross residential densities, typical for planning level purpose statements. Both gross and net densities are defined in Title 21.

### **H.2. District-Specific Standards**

Most of H.2. addresses the introduction of commercial mixed-use and taller, mid-rise buildings into low-rise residential neighborhoods. They set minimum standards for:

- Maintaining a primarily residential use and character (subsections a, b, and c);
- Creating a neighborhood-scale pedestrian-oriented commercial setting (d., e., and f.);
- Allowing taller buildings through bonuses; and mitigating tall building impacts (g. and h.)

#### **H.2.a. Allowed Commercial Uses**

The 33 percent standard is calibrated to allow up to a full commercial ground floor in a three-story building with upper floor residential apartments.

#### **H.2.b. Minimum Residential Density**

"Density, Net" is defined in Chapter 14, in section 21.14.040, *Definitions*. 15 dwelling units per acre is considered to be the minimum concentration of housing (i.e., at the low end of the range) that is adequate to meet Anchorage's forecast housing needs, and support the public transit and pedestrian facilities necessary for compact, efficient development. Multifamily zoned lands are at a premium, so their efficient use is a priority.

#### **H.2.c. Timing of Residential and Non-Residential Development**

This ensures that at all times and phases of a development the R-3A stays foremost a residential zone. It avoids a situation in which the commercial portion of a permitted development plan is financed and built first, and the housing much later or not at all. Its language is more flexible than in the R-4A zone, which requires all of the permitted housing to be built first.

## Section 21.04.020 Residential Districts

### Add the Following New Subsection H:

#### H. **R-3A: Residential Mixed Use District** (Renumber Subsequent Subsections after New R-3A Subsection H)

##### 1. **Purpose**

The R-3A district is a medium density, mixed-use multi-family district with gross densities between 12 and 30 dwelling units per acre. The R-3A district is primarily residential, but allows a variety of compatible commercial, retail, services, or office uses, as identified in Table 21.05-1. To maintain and provide desired housing densities with the addition of other uses, the R-3A district allows greater building heights and greater lot coverage than the R-3 district, based on site specific criteria, while maintaining a residential living environment with common open space, landscaping, and other features that benefit residents and the community. The R-3A district is typically located near designated city, regional, and town centers. The commercial aspects of this mixed-use district are intended to serve local neighborhood needs and promote pedestrian access to support local shopping.

##### 2. **District Specific Standards**

###### a. **Allowed Commercial Uses**

The R-3A District, allows a maximum of 33% of gross floor area on the development site to be dedicated to non-residential uses such as commercial development. Allowed commercial uses are identified in Table 25.01-1. Commercial uses may be located in the same building as residential development or may be housed in a separate building from residential units.

###### b. **Minimum Residential Density**

The development shall be built to a net density of at least 15 dwelling units per acre.

###### c. **Timing of Residential and Non-Residential Development**

At any phase of the development, the non-residential portion of the development shall not receive a certificate of occupancy or conditional certificate of occupancy until the proportionate share of residential units that meet the requirements of 2. A. and 2. B. above have received a certificate of occupancy or conditional certificate of occupancy.

## **H.2.d. Mixed-use Development Standards**

H.2.d. is specific to commercial mixed-use in the R-3A District. Subsections i. through iv. address basic site planning pre-requisites for walkable, neighborhood mixed-use development: to place and orient establishments in ways that integrate rather than segregate uses, invite rather than repel activity, and open up rather than close in establishments. Building placement relative to streets, pedestrian connections, and commercial façade openness and transparency are essential to mixed-use.

i. through iv. set a relatively low bar, compared to typical mixed-use settings in the U.S. They set a low common denominator to be practical in most areas of town likely to become R-3A districts. Stronger area-specific standards may be added later if the city designates certain streets or neighborhood areas to become more urban and walkable.

Subsections v. and vi. focus on mitigating the impacts of commercial uses on the residential living environment, and maintaining a neighborhood scale.

### **H.2.d.i. Building Placement Relative to the Street**

This provision refers the user to the Chapter 6 setbacks provisions in Title 21, subsection 21.06.030C.5., *Maximum Setbacks*. That subsection shows users how to measure, apply, use, and finding exceptions and exemptions to maximum setbacks in Title 21. It shows how maximum setbacks apply to sites with more than one building.

Prevailing zoning practice for mixed-use districts and "form-based" districts is to require buildings to be set right at the street ROW, or very close to the ROW. This is often called a "set-to" line. R-3A draft is more flexible to respond to local conditions. For example, it allows any building to be set back 60 feet, and mid-rises set back 90 feet.

### **H.2.d.ii. Street Facing Windows and Entries**

H.2.d.ii uses the following set of Title 21-specific terms that are defined in Chapter 14, subsection 21.14.040. The definitions are important to understanding the provision. The reference to finished grade is necessary to have windows at sidewalk levels

- Visual access window (see "Window, Providing Visual Access")
- Primary entrance
- Wall area
- Building elevation (illustrated)
- Street facing building elevation (illustrated)
- Blank wall (illustrated)

An illustration and photos will be provided on the following pages.

**d. Mixed-Use Development Standards**

**Purpose**

The R-3A district is intended to create a mixed-use neighborhood development, with buildings addressing a "complete street" pedestrian environment with shops, entrances, and windows. Non-residential uses should be located along the street frontage and away from property lines that abut lower density residential areas.

**i. Building Placement Relative to the Street**

At least one-third (33%) of the length of the ground floor, street-facing non-residential building elevations shall have a maximum setback of 40 feet, as established in the R-3A District dimensional standards in Table 21.06-1, and in compliance with the illustrated maximum setback provisions of subsection 21.06.030C. 5. The maximum setback may be increased to 60 feet as provided in subsection 21.06.030C.5.c. The maximum setback may be increased to 90 feet for mid-rise buildings as provided in subsection 21.06.030C. 5. d.. Sites in the R-3A District with more than one street frontage shall meet these standards on at least two streets.

**ii. Street Facing Windows and Entries**

Visual access windows or primary entrances shall comprise at least 15 percent of the non-residential wall area of the street facing elevation. If there is more than one street frontage or building on the site, the street facing wall areas may be combined for the purpose of this calculation. Building façade walls more than 150 feet away from the facing street ROW are exempt from this calculation. The following additional standards apply to this calculation on the ground floor:

- (A) Qualifying windows shall be no more than four feet above finished grade.
- (B) No single blank wall section between qualifying windows or entries on the longest building elevation shall be more than two-thirds of the total length of that elevation.

### H.2.d.iii. Visible Primary Entrances

The following terms in this provision are Title 21 terms defined in Chapter 14:

- Primary entrance
- Walkway
- Primary pedestrian walkway (with development standards in subsection 21.07.060F.4.)
- Wall plane
- Projection, wall plane
- Recess, wall plane

The distances of 90 feet and 45 feet respectively are intended to be calibrated relative to the width of a parking lot. 90 feet allows for a maximum of a single parking bay including a drive aisle between two rows of parking spaces between the building and street. 45 feet allows for only a drive aisle. Both account for perimeter landscaping and building façade walkways, such as pictured below, where the Walgreens store at Creekside Town Center is set back from DeBarr Road behind one parking bay.



### H.2.d.vi. Maintaining Residential Character

Mid-rise multistory buildings are intended to be residential, rather than a mid-rise office district. Commercial uses are limited to the bottom three stories.

**iii. Visible Primary Entrances**

- (A) Developments with non-residential uses shall provide at least one primary entrance that is connected by a walkway of 90 feet or less to the street ROW. The walkway shall meet the standards of primary pedestrian walkway if the walkway is more than 45 feet long.
- (B) The primary entrance in 3. a. above shall be accentuated by at least one of the following menu choices:
  - (1) Portico, overhang, canopy, or similar permanent feature projecting from the wall;
  - (2) Recessed and/or projected entrance wall plane;
  - (3) Arches, peaked roof forms, terracing parapets, or other change of building roofline;
  - (4) Changes in siding material, or detail features such as tilework, to signify the entrance, or:
  - (5) Entrance plaza, patio, or similar common private space.

**iv. Street-Facing Structured Parking**

Structured parking is subject to subsection 21.07.090M. 3.

**v. Outdoor Commercial Operations**

All commercial and non-residential uses shall be conducted entirely within an enclosed building concept except for parking and loading facilities and restaurant seating

**vi. Maintaining Residential Character**

All floor area dedicated to height increases in the development beyond 40 feet shall be residential.

**e. Reduced Parking Ratios**

Development in the R-3A district shall be eligible for a reduction of the minimum number of parking spaces, as provided in subsection 21.07.090F. 6.

**f. Enhanced Sidewalk Option**

An enhanced sidewalk environment may be provided in lieu of required sidewalks and site perimeter landscaping, as provided in subsection 21.07.060F. 17.

### **H.2.g. Building Height Increases**

Developments may earn up to three additional stories by selecting from a menu of seven public benefit features. Each feature earns 10 feet (i.e., one story) of additional height for all of the buildings on the site. For example, if a development provides three bonus features, it earns  $3 \times 10 \text{ feet} = 30 \text{ feet}$ /3 stories of additional height over the by-right maximum height of 40 feet/3 stories. If a development provides only one feature, it earns entitlement to 10 feet/one story additional height.

Each menu choice is a public benefit feature that the developer would not necessarily always include in a tall building anyway. Rather than a give-away, it is an extra benefit to the neighborhood and public. These features appear in other Title 21 menus.

Additional height is not necessarily to the public benefit or needed to achieve the desired densities of 12 to 30 dwellings per gross acre in this district. Additional height is likely to be of interest to developers because of the advantages it may provide to the project. The purpose of the menu is to gain public benefit features in return for granting taller height, and to mitigate the effects of greater height and bulk on the neighborhood through high quality developments.

**g. Building Height Increases**

Building height increases may exceed the maximum height established in table 21.06-1, up to a maximum height of 70 feet not to exceed 6 stories through the following bonuses. These provide for an incremental increase in height in exchange for features deemed of benefit to the community. Height increases are subject to the R-3A district building bulk and transition standards of subsection f. below to mitigate impacts on surrounding properties and support neighborhood compatibility. An increase in height may be achieved through the use of one or more of the following choices:

**i. Increased Housing Density**

10 feet of additional height is allowed where the housing density of the development site is at least 30 dwelling units per net acre.

**ii. Below Grade Parking**

10 feet of additional height is allowed where at least one-third of the parking spaces of the development site are in a covered below grade parking level. Another 10 feet of additional height is allowed where at least two-thirds of the parking spaces of the development site are in a covered below grade parking level.

**iii. Affordable Housing Units**

10 feet of additional height is allowed where at least 10 percent of the dwellings are affordable rental housing units consistent with the standards of 21.07.110H., Affordable Housing.

**iv. Habitable Floor Area Wrapping Parking Garages**

10 feet of additional height is allowed where the development features habitable floor area wrapped around a parking structure. The gross floor area of the wrap portion of the building shall be equal to at least half the gross floor area of additional height gained through this feature.

**v. Additional/High Quality Open Space**

10 feet of additional height is allowed where additional ground level open space not to be used for snow storage and that meets the standards for high quality spaces in 21.07.030D.4. is provided. The open space shall be in addition to any open space otherwise required by this title, and its area shall be equal to or greater than half the gross floor area of additional height gained through this feature.

### H.2.h. Neighborhood Protections

The areas most likely to become R-3A districts are in outlying, low-rise parts of town. R-3A areas are more likely than the R-4 or R-4A districts to be surrounded by lower density R-1 and R-2 zoned neighborhoods. The building height increases in subsection g. above would be subject to the following criteria for approval.

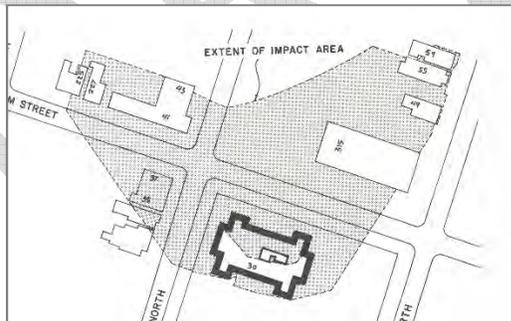
- i. Building Bulk / Height Transitions to adjacent lower density neighborhoods
- ii. Solar Access protections for surrounding properties
- iii. Administrative site plan review process
- iv. Upper story floor plate limitations

Items i. and iii. also apply to height increases in the R-4, R-4A, and B-3 districts.

The solar access and upper floor size limits would apply to the R-3A because R-3A is intended to be a medium density district not high intensity like R-4/R-4A. It is also more likely than these other districts to be placed in outlying lower density neighborhoods. Therefore, it is not expected to be as bulky, shadowy, and urban, but rather a bridge between R-3 and R-4/R-4A that minimizes its impacts in low-rise neighborhoods. Preserving solar access, keeping mid-rise towers slender, and separating towers with open sky views minimizes the potential for impacts on surrounding low-rise properties.

#### H.2.h.(ii) Northern Climate Sunlight Access

This provision requires a shadow study depicted in a simple plan view drawing. The drawing would show the extent of shadowing from the project for the six hour period.



#### H.2.h.(iv) Upper Story Size/Width Limits

For sites with more than one proposed building, the average gross floor maximum of 12,000 square feet applies to each building individually. The upper floor lot coverage maximum applies to the combined floor plate area of all buildings on the site, for each story. The maximum lot coverage for the R-3A is 50 percent of the site. So, for each floor above the third story (ie., fourth, fifth, and sixth floors), the combined floor plate of all buildings, cannot exceed 25 percent of the site's land area.

- vi. **Transitions in Building Scale or Housing Type**  
10 feet of additional height is allowed where the development provides a transition in building form and scale or housing type down to adjacent properties in lower density residential zoning districts along the entire length of at least one property line of the development.
  
- vii. **Higher Quality Street-Level Mixed-use Pedestrian Environment**  
10 feet of additional height is allowed where the development provides a pedestrian-interactive use meeting the standards of 21.07.060F.16 and enhanced sidewalk meeting the standards of 21.07.060F.4. or F.17., along the majority of the street facing building elevations. Sites with more than two frontages are not required to meet this standard on more than two streets.

**h. Neighborhood Protections**

In order for new developments in this district to maintain compatibility with adjacent residential areas, the following standards apply:

- i. **Height/Bulk Transitions:** Buildings are subject to the height transitions for neighborhood compatibility in subsection 21.06.030D. 8.
  
- ii. **Northern Climate Sunlight Access:** Buildings taller than 40' shall not cast shadows on residential properties, dedicated parks, or school properties between 9:00 AM and 3:00 PM, solar time on the March/September 21 equinoxes.
  
- iii. **Building Height Increases:** Building height increases as provided for in section g. above shall be subject to administrative site plan review unless a major site plan review is required by other provisions. Neighborhood protection standards in subsection 21.07.070 apply as approval criteria. In cases where long-distance views from abutting streets or residential properties to the mountains, the inlet, nearby lakes, or bogs are impacted by proposed construction over 40-feet in height, the value of the view and the number of properties impacted may be considered by the decision-making body in establishing the allowed building height.
  
- iv. **Upper Story Size/Width Limits:** Portions of structures gained through an increase in allowed height above a height of 40 feet are limited to a maximum façade width of 130 feet. The average gross floor area of all stories above 40 feet in height shall be limited to 12,000 square feet. For each story above 40 feet in building height, the total gross floor area of the floor plates of the building(s) on the site is limited to a maximum of 50 percent of the maximum lot coverage for the R-3A district.

### H.3. District Location Requirements

Zoning districts in Title 21 that allow commercial uses, including the R-4A, B-1A, B-1B, RO, and B-3 districts, conclude with district location requirements. This provision always follows the district-specific standards of the district.

The draft R-3A is consistent with this approach. It ensures that the introduction of commercial mixed-use, higher intensity, and taller buildings is appropriately located with respect to the surrounding neighborhoods and the Comprehensive Plan's intended distribution of housing and employment growth. Not all areas intended for medium density multifamily development are appropriate for 70 foot tall buildings with commercial use.

The land use designations and "growth supporting feature for residential mixed-use development" are references to the draft Anchorage 2040 Land Use Plan Map (2040 LUP). The easiest way to find the latest draft 2040 LUP is to get online and Google the search term, "Anchorage 2040 Land Use Plan Map".

The 2040 LUP indicates "compact mixed residential - medium" in a medium brown color code. The 2040 LUP indicates "residential mixed-use development" in a white dot stipple pattern that overlays the color codes. R-3A is suggested to be allowable where medium brown is overlaid by the white dot stipple pattern. (Note: Dark brown with white dot stipple is more appropriate for the R-4A district.)

"City Center" and "Town Center" appear in separate shades of purple. "Main Street Corridor" is salmon-colored with diagonal grey lines. R-3A is suggested to be allowable in these designated areas.

Transit Supportive Development Corridors are depicted on the 2040 LUP in a  $\frac{1}{4}$  mile wide diagonal line overlay pattern that feathers out lighter until it disappears at the edges.

- v. **Maximum Building Length:** The maximum length of a townhouse-style building elevation shall be 250 feet.
- vi. **Commercial Gross Floor Area Limitations:** The gross floor area of each allowed use in the commercial use category, except for grocery or food store, is limited to 10,000 square feet per use, without any review beyond that required by table 21.05-1. Gross floor area of more than 10,000 square feet for allowed commercial uses excepting grocery or food stores may be requested through the conditional use procedure. The maximum gross floor area of a grocery or food store is 20,000 square feet, without any review beyond that required by table 21.05-1.

### 3. **District Location Requirements**

#### Purpose

It is essential that this district be limited in extent to particular locations that can accommodate residential growth with minimal impacts to the character of surrounding residential neighborhoods. Areas in this district should also include adequate and complete streets, water, sewer, electric, parks and open space infrastructure. In addition to meeting the general rezoning approval criteria, the new or enlarged R-3A districts shall:

- a. Locate in an area designated in the comprehensive plan, land use plan map for *compact mixed residential-medium* with growth supporting feature for residential mixed-use development or corresponding designation in a neighborhood or district plan; and
- b. Adjacent to or within one of the following land use designations or street classifications identified in the comprehensive plan:
  - 1. City Center
  - 2. Regional Center
  - 3. Town Center
  - 4. Main Street Corridor
  - 5. One quarter mile of a Transit Street ROW of a designated Transit Supportive Development (TSD) corridor, on the segments of the street identified as being in the TSD in the comprehensive plan.
  - 6. Intersection of an arterial street and another street classified in the Official Streets & Highways Plan as a collector or greater, with public transit on both streets.

**21.05. Use Regulations: Table 21.05-1 (abridged)**

Title 21 establishes the allowed uses by zoning district in Table 21.05-1.

R-3A district allowed use column is highlighted. The allowed uses in R-2D, R-2M, R-3, R-4, and R-4A are shown along with R-3A for context.

The approach in the draft R-3A ordinance is to make the R-3A generally consistent with the allowed commercial uses in the higher intensity R-4A residential mixed-use district. Because the R-3A district is intended to be lower intensity than R-4A, some uses are proposed to be more restricted, or subject to a higher level of review, than in the R-4A.

DRAFT

**21.05 USE REGULATIONS**

(The proposed R-3A Zoning District is incorporated into the Table of Allowed Uses as shown below. For comparison purposes, other Residential districts that may include multi-family housing are also shown. The R-3A District is highlighted in the table.)

**Table 21.05-1 (Abridged)**

Use Category	Use Type	Residential					
		R-2D	R-2M	R-3	R-3A	R-4	R-4A
<b>RESIDENTIAL USES</b>							
Household Living	Dwelling, mixed-use				P	P	P
	Dwelling, Multi-family		P\S	P	P	P	P
	Dwelling, Single Family Attached	P	P	P		P	
	Dwelling, Single Family Detached	P	P	P		P	
	Dwelling, Townhouse		S	S	S	S	S
	Dwelling, Two-Family	P	P	P		P	
	Manufactured Home Community		C	C		C	
Group Living	Assisted Living Facility (3-8 Residents)	P	P	P	P	P	P
	Assisted Living Facility (9 or more Residents)	C	P	P	P	P	P
	Habilitative Care Facility, small (up to 8 Residents)	P	P	P	P	P	P
	Habilitative Care Facility, medium (9-25 Residents)	C	C	P	P	P	P
	Habilitative Care Facility, Large (26 + Residents)			P	P	P	P
	Rooming house		C	P	P	P	P
	Transitional Living Facility			P	P	P	P
<b>COMMUNITY USES</b>							
Adult Care	Adult Care Facility (3-8 Persons)	P	P	P	P	P	P
	Adult Care Facility (9 or more Persons)	C	C	C	C	C	C
Child Care	Child Care Center (9 or more Children)	C	S	S	S	S	S
	Child Care Home (up to 8 Children)	P	P	P	P	P	P
Community Service	Cemetery or Mausoleum						
	Community Center			S	S	S	S
	Homeless and Transient Shelter						

Use Category	Use Type	R-2D	R-2M	R-3	R-3A	R-4	R-4A
Community Service (Cont.)	Neighborhood Recreation Center	S	S	S	S	S	S
	Religious Assembly	S	S	S	S	S	S
	Social Service Facility		C	C	C	C	
Cultural Facility	Aquarium						
	Botanical Garden						
	Library	S	S	S	S	S	S
	Museum						
	Zoo						
Educational Facility	Boarding School			M	M	M	M
	College or University						M
	Elementary or Middle School	P/ M	P/ M	P/ M	P/ M	P/ M	P/ M
	High School	P/ M	P/ M	P/ M	P/ M	P/ M	P/ M
	Instructional Services	C	C	C	C	C	C
	Vocational or Trade School						
Health Care Facility	Health Services				P		P
	Hospital\Health Care Facility						
	Nursing Facility						
Parks and Open Space	Community Garden		P	P	P	P	P
	Park, Public or Private	P	P	P	P	P	P
Public Safety Facility	Community or Police Substation		P	P	P	P	P
	Correctional Institution						
	Fire Station	M	M	M	M	M	M
	Public Safety Facility						
Transportation Facility	Airport						
	Airstrip, Private	C	C				
	Heliport	C	C				
	Rail Yard						
	Railroad Freight Terminal						
	Railroad Passenger Terminal						
Utility Facility	Transit Center						
	Tower, High Voltage Transmission	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C
	Utility Facility						
	Utility Substation	C	C	C	C	C	C

Use Category	Use Type	R-2D	R-2M	R-3	R-3A	R-4	R-4A
Utility Facility (Cont.)	Wind Energy Conversion System (WECS), Utility						
	Type 1 Tower	S	S	S	S	S	S
	Type 2 Tower						
	Type 3 Tower	S	S	S	S	S	S
	Type 4 Tower	P	P	P	P	P	P
<b>COMMERCIAL USES</b>							
Agricultural Uses	Commercial Horticulture	C	C				
Animal, Sales, Service, & Care	Animal Boarding						
	Animal Shelter						
	Large Domestic Animal Facility, Principle Use						
	Retail and Pet Services				P		P
	Veterinary Clinic				P		P
Assembly	Civic/Convention Center						
	Club/Lodge/Meeting Hall			C	C	S	S
Entertainment and Recreation	Amusement Establishment						
	Entertainment Facility, Major						
Entertainment and Recreation (Cont.)	Fitness and Recreational Sports Center				P	S	P
	Night Club						
	Shooting Range, Outdoor						
	Skiing Facility, Alpine						
	Theater Company or Dinner Theater						
Food and Beverage Service	Bar						
	Food and Beverage Kiosk				P		
	Restaurant				P	S	P
Office	Broadcasting Facility						
	Financial Institution				P		P
	Office, Business or Professional				P		P
Personal Services, Repair, and Rental	Business Service Establishment				C		C
	Funeral/Mortuary Services						
	General Personal Services				P		P
	Small Equipment Rental						
Retail Sales	Auction House						
	Building Materials Store						
	Convenience Store			C	P	S	P

Use Category	Use Type	R-2D	R-2M	R-3	R-3A	R-4	R-4A
Retail Sales (Cont.)	Farmers Market						
	Fueling Station						
	Furniture and Home Appliance Store						
	General Retail				P		P
	Grocery or Food Store				P	S	S
	Liquor Store						
	Pawnshop						
Vehicles and Equipment	Aircraft and Marine Vessel Sales						
	Parking Lot or Structure (50 or more Spaces)		C	C	C	C	C
	Parking Lot or Structure (Less than 50 Spaces)		C	C	C	C	C
	Vehicle – Large, Sales and Rental						
	Vehicle – Small, Sales and Rental						
	Vehicle Service and Repair, Major						
	Vehicle Service and Repair, Minor						
Visitor Accommodations	Camper Park			C		C	
	Extended Stay Lodging				C	C	S
	Hostel		C	S	S	S	S
	Hotel/Motel				C	C	S
	Inn				S		S
	Recreational and Vacation Camp						
<b>COMMERCIAL MARIJUANA USES</b>							
There are no Commercial Marijuana Uses allowed in Residential Districts							
<b>INDUSTRIAL</b>							
Industrial uses allowed in residential districts are very limited and include the following:							
Manufacturing and Production	Natural Resource, Extraction, Organic and Inorganic	C	C	C	C	C	C
Waste & Salvage	Land Reclamation	S/C	S/C	S/C	S/C	S/C	S/C
	Snow Disposal Site	C	C	C			

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**21.06. Dimensional Standards: Table 21.06-1**

Title 21 establishes the residential districts' basic dimensional standards for setbacks, lot coverage, and building height in Table 21.06-1.

R-3A district section of the table is highlighted. The dimensional standards for R-2M, R-3, R-4, and R-4A are provided alongside R-3A for context.

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**CHAPTER 21.06: DIMENSIONAL STANDARDS**

**21.06.020 DIMENSIONAL STANDARD TABLES**

<b>TABLE 21.06-1: TABLE OF DIMENSIONAL STANDARDS – RESIDENTIAL DISTRICTS</b>								
<b>(Additional Standards may apply. See District-specific standards in Chapter 21.04 and use-specific standards in Chapter 21.05)</b>								
Use	Minimum Lot Dimensions		Max Lot Coverage (%)	Minimum Setback Requirements (ft.)			Max number of Principal Structures per lot	Maximum Height of Structures (ft.)
	Area (Sq. ft.)	Width (ft.)		Front	Side	Rear		
<b>R-2M Mixed Residential District</b>								
Dwelling, Single Family Detached	6,000	50	40	20	5	10	1	Principal: 30 feet, not to exceed two and one-half stories
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 Lot line: otherwise 5	10	1	
Dwelling, townhouse	2,400	24, (30 on corner lots)	40	20	N/A on Lot line: otherwise 5	10	1	Accessory Garages/ Carports
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 21.07.110G. 2.	
Dwelling, multifamily, with single or two-family style construction of multiple buildings on a lot	3,000 Per Unit	50	40	20	10	10		
All Other uses	6,000	50	40	20	5	10		

<b>TABLE 21.06-1: TABLE OF DIMENSIONAL STANDARDS – RESIDENTIAL DISTRICTS</b>								
<b>(Additional Standards may apply. See District-specific standards in Chapter 21.04 and use-specific standards in Chapter 21.05)</b>								
Use	Minimum Lot Dimensions		Max Lot Coverage (%)	Minimum Setback Requirements (ft.)			Max number of Principal Structures per lot	Maximum Height of Structures (ft.)
	Area (Sq. ft.)	Width (ft.)		Front	Side	Rear		
<b>R-3 Mixed Residential District</b>								
Dwelling, Single Family attached	3,000	35 (40 on corner lots)	40	20	N/A on common lot line: otherwise 5	10	1	35
Dwelling, single family detached	6,000	50	40	20	5	10	1	
Dwelling, townhouse	2,000	20 (30 on corner lots)	60	20	N/A on common lot line: otherwise 5	10	1	

Dwelling, two-family	6,000	50	40	20	5	10	1	More than one principal structure may be allowed on any lot or tract in accordance with subsection 21.07.110G. 2.
Dwelling, multifamily three or four units	6,000	50	40	10	5, unless the abutting lot has lower-density residential zoning, in which case 10	10, if abutting an alley, otherwise 20		
Dwelling, multifamily, five or six units	8,500	50	40	10				
Dwelling, multifamily, seven or more units	9,000 + 1,000 for every unit over 7 units	50	40	10				
All Other uses	6,000	50	40	20	10	20	35	

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**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		Max Lot Coverage (%)	Minimum Setback Requirements (ft.)			Max number of Principal Structures per lot	Maximum Height of Structures (ft.)
<b>R-3A: Medium Density, Mixed-Use Residential District</b>								
Dwelling, Townhouse	2,000	20 (30 on Corner Lots)	60	20	N/A with common wall – otherwise 5	10	More than 1 Principal Structure may be allowed on any lot per 21.07.110 G.2.	35
Dwelling, Mixed-Use	6,000 + 1,000 sq ft for every dwelling unit over 6 units	50	50	Min. 10; 30 when upper floors exceed 3 stories. Max. 40 <sup>5</sup> A minimum of 33% of the front building elevation shall be within the maximum front setback (see 21.06.030C.5.)	5 plus two feet for each 5 feet in height exceeding 35 feet	10, if abutting an alley, otherwise 20		40, not to exceed 3 stories <sup>14</sup>
Dwelling, Multi-family	6,000 + 1,000 sq ft for every dwelling unit over 6 units	50	50		5 plus two feet for each 5 feet in height exceeding 35 feet	10, if abutting an alley, otherwise 20		
All Other Uses	6,000 + 1,000 sq ft for every dwelling unit over 6 units	50	50		5 plus two feet for each 5 feet in height exceeding 35 feet	10, if abutting an alley, otherwise 20		
<sup>14</sup> See Subsection 21.04.020H for information regarding possible height increases								
<b>R-4: Multi-Family Residential District</b>								
Dwelling, Single Family attached	3,000	35 (40) on Corner Lots	40	20	N/A on Common Lot Line; Otherwise 5	10	1	35
Dwelling, single family detached	6,000	50	40		5	10		
Dwelling, Townhouse	2,000	20 (30 on corner lots)	60	10	N/A on Common Lot Line; Otherwise 5	10	More than one principal structure may be allowed on any lot or tract per 21.07.110G.2.	35
Dwelling, Multi-family	6,000	50	60		5 plus one foot for each 5 feet in height exceeding 35 feet	10		45 <sup>4</sup>
All Other Uses	6,000	50	60		10	10		45

**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		Max Lot Coverage (%)	Minimum Setback Requirements (ft.)			Max number of Principal Structures per lot	Maximum Height of Structures (ft.)
	Area (Sq. ft.)	Width (ft.)		Front	Side	Rear		
<b>R-4A: Medium Density, Mixed-Use Residential District</b>								
Dwelling, Townhouse	2,000	20 (30 on corner lots)	60	Min. 10 Max. 20 <sup>5</sup> A minimum of 50% of the front building elevation shall be within the maximum front setback (see 21.06.030C.5.)	N/A on common lot line, otherwise 5	15 if adjacent to a residential district (except R-4 or R-4A), otherwise 10	More than one principal structure may be allowed on any lot or tract in accordance with 21.07.110 G2.	35
Dwelling, Mixed-Use	6,000	50	75		10 if adjacent to a residential district, (except for R-4 or R-4A), otherwise 5			70 <sup>6</sup>
Dwelling, Multi-family	6,000	50	75					
All Other Uses	6,000	50	50					45

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**Table of Permitted Accessory Uses and Structures**

TABLE 21.05-3: TABLE OF ACCESSORY USES-RESIDENTIAL COMMERCIAL, INDUSTRIAL AND OTHER DISTRICTS																							
P = Permitted      S = Administrative Site Plan Review      C = Conditional Use Review																							
Accessory Uses	RESIDENTIAL															COMMERCIAL					INDUST.		Definitions and Use-Specific Standards
	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-3A	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2	
Accessory dwelling unit (ADU)	P <sup>3</sup>	P <sup>3</sup>	P	P	P	P	P	P <sup>4</sup>	P <sup>4</sup>	P	P	P	P	P	P								21.05.070. D.1.
Bed and breakfast (up to 3 guestrooms)	P	P	P	P	P	P				P	P	P	P	P	P	P	P	P	P				21.05.070D.2.
Bed and breakfast (4 or 5 guestrooms)	S	S	S	S	S	S				S	S	S	S	S	S	P	P	P	P				21.05.070D.2.
Beekeeping	P	P	P	P	P	P		P		P	P	P	P	P	P								21.05.070D.3.
Caretaker's residence																P	P	P	P	P	P	P	21.05.070D.4
Dormitory						S	S	S	S	S	S	S	S	S	S			P			C	P	21.05.070D.5.
Drive-through service																P / S	P / S	P / S	P / S	P / S	P / S	P / S	21.05.070D.6.
Farm, hobby										P	P	P	P	P									21.05.070D.7.
Garage or carport, private residential	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		21.05.070D.8.
Home- and garden-related use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		21.05.070D.9.
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		21.05.070D.10.
Intermodal shipping container	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070D.11.
Large domestic animal facility										P / C	P / C	P / C	P / C	P / C	P / C								21.05.070D.12.
Marijuana, personal cultivation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070D.13.
Outdoor keeping of animals	P	P	P	P	P	P				P	P	P	P	P									21.05.070D.14.

**TABLE 21.05-3: TABLE OF ACCESSORY USES-RESIDENTIAL COMMERCIAL, INDUSTRIAL AND OTHER DISTRICTS**

**P = Permitted**

**S = Administrative Site Plan Review**

**C = Conditional Use Review**

Accessory Uses	RESIDENTIAL															COMMERCIAL					INDUST.		Definitions and Use-Specific Standards	
	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-3A	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2		
Outdoor display accessory to a commercial use																P	P	P		P	P	P		21.05.070D.15.
Outdoor storage accessory to a commercial use																		P		P	P	P		21.05.070D.16.
Outdoor storage associated with a community use																		S						21.05.070D.22.
Outdoor storage of vehicles and/or equipment associated with a community use																		S						21.05.070D.23.
Parking of business vehicles, outdoors, accessory to a residential use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									21.05.070D.17.
Private outdoor storage of non-commercial equipment accessory to a residential use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									21.05.070D.18.
Telecommunications antenna only, large	P <sup>5</sup>	P	P <sup>5</sup>				P <sub>6</sub>					21.05.040K.												
Telecommunications antenna only, small	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									21.05.040K.
Type 4 tower	S <sup>6</sup>	S	S <sup>6</sup>				S					21.05.040K.												
Vehicle repair/rebuilding, outdoor, hobby	P	P	P	P	P					P	P	P	P	P	P									21.05.070D.19.
Wind energy conversion system (WECS), freestanding small	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S				S	S / C	S / C	S / C		21.05.070D.20.
Wind energy conversion system (WECS), building mounted small							S	S	S							S	S	S		S	S	S		21.05.070D.20.

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#### **21.06.030D.8 Height Transitions for Neighborhood Compatibility**

The underlined text adds the R-3A district to this existing provision which applies to zoning districts that allow buildings taller than allowed in the existing R-3 zone.

#### **21.07.030. Private Open Space**

The underlined text adds the R-3A district to the existing provisions for private open space.

The private open space requirements in Title 21 were calibrated already to allow densities of up to 40 dwelling units per acre in the R-3 district, which is consistent with the R-3A intended densities. The New Title 21 allows balconies, front stoops and porches, indoor spaces, and rooftop spaces to count toward the private open space requirement.

#### **21.07.080. Landscaping**

The underlined text adds the R-3A district to the existing provisions for site perimeter landscaping. R-3A would generally have the same site perimeter landscaping requirements as R-3, except that commercial uses, which are not allowed in R-3, would be subject to R-4/R-4A site perimeter landscaping requirements when abutting lower density residential districts.

#### **21.07.090F. Parking Reductions and Alternatives**

The underlined text adds the R-3A district to the list of mixed-use districts in which developments are entitled to an administrative 10 percent reduction in the minimum number of required parking spaces.

**Section 21.06.030      Height Transitions for Neighborhood Compatibility**

**D. 8. b. Applicability**

This standard shall apply to structures located in any non-residential district (except for the DT districts), the R-3A district, the R-4 district, or the R-4A district, that is within 200 feet of any lot designated in the comprehensive plan land use plan map as “large lot residential”, “single family—detached”, “single family—attached and detached”, “compact and mixed housing”, and “multifamily”.

**Section 21.07.030      Applicability and Open Space Requirement**

**B. 3. Private Open Space**

R-3 and R-3A districts: 250 square feet of private open space per dwelling unit...

**Section 21.07.080 Landscaping, Screening and Fences**

Table 21.07-2. Minimum Site perimeter Landscaping Requirements

- Add R-3A to R-3 column header and to the R-3 row
- Add a footnote 3 to the table footer that establishes:

Commercial developments and buildings exceeding 35 feet in height in the R-3A are subject to the R-4/R-4A site perimeter landscaping standards

**Section 21.07.090      Parking**

**F. 6. Parking Reductions and alternatives – Districts that Promote a Mix of Uses**

- a. Uses located in the R-3A and R-4A districts are eligible for a reduction of up to 10 percent of the minimum number of required parking spaces.

**M. 3. Ground Floor Use**

In the B-3, R-3A, R-4, and R-4A districts that have been specifically designated in the comprehensive plan as a main street ...

**Section 21.08.050      Improvements**

**B. Improvement Areas Defined Table 21.08.-1**

Add R-3A to the Residential District Type row in the Class A column

Submitted by: Chair of the Assembly at  
the Request of the Mayor  
Prepared by: Planning Department  
For reading:

**ANCHORAGE, ALASKA  
AO NO. 2017-**

**AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SUBSECTION  
21.04 ZONING DISTRICTS, 21.05 USE REGULATIONS, 21.06 DIMENSIONAL  
STANDARDS AND MEASUREMENTS, 21.07 DEVELOPMENT AND DESIGN  
STANDARDS, AND 21.08 SUBDIVISION STANDARDS.**

(Planning and Zoning Case 2017-0110)

---

**WHEREAS**, residential mixed-use developments provide communities with many benefits, such as greater housing variety and efficient use of land, more compact development, pedestrian and bicycle-friendly environments, and reduced distances between housing, workplaces, retail businesses, and other destinations; and

**WHEREAS**, *Anchorage 2020 – Anchorage Bowl Comprehensive Plan* Policy #11, which encourages residential mixed-use development as a permitted use in certain zoning districts provided that the development maintains or improves the functional and aesthetic characteristics of the surrounding area and maintains or improves adjacent transportation access and traffic flow; and

**WHEREAS**, the 2012 Anchorage Housing Market Analysis found that Anchorage does not have enough buildable land to accommodate future housing demands, and that stand alone mid-rise and low-rise residential buildings do not offer sufficient new units to meet demand; and;

**WHEREAS**, that study found that housing policy changes including increasing density and land use efficiency while providing targeted opportunity areas for denser development would begin to create supply to meet demand; and

**WHEREAS**, in anticipation of projected residential demand, the *2040 Land Use Plan* introduced a new residential district that offers targeted and strategically located areas for residential mixed use, at a medium density with gross densities of 15 to 40 dwelling units per acre, which is a new zoning tool that will provide significant opportunity for new residential units in certain areas of the Anchorage Bowl; and

**WHEREAS**, the R-4A zoning district is primarily a high-density multifamily district intended for areas in or near downtown and midtown with gross densities greater than 35 dwelling units per acre while permitting commercial retail, services, and office uses within the development; and

**WHEREAS**, the *2040 Land Use Plan* envisions a new R-3A residential mixed-use zoning district that would allow mixed-use with commercial uses in an integrated

1 neighborhood setting that is located outside of the downtown and midtown areas and  
2 is compatible with the surrounding neighborhood; and  
3

4 **WHEREAS**, the *2040 Land Use Plan* recognizes that residential mixed-use  
5 development is appropriate where it can facilitate revitalization in or near city centers,  
6 university or medical centers, town centers, and main street corridors served by  
7 transit and trails; and  
8

9 **WHEREAS**, residential mixed-use development areas are called for in several  
10 adopted neighborhood or district plans, including the Downtown, Fairview and East  
11 Anchorage plans; and  
12

13 **WHEREAS**, there is growing private sector development interest in investment and  
14 construction of new residential mixed-use projects in Anchorage that will allow the  
15 development of apartments and condominiums, in a mixed-use configuration with  
16 office/retail, now, therefore,  
17

## 18 **THE ANCHORAGE ASSEMBLY ORDAINS:**

19

20 **Section 1.** Anchorage Municipal Code section 21.04.020, *Residential Districts*, is  
21 hereby amended to read as follows:  
22

### 23 **Add the Following New Subsection H:**

24

#### 25 **H. R-3A: Residential Mixed Use District [Renumber Subsequent** 26 **Subsections after New R-3A Subsection H]**

27

##### 28 **1. Purpose**

29 The R-3A district is a medium density, mixed-use multi-family district  
30 with gross densities between 12 and 30 dwelling units per acre. The  
31 R-3A district is primarily residential, but allows a variety of  
32 compatible commercial, retail, services, or office uses, as identified  
33 in Table 21.05-1. To maintain and provide desired housing densities  
34 with the addition of other uses, the R-3A district allows greater  
35 building heights and greater lot coverage than the R-3 district, based  
36 on site specific criteria, while maintaining a residential living  
37 environment with common open space, landscaping, and other  
38 features that benefit residents and the community. The R-3A district  
39 is typically located near designated city, regional, and town centers.  
40 The commercial aspects of this mixed-use district are intended to  
41 serve local neighborhood needs and promote pedestrian access to  
42 support local shopping.  
43

##### 44 **2. District Specific Standards**

45

##### 46 **a. Allowed Commercial Uses**

47 The R-3A District allows a maximum of 33% of gross  
48 floor area on the development site to be dedicated to

1 non-residential uses such as commercial development.

2 Allowed commercial uses are identified in Table 25.01-  
3 1. Commercial uses may be located in the same  
4 building as residential development or may be housed  
5 in a separate building from residential units.

6  
7 **b. Minimum Residential Density**

8 The development shall be built to a net density of at  
9 least 15 dwelling units per acre.

10  
11 **c. Timing of Residential and Non-Residential  
12 Development**

13 At any phase of the development, the non-residential  
14 portion of the development shall not receive a  
15 certificate of occupancy or conditional certificate of  
16 occupancy until the proportionate share of residential  
17 units that meet the requirements of 2. A. and 2. B.  
18 above have received a certificate of occupancy or  
19 conditional certificate of occupancy.

20  
21 **d. Mixed-Use Development Standards  
22 Purpose**

23 The R-3A district is intended to create a mixed-use  
24 neighborhood development, with buildings addressing  
25 a "complete street" pedestrian environment with shops,  
26 entrances, and windows. Non-residential uses should  
27 be located along the street frontage and away from  
28 property lines that abut lower density residential areas.

29  
30 **i. Building Placement Relative to the Street**

31  
32 Non-residential use shall not be separated from  
33 abutting street ROWs by parking lots that are  
34 wider than one parking bay, or 90 feet of total  
35 distance. Where facing a street designated in  
36 the comprehensive plan as main street, mixed-  
37 use street, or transit street typology, at least  
38 one-third of the length of the street-facing  
39 commercial building elevation shall have a  
40 maximum setback of 40 feet, in compliance with  
41 the illustrated maximum setback provisions of  
42 subsection 21.06.030C. 5. The maximum  
43 setback may be increased to 60 feet as provided  
44 in subsection 21.06.030C.5.c. of the maximum  
45 setback provisions. Sites that front on more

than two frontages are required to meet these standards on no more than two streets.

**ii. Street Facing Windows and Entries**

Visual access windows or primary entrances shall comprise at least 15 percent of the non-residential wall area of the street facing elevation. If there is more than one street frontage or building on the site, the street facing wall areas may be combined for the purpose of this calculation. Building façade walls more than 150 feet away from the facing street ROW are exempt from this calculation. The following additional standards apply to this calculation on the ground floor:

- (A) Qualifying windows shall be no more than four feet above finished grade.
- (B) No single blank wall section between qualifying windows or entries on the longest building elevation shall be more than two-thirds of the total length of that elevation.

**iii. Visible Primary Entrances**

- (A) Developments with non-residential uses shall provide at least one primary entrance that is connected by a walkway of 90 feet or less to the street ROW. The walkway shall meet the standards of primary pedestrian walkway if the walkway is more than 45 feet long.
- (B) The primary entrance in 3 a. above shall be accentuated by at least one of the following menu choices:

- (1) Portico, overhang, canopy, or similar permanent feature projecting from the wall;
- (2) Recessed and/or projected entrance wall plane;
- (3) Arches, peaked roof forms, terracing parapets, or other change of building roofline;
- (4) Changes in siding material, or detail features such as tilework, to signify the entrance, or:

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(5) Entrance plaza, patio, or similar common private space.

**iv. Street-Facing Structured Parking**

Structured parking is subject to subsection 21.07.090M. 3.

**v. Outdoor Commercial Operations**

All commercial and non-residential uses shall be conducted entirely within an enclosed building concept except for parking and loading facilities and restaurant seating

**vi. Maintaining Residential Character**

All floor area dedicated to height increases in the development beyond 40 feet shall be residential.

**e. Reduced Parking Ratios**

Development in the R-3A district shall be eligible for a reduction of the minimum number of parking spaces, as provided in subsection 21.07.090F. 6.

**f. Enhanced Sidewalk Option**

An enhanced sidewalk environment may be provided in lieu of required sidewalks and site perimeter landscaping, as provided in subsection 21.07.060F. 17.

**g. Building Height Increases**

Building height increases may exceed the maximum height established in table 21.06-1, up to a maximum height of 70 feet not to exceed 6 stories through the following bonuses. These provide for an incremental increase in height in exchange for features deemed of benefit to the community. Height increases are subject to the R-3A district building bulk and transition standards of subsection f. below to mitigate impacts on surrounding properties and support neighborhood compatibility. An increase in height may be achieved through the use of one or more of the following choices:

**i. Increased Housing Density**

10 feet of additional height is allowed where the housing density of the development site is at least 30 dwelling units per net acre.

**ii. Below Grade Parking**

1 10 feet of additional height is allowed where at least  
2 one-third of the parking spaces of the development site  
3 are in a covered below grade parking level. Another 10  
4 feet of additional height is allowed where at least two-  
5 thirds of the parking spaces of the development site are  
6 in a covered below grade parking level.  
7

8 **iii. Affordable Housing Units**

9 10 feet of additional height is allowed where at least 10  
10 percent of the dwellings are affordable rental housing  
11 units consistent with the standards of 21.07.110H.,  
12 Affordable Housing.  
13

14 **iv. Habitable Floor Area Wrapping Parking Garages**

15 10 feet of additional height is allowed where the  
16 development features habitable floor area wrapped  
17 around a parking structure. The gross floor area of the  
18 wrap portion of the building shall be equal to at least  
19 half the gross floor area of additional height gained  
20 through this feature.  
21

22 **v. Additional/High Quality Open Space**

23 10 feet of additional height is allowed where additional  
24 ground level open space not to be used for snow  
25 storage and that meets the standards for high quality  
26 spaces in 21.07.030D.4. is provided. The open space  
27 shall be in addition to any open space otherwise  
28 required by this title, and its area shall be equal to or  
29 greater than half the gross floor area of additional  
30 height gained through this feature.  
31

32 **vi. Transitions in Building Scale or Housing Type**

33 10 feet of additional height is allowed where the  
34 development provides a transition in building form and  
35 scale or housing type down to adjacent properties in  
36 lower density residential zoning districts along the  
37 entire length of at least one property line of the  
38 development.  
39

40 **vii. Higher Quality Street-Level Mixed-use Pedestrian  
41 Environment**

42 10 feet of additional height is allowed where the  
43 development provides a pedestrian-interactive use  
44 meeting the standards of 21.07.060F.16 and enhanced  
45 sidewalk meeting the standards of 21.07.060F.4. or

1 F.17., along the majority of the street facing building  
2 elevations. Sites with more than two frontages are not  
3 required to meet this standard on more than two  
4 streets.

5  
6 **h. Neighborhood Protections**

7 In order for new developments in this district to maintain  
8 compatibility with adjacent residential areas, the following  
9 standards apply:

- 10  
11 i. Height/Bulk Transitions: Buildings are subject to the  
12 height transitions for neighborhood compatibility in  
13 subsection 21.06.030D. 8.
- 14  
15 ii. Northern Climate Weather Protection and Sunlight:  
16 Buildings taller than 40' shall not cast shadows on  
17 residential properties, dedicated parks, or school  
18 properties between 9:00 AM and 3:00 PM, solar time  
19 on the March/September 21 equinoxes.
- 20  
21 iii. Building Height Increases: Building height increases as  
22 provided for in section g. above shall be subject to  
23 administrative site plan review unless a major site plan  
24 review is required by other provisions. Neighborhood  
25 protection standards in subsection 21.07.070 apply as  
26 approval criteria. In cases where long-distance views  
27 from abutting streets or residential properties to the  
28 mountains, the inlet, nearby lakes, or bogs are  
29 impacted by proposed construction over 40-feet in  
30 height, the value of the view and the number of  
31 properties impacted may be considered by the  
32 decision-making body in establishing the allowed  
33 building height.
- 34  
35 iv. Upper Story Size/Width Limits: Portions of structures  
36 gained through an increase in allowed height above a  
37 height of 40 feet are limited to a maximum façade width  
38 of 130 feet. The average gross floor area of all stories  
39 above 40 feet in height shall be limited to 12,000  
40 square feet. For each story above 40 feet in building  
41 height, the total gross floor area of the floor plates of  
42 the building(s) on the site is limited to a maximum of 50  
43 percent of the maximum lot coverage for the R-3A  
44 district.  
45

- 1 v. Maximum Building Length: The maximum length of a  
 2 townhouse-style building elevation shall be 250 feet.  
 3
- 4 vi. Commercial Gross Floor Area Limitations: The gross  
 5 floor area of each allowed use in the commercial use  
 6 category, except for grocery or food store, is limited to  
 7 10,000 square feet per use, without any review beyond  
 8 that required by table 21.05-1. Gross floor area of more  
 9 than 10,000 square feet for allowed commercial uses  
 10 excepting grocery or food stores may be requested  
 11 through the conditional use procedure. The maximum  
 12 gross floor area of a grocery or food store is 20,000  
 13 square feet, without any review beyond that required by  
 14 table 21.05-1.  
 15  
 16

### 17 3. District Location Requirements

#### 18 Purpose

19 It is essential that this district be limited in extent to particular  
 20 locations that can accommodate residential growth with minimal  
 21 impacts to the character of surrounding residential neighborhoods.  
 22 Areas in this district should also include adequate and complete  
 23 streets, water, sewer, electric, parks and open space infrastructure.  
 24 In addition to meeting the general rezoning approval criteria, the new  
 25 or enlarged R-3A districts shall:  
 26  
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- 29 a. Locate in an area designated in the comprehensive plan, land  
 30 use plan map for *compact mixed residential-medium* with  
 31 growth supporting feature for residential mixed-use  
 32 development or corresponding designation in a neighborhood  
 33 or district plan; and  
 34
- 35 b. Adjacent to or within one of the following land use  
 36 designations or street classifications identified in the  
 37 comprehensive plan:  
 38 1. City Center  
 39 2. Regional Center  
 40 3. Town Center  
 41 4. Main Street Corridor  
 42 5. One quarter mile of a Transit Street ROW of a  
 43 designated Transit Supportive Development (TSD)  
 44 corridor, on the segments of the street identified as  
 45 being in the TSD in the comprehensive plan.

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- 6. Intersection of an arterial street and another street classified in the Official Streets & Highways Plan as a collector or greater, with public transit on both streets.

**Section 2.** Anchorage Municipal Code section 21.05 is hereby amended to read as follows:

**21.05 USE REGULATIONS**

(The proposed R-3A Zoning District is incorporated into the Table of Allowed Uses as shown below. For comparison purposes, other Residential districts that may include multi-family housing are also shown. The R-3A District is highlighted in the table.)

**Table 21.05-1** (Abridged)

		Residential					
Use Category	Use Type	R-2D	R-2M	R-3	R-3A	R-4	R-4A
<b>RESIDENTIAL USES</b>							
Household Living	Dwelling, mixed-use				P	P	P
	Dwelling, Multi-family		P\ S	P	P	P	P
	Dwelling, Single Family Attached	P	P	P		P	
	Dwelling, Single Family Detached	P	P	P		P	
	Dwelling, Townhouse		S	S	S	S	S
	Dwelling, Two-Family	P	P	P		P	
	Manufactured Home Community		C	C		C	

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Use Category	Use Type	R-2D	R-2M	R-3	R-3A	R-4	R-4A
Group Living	Assisted Living Facility (3-8 Residents)	P	P	P	P	P	P
	Assisted Living Facility (9 or more Residents)	C	P	P	P	P	P
	Habilitative Care Facility, small (up to 8 Residents)	P	P	P	P	P	P
	Habilitative Care Facility, medium (9-25 Residents)	C	C	P	P	P	P
	Habilitative Care Facility, Large (26 + Residents)			P	P	P	P
	Rooming house		C	P	P	P	P
	Transitional Living Facility			P	P	P	P
	Transitional Living Facility			P	P	P	P
<b>COMMUNITY USES</b>							
Adult Care	Adult Care Facility (3-8 Persons)	P	P	P	P	P	P
	Adult Care Facility (9 or more Persons)	C	C	C	C	C	C
Child Care	Child Care Center (9 or more Children)	C	S	S	S	S	S
	Child Care Home (up to 8 Children)	P	P	P	P	P	P
Community Service	Cemetery or Mausoleum						
	Community Center			S	S	S	S
	Homeless and Transient Shelter						
	Neighborhood Recreation Center	S	S	S	S	S	S
	Religious Assembly	S	S	S	S	S	S
	Social Service Facility		C	C	C	C	
Cultural Facility	Aquarium						
	Botanical Garden						
	Library	S	S	S	S	S	S
	Museum						
	Zoo						
Educational Facility	Boarding School			M	M	M	M
	College or University						M
	Elementary or Middle School	P/ M	P/ M	P/ M	P/ M	P/ M	P/ M

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Use Category	Use Type	R-2D	R-2M	R-3	R-3A	R-4	R-4A
Educational Facility (Cont.)	High School	P/ M	P/ M	P/ M	P/ M	P/ M	P/ M
	Instructional Services	C	C	C	C	C	C
	Vocational or Trade School						
Health Care Facility	Health Services				P		P
	Hospital\Health Care Facility						
	Nursing Facility						
Parks and Open Space	Community Garden		P	P	P	P	P
	Park, Public or Private	P	P	P	P	P	P
Public Safety Facility	Community or Police Substation		P	P	P	P	P
	Correctional Institution						
	Fire Station	M	M	M	M	M	M
	Public Safety Facility						
Transportation Facility	Airport						
	Airstrip, Private	C	C				
	Heliport	C	C				
	Rail Yard						
	Railroad Freight Terminal						
	Railroad Passenger Terminal						
Utility Facility	Tower, High Voltage Transmission	P/ C	P/ C	P/ C	P/ C	P/ C	P/ C
	Utility Facility						
	Utility Substation	C	C	C	C	C	C
	Wind Energy Conversion System (WECS), Utility						
	Type 1 Tower	S	S	S	S	S	S
	Type 2 Tower						
	Type 3 Tower	S	S	S	S	S	S
	Type 4 Tower	P	P	P	P	P	P
<b>COMMERCIAL USES</b>							
Agricultural Uses	Commercial Horticulture	C	C				
Animal, Sales, Service, & Care	Animal Boarding						
	Animal Shelter						
	Large Domestic Animal Facility, Principle Use						
	Retail and Pet Services						
	Veterinary Clinic				P		P
Assembly	Civic/Convention Center						
	Club/Lodge/Meeting Hall			C	C	S	S

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Use Category	Use Type	R-2D	R-2M	R-3	R-3A	R-4	R-4A
Entertainment and Recreation	Amusement Establishment						
	Entertainment Facility, Major						
	Fitness and Recreational Sports Center				P	S	P
	Night Club						
	Shooting Range, Outdoor						
	Skiing Facility, Alpine						
	Theater Company or Dinner Theater						
Food and Beverage Service	Bar						
	Food and Beverage Kiosk				P		
	Restaurant				P	S	P
Office	Broadcasting Facility						
	Financial Institution				P		P
	Office, Business or Professional				P		P
Personal Services, Repair, and Rental	Business Service Establishment				C		C
	Funeral/Mortuary Services						
	General Personal Services				P		P
	Small Equipment Rental						
Retail Sales	Auction House						
	Building Materials Store						
	Convenience Store			C	P	S	P
	Farmers Market						
	Fueling Station						
	Furniture and Home Appliance Store						
	General Retail				P		P
	Grocery or Food Store				P	S	S
	Liquor Store						
	Pawnshop						
Vehicles and Equipment	Aircraft and Marine Vessel Sales						
	Parking Lot or Structure (50 or more Spaces)		C	C	C	C	C
	Parking Lot or Structure (Less than 50 Spaces)		C	C	C	C	C
	Vehicle – Large, Sales and Rental						
Use Category	Use Type	R-2D	R-2M	R-3	R-3A	R-4	R-4A

Vehicles and Equipment (Cont.)	Vehicle – Small, Sales and Rental						
	Vehicle Service and Repair, Major						
	Vehicle Service and Repair, Minor						
Visitor Accommodations	Camper Park			C		C	
	Extended Stay Lodging				C	C	S
	Hostel		C	S	S	S	S
	Hotel/Motel				C	C	S
	Inn				S		S
	Recreational and Vacation Camp						
<b>COMMERCIAL MARIJUANA USES</b>							
There are no Commercial Marijuana Uses allowed in Residential Districts							
<b>INDUSTRIAL</b>							
Industrial uses allowed in residential districts are very limited and include the following:							
Manufacturing and Production	Natural Resource, Extraction, Organic and Inorganic	C	C	C	C	C	C
Waste & Salvage	Land Reclamation	S/ C	S/ C	S/ C	S/ C	S/ C	S/ C
		C	C	C			
	Snow Disposal Site	C	C	C			

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Table of Accessory Uses-Residential, Commercial, Industrial and Other Districts (Cont.)

TABLE 21.05-3: TABLE OF ACCESSORY USES-RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND OTHER DISTRICTS  
 P = Permitted S = Administrative Site Plan Review C = Conditional Use Review

Accessory Uses	RESIDENTIAL										COMMERCIAL					INDUST		Definitions and Use-Specific Standards						
	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-3A	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B		B-3	RO	MC	I-1	I-2	
Telecommunications antenna only, large	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P					21.05.040.K.	
Telecommunications antenna only, small	P	P	P	P	P	P	P	P	P	P	P	P	P	P										21.05.040K.
Type 4 tower	S	S	S	S	S	S	S	S	S	S	S	S	S	S				S					21.05.040K.	
Vehicle repair/rebuilding, outdoor, hobby	P	P	P	P	P					P	P	P	P	P									21.05.070D.19.	
Wind energy conversion system (WECS), freestanding small	S	S	S	S	S	S	S	S	S	S	S	S	S	S				S	S	S	S	S	21.05.070D.20.	
Wind energy conversion system (WECS), building mounted small							S	S	S						S	S	S		S	S	S		21.05.070D.20.	

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1 **Section 3.** Anchorage Municipal Code section 21.06.020, Table 21.06-1: Table of  
 2 Dimensional Standards – Residential Districts is hereby amended to read as follows:  
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**21.06.020 DIMENSIONAL STANDARDS TABLE**

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		Max Lot Coverage	Minimum Setback Requirements (ft.)			Max number of Principal Structures per lot	Maximum Height of Structures (ft.)
	Area (Sq. ft.)	Width (ft.)		Front	Side	Rear		
<b>R-2M Mixed Residential District</b>								
Dwelling, Single Family Detached	6,000	50	40	20	5	10	1	Principal: 30 feet, not to exceed two and one-half stories
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 Lot line: otherwise 5	10	1	
Dwelling, townhouse	2,400	24, (30 on corner lots)	40	20	N/A on Lot line: otherwise 5	10	1	Accessory Garages/ Carports
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 21.07.110 G.2.	
Dwelling, multifamily, with single or two-family style construction of multiple buildings on a lot	3,000 Per Unit	50	40	20	10	10		
All Other uses	6,000	50	40	20	5	10		
<b>R-3 Mixed Residential District</b>								
Dwelling, Single Family attached	3,000	35 (40 on corner lots)	40	20	N/A on common lot line: otherwise 5	10	1	35
Dwelling, single family detached	6,000	50	40	20	5	10	1	
Dwelling, townhouse	2,000	20 (30 on corner lots)	60	20	N/A on common lot line: otherwise 5	10	1	
Dwelling, two-family	6,000	50	40	20	5	10	1	

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**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		Max Lot Coverage	Minimum Setback Requirements (ft.)			Max number of Principal Structures per lot	Maximum Height of Structures (ft.)
	Area (Sq. ft.)	Width (ft.)		Front	Side	Rear		
Dwelling, multifamily three or four units	6,000	50	40	10	5, unless the abutting lot has lower-density residential zoning, in which case 10	10, if abutting an alley, otherwise 20	More than one principal structure may be allowed on any lot or tract in accordance with subsection 21.07.110G .2.	35
Dwelling, multifamily, five or six units	8,500	50	40	10				
Dwelling, multifamily, seven or more units	9,000 + 1,000 for every unit over 7 units	50	40	10				
All Other uses	6,000	50	40	20	10	20		35
<b>R-3A: Medium Density, Mixed-Use Residential District</b>								
Dwelling, Townhouse	2,000	20 (30 on Corner Lots)	60	20	N/A with common wall – otherwise 5	10	More than 1 Principal Structure may be allowed on any lot per 21.07.110G .2.	35
Dwelling, Mixed-Use	6,000 + 1,000 for every dwelling unit over 6 units	50	50	Min. 10; 30 when upper floors exceed 3 stories. Max. 40 <sup>5</sup>	5 plus two feet for each 5 feet in height exceeding 35 feet	10, if abutting an alley, otherwise 20		40, not to exceed 3 stories <sup>14</sup>
Dwelling, Multi-family	6,000 + 1,000 for every dwelling unit over 6 units	50	50	A minimum of 33% of the front building elevation shall be within the maximum front setback	5 plus two feet for each 5 feet in height exceeding 35 feet	10, if abutting an alley, otherwise 20		
All Other Uses	6,000 + 1,000 for every dwelling unit over 6 units	50	50	(see 21.06.030C. 5.)	5 plus two feet for each 5 feet in height exceeding 35 feet	10, if abutting an alley, otherwise 20		
<sup>14</sup> See Subsection 21.04.020H for information regarding possible height increases								

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<p align="center"><b>TABLE 21.06-1: TABLE OF DIMENSIONAL STANDARDS – RESIDENTIAL DISTRICTS</b></p> <p align="center"><i>(Additional Standards may apply. See District-specific standards in Chapter 21.04 and use-specific standards in Chapter 21.05)</i></p>								
Use	Minimum Lot Dimensions		Max Lot Coverage	Minimum Setback Requirements (ft.)			Max number of Principal Structures per lot	Maximum Height of Structures (ft.)
	Area (Sq. ft.)	Width (ft.)		Front	Side	Rear		
<b>R-4: Multi-Family Residential District</b>								
Dwelling, Single Family attached	3,000	35 (40) on Corner Lots	40	20	N/A on Comm on Lot Line; Other wise 5	10	1	35
Dwelling, single family detached	6,000	50	40		5	10		
Dwelling, Townhouse	2,000	20 (30 on corner lots)	60	10	N/A on Comm on Lot Line; Other wise 5	10	More than one principal structure may be allowed on any lot or tract per 21.07.110G .2.	35
Dwelling, Multi-family	6,000	50	60		5 plus one foot for each 5 feet in height exceeding 35 feet	10		45 <sup>d</sup>
All Other Uses	6,000	50	60			10		45

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**Section 4.** Anchorage Municipal Code section 21.06 is hereby amended to read as follows:

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**Section 21.06.030 Height Transitions for Neighborhood Compatibility**

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**D. 8. b. Applicability**

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This standard shall apply to structures located in any non-residential district (except for the DT districts), the R-3A district, the R-4 district, or the R-4A district, that is within 200 feet of any lot designated in the comprehensive plan land use plan map as “large lot residential”, “single family—detached”, “single family—attached and detached”, “compact and mixed housing”, and “multifamily”.

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**Section 5.** Anchorage Municipal Code section 21.07 is hereby amended to read as follows:

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## **Section 21.07.030 Applicability and Open Space Requirement**

### **B. 3. Private Open Space**

R-3 and R-3A districts: 250 square feet of private open space per dwelling unit...

## **Section 21.07.080 Landscaping, screening, and Fences**

Table 21.07-2. Minimum Site perimeter Landscaping Requirements

- Add R-3A to R-3 column header and to the R-3 row
- Add a footnote 3 to the table footer that establishes:

Commercial developments and buildings exceeding 35 feet in height in the R-3A are subject to the R-4/R-4A site perimeter landscaping standards

## **Section 21.07.090 Parking**

### **F. 6. Parking Reductions and alternatives – Districts that Promote a Mix of Uses**

- a. Uses located in the R-3A and R-4A districts are eligible for a reduction of up to 10 percent of the minimum number of required parking spaces.

### **M. 3. Ground Floor Use**

In the B-3, R-3A, R-4, and R-4A districts that have been specifically designated in the comprehensive plan as a main street ...

**Section 6.** Anchorage Municipal Code section 21.08 is hereby amended to read as follows:

## **Section 21.08.050 Improvements**

### **B. Improvement Areas Defined Table 21.08.-1**

Add R-3A to the Residential District Type row in the Class A column

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**Section 7.** This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 20XX.

\_\_\_\_\_

Chair of the Assembly

ATTEST:

\_\_\_\_\_

Municipal Clerk

Improvements to pedestrian access to campus from:

- 5 Belmont Dr.
- 6 Arlington Dr.

Rehabilitate pedestrian connections from neighborhood to campus.





# Alaska State Legislature

## Representative Matt Claman

### October 2017 Community Council Update:

**Special Session** — On September 22, Governor Walker called the legislature into a fourth session. The first item on the agenda is Senate Bill 54, which makes revisions to the criminal justice reforms package passed by the legislature in 2016. SB 54 focuses on a variety of issues such as release conditions, sex trafficking, and parole and probation. The legislation is based on recommendations by the Alaska Criminal Justice Commission.

The second item on the agenda is a bill to enact a flat wage tax. The Governor has proposed a payroll tax, also referred to as a "Capped Hybrid Head Tax," that would tax wages and net self-employment income earned in Alaska by resident and nonresident individuals at a flat rate of 1.5 percent. The tax is capped at \$2,200 (adjusted for inflation) or two times the amount of the permanent fund dividend distributed in the previous calendar year. For example, a person who earned \$50,000 would pay \$750 in payroll tax and receive a PFD.

Because the tax would only apply to income that meets the federal definition of wages, retirement income such as Social Security benefits would not be taxed. Some non-wage income, including capital gains interest, dividends (including the PFD), S-corporation distributions, or any form of government subsidy, such as unemployment benefits, would not be taxed.

Under the revenue bill, employers would be required to pay withholdings to the Department of Revenue that approximate the amount of the tax. Governor Walker stated that "through regulation, the withholding would stop when the statutory cap is reached. This protects individuals working multiple jobs and insulates vulnerable populations, such as single parents, by limiting each Alaskan's tax burden, and keeps us the lowest-taxed state in the nation."

The tax would take effect in calendar year 2019 and is expected to generate between \$300 million and \$325 million by FY 2020 – about 15 of which is expected to come from non-resident workers, who earned more than \$2.7 billion in 2015 according to the Department of Labor and Workforce Development.

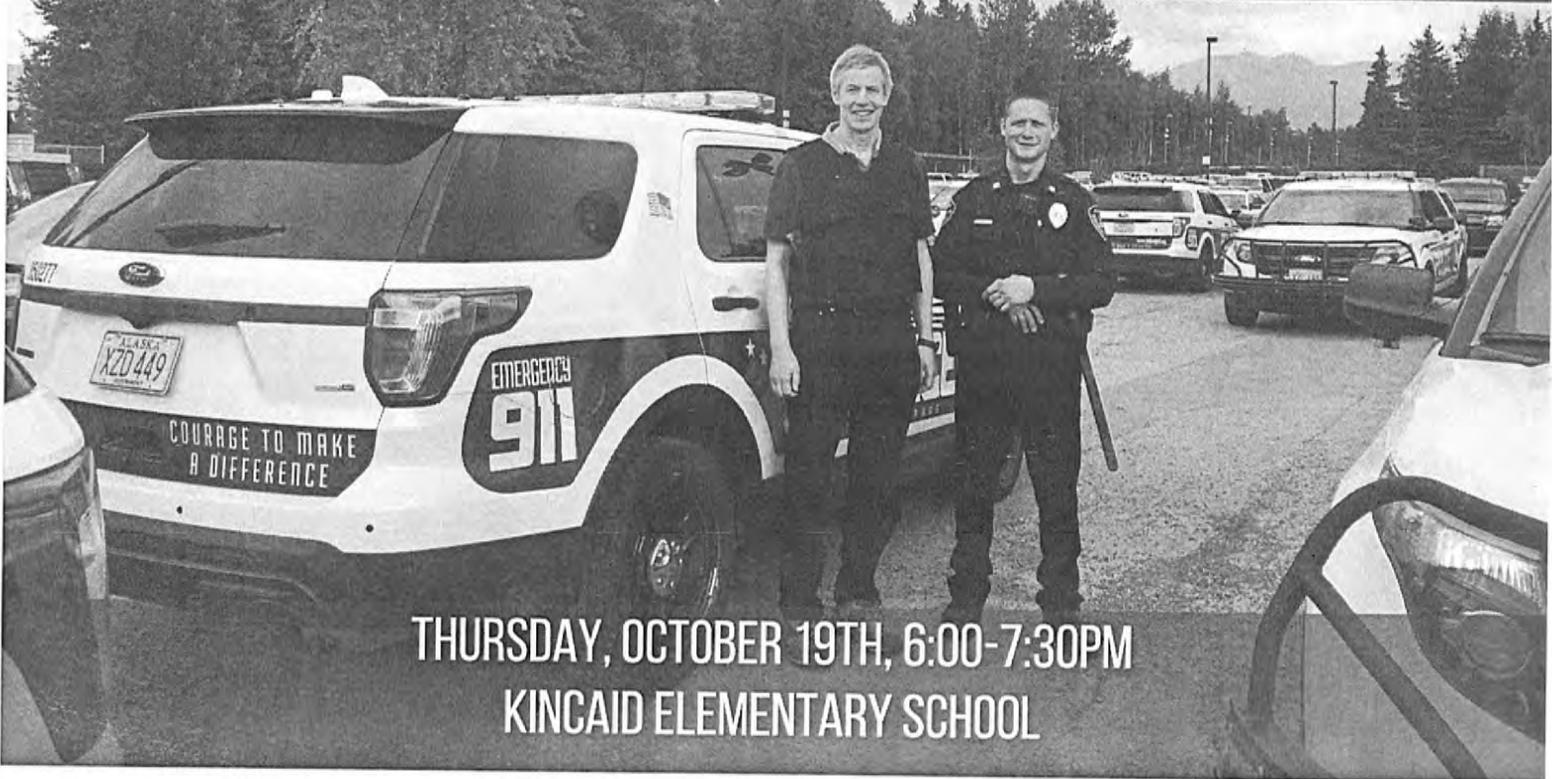
**Public Safety Meeting** – Many West Anchorage friends and neighbors are concerned about public safety. We are hosting a public safety meeting in coordination with the Anchorage Police Department on **Thursday, October 19<sup>th</sup> from 6:00-7:30 at Kincaid Elementary School**. This event is an opportunity for West Anchorage community members to have a conversation with the Anchorage Police Department and local leaders to understand the issues facing our community and learn more about how we can work together to improve safety in our neighborhoods. After the discussion, West Anchorage community members can visit public safety resource tables, ask questions, and learn more about organizations and resources available in our community. Food and drinks will be served.

This event is a positive way to continue our conversation about public safety and we hope you'll join us. If you are unable to attend the town hall, the event will be streamed via Facebook Live on my Facebook page.

State Capitol Juneau, Alaska 99801  
Phone: (907) 465-4919 Email: [Representative.Matt.Claman@akleg.gov](mailto:Representative.Matt.Claman@akleg.gov)

*Serving the Sand Lake, Spenard, and Turnagain Communities*

# WEST ANCHORAGE PUBLIC SAFETY TOWN HALL & RESOURCE FAIR



THURSDAY, OCTOBER 19TH, 6:00-7:30PM  
KINGAID ELEMENTARY SCHOOL



Rep. Matt Claman  
1500 W. Benson Blvd.  
Anchorage, AK 99503

PRSR STD  
US Postage  
PAID  
Anchorage AK  
Permit No.  
170

Join Representative Matt Claman &  
Representative Jason Grenn for a  
conversation with the Anchorage Police  
Department and local leaders to understand  
the issues facing our community and how we  
can work together to improve safety in our  
neighborhoods.

*Special Guests: Mayor Ethan Berkowitz &  
Acting Deputy Chief, Sean Case*



Rep. Claman



Rep. Grenn

**Questions?** Contact Rep. Claman (907) 269-0130



**Alaska International Airport System**  
Ted Stevens Anchorage International Airport  
Fairbanks International Airport

P.O. Box 196960  
Anchorage, AK 99519-6960  
Main: 907.266.2526  
Fax: 907.243.0663  
Website: [anchorageairport.com](http://anchorageairport.com)

**Anchorage Airport Update**  
October 2017

- 1. Lake Hood Seaplane Base Master Plan Update:** The Lake Hood Seaplane Base Master Plan Update has been completed and the Master Plan Report can be downloaded from the project website [lhdmasterplan.com](http://lhdmasterplan.com). A print copy of the Master Plan Report may be viewed at the Lake Hood Seaplane Base manager's office at 4451 Aircraft Drive, Anchorage, AK 99502.
- 2. LHD Seaplane Base Regulations:** Throughout the summer, airport staff researched and drafted regulations change proposals. The draft proposals will be discussed with the LHD regulations advisory committee at a meeting tentatively planned for this Fall. The meeting will be public noticed. The public is welcome to observe the meeting, and if time allows, provide comments at the end of the meeting. Please direct questions to Alex Moss, AIAS Planning Manager, [alex.moss@alaska.gov](mailto:alex.moss@alaska.gov), 907-266-2540.
- 3. Alaska Airlines Honor Flights:** The 9<sup>th</sup> Honor Flight from Alaska will depart October 10<sup>th</sup>, with the return ceremony being held at Noon on October 14<sup>th</sup> across from the TSA checkpoint. The Last Frontier Honor Flight is a part of the Honor Flight System, a group dedicated to giving veterans the opportunity to see the memorials created in their honor in Washington, DC.
- 4. ANC Runway 15/33 Rehabilitation Project:** The project will rehabilitate and widen RW 15/33 (the north/south runway), and update taxiway geometry to meet FAA standards. In order to complete this work, the 15/33 runway will need to be closed to operations for 2 summer construction seasons in 2018 and 2019. Air traffic will be shifted to the east-west runways during construction.
- 5. Airport Recruitment:** The Airport is recruiting for equipment mechanics and operators, as well as facility maintenance positions and Police and Fire officers. Information on these opportunities can be found on Workplace Alaska or through Local 71 at the following web addresses: [local71.com/jobs](http://local71.com/jobs) and [governmentjobs.com/careers/Alaska](http://governmentjobs.com/careers/Alaska).
- 6. Sign up for GovDelivery:** at [anchorageairport.com](http://anchorageairport.com) to receive emails on all sorts of DOT related things. Also visit us on Facebook and Twitter.

*"To Keep Alaska Flying and Thriving."*