

LAI-ON-THE-TABLE

Submitted by: Assembly Vice Chair Zaletel
Assembly Member Brawley
Prepared by: Assembly Counsel's Office
For reading:

**ANCHORAGE, ALASKA
AO No. 2024-104(S)**

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 TO REDUCE THE COSTS AND BURDEN OF MULTIFAMILY RESIDENTIAL DEVELOPMENTS BY SUSPENDING THE RESIDENTIAL DESIGN STANDARDS FOR DEVELOPMENT APPLICATIONS SUBMITTED WITHIN A TIME CERTAIN.

WHEREAS, The 2040 Land Use Plan (LUP) is the adopted policy guidance to direct growth and change throughout the Anchorage Bowl; and

WHEREAS, Title 21 of the Anchorage Municipal Code, *Land Use Planning*, regulates the uses allowed within zoning districts, the restrictions on the form of new development or redevelopment such as buildable height and setbacks, and the design standards for site-specific development; and

WHEREAS, There is an acute need for additional housing to support the projected population and housing demand growth in the Municipality of Anchorage; and the

WHEREAS, Chapter 21.07, Development and Design Standards, is often mentioned by developers as a specific significant hurdle in the process that is complex and time consuming to successfully navigate and obtain a permit; and

WHEREAS, One intent of the 2040 LUP was to allow increased flexibility over time as infill and redevelopment projects and permits increase; and

WHEREAS, The intent of the Assembly is to provide more flexibility in the designs for multifamily residential housing developments by eliminating barriers and reducing regulation, to reduce plan review and permitting process timelines and accelerate the volume of permits for such projects; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 21.07.110 is hereby amended as follows (*the remainder of the section is not affected and therefore not set out, unaffected subsections are included for context*):

21.07.110 Residential design standards.

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C. Standards for multifamily and townhouse residential. Except as provided herein, the standards set forth in this Subsection 21.07.110C. are suspended for complete applications submitted on or after February 1, 2025, and before January 31, 2028 [2027]. The date an application is determined complete pursuant to section 21.03.020F.

shall secure the applicable Title 21 and Title 23 provisions for the proposed development in effect as of that date, including this moratorium. Absent assembly action to amend this provision of code, the standards set forth in this subsection shall become effective again for complete applications submitted after the expiration of the suspension period. During this period of suspension these standards shall continue to be effective for visitor accommodations and dormitory uses when applicable, but there are no applicable design standards in this subsection C. for multifamily and townhouse residential development with five or more units, except subsection C.8., Mechanical and electrical equipment screening, shall continue in effect.

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8. *Mechanical and electrical equipment screening.* Mechanical and electrical equipment serving a single building shall be screened from view as required by subsection 21.07.080G.4. This requirement is not suspended as set forth in subsection 21.07.110C.

D. *Standards for some single-family and two-family residential structures, and multifamily and townhouse developments with less than five units.*

1. *Applicability.* The standards of this subsection D. apply to the developments listed below that are constructed after January 1, 2014. This section does not apply to dwellings constructed prior to January 1, 2014, accessory dwelling unit uses, or in Girdwood or the DT districts. **In addition, the standards set forth in this Subsection 21.07.110D. are suspended for complete applications submitted on or after February 1, 2025, and before January 31, 2028. The date an application is determined complete pursuant to section 21.03.020F. shall secure the applicable Title 21 and Title 23 provisions for the proposed development in effect as of that date, including this moratorium. Absent assembly action to amend this provision of code, the standards set forth in this subsection shall become effective again for complete applications submitted after the expiration of the suspension period.**

- a. Any single-family use except for single-family residential uses on lots of 20,000 square feet or greater.
- b. Any two-family use that is on a lot less than 20,000 square feet.
- c. Any multifamily use with single-family or two-family style construction with less than five units.
- d. Multifamily and townhouse developments with less than five units.

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E. *Site design.*

- 1. *Subdivisions.* Subdivisions of land shall comply with the standards of chapter 21.08, Subdivisions.
- 2. *Multiple structures on one lot.*

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- b. *Applicability.* This section applies to the development of five or more principal residential structures on a single lot. It does not apply to the development of an accessory dwelling unit or a caretaker's unit, or to developments in the R-4A district, or to developments of two to four principal residential structures. **In addition, the criteria and standards set forth in this Subsection 21.07.110E.2. are suspended for complete applications submitted on or after February 1, 2025, and before January 31, 2028. The date an application is determined complete pursuant to section 21.03.020F. shall secure the applicable Title 21 and Title 23 provisions for the proposed development in effect as of that date, including this moratorium. Absent assembly action to amend this provision of code, the criteria and standards set forth in subsection E.2. shall become effective again for complete applications submitted after the expiration of the suspension period.**

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(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-36, §§ 8, 9, 5-14-15 ; AO No. 2015-100, § 8(Exh. C), 10-13-15 ; AO No. 2016-34(S), § 2, 4-12-16 ; AO No. 2016-136am , § 5, 1-1-17; AO No. 2017-160 , § 5, 12-19-17; AO No. 2017-176 , § 9, 1-9-18; AO No. 2018-59 , § 2, 7-31-18; AO No. 2020-38 , § 8, 5-28-20; AO No. 2021-89(S) , §§ 14, 21, 2-15-22; AO No. 2022-80(S), § 2, 11-22-22; AO No. 2023-30, § 1, 3-22-23; AO No. 2023-77, § 14, 7-25-23; AO No. 2023-42, § 5, 8-22-23; AO No. 2023-50, § 3, 7-11-23, eff. 1-1-24; AO No. 2023-103(S), § 6, 1-1-24)

Section 2. [NOTE: Section 2 is newly inserted in the (S) version] Anchorage Municipal Code section 21.07.060 is hereby amended as follows (*the remainder of the section is not affected and therefore not set out, unaffected subsections are included for context*):

21.07.060 - Transportation and connectivity.

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F. Pedestrian frontage standard.

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- 2. *Applicability.* Subsection 4. applies to development in areas subject to the urban neighborhood development context standards established in subsection 21.07.010E. subsection 5. applies to development in the other areas of the municipality. The following are exempt:
 - a. Changes of use and other developments that comprise building modifications of less than 50 percent of the total improvement value of the building(s) on the site.
 - b. Development in Girdwood, Downtown (DT), CE-DO, CE-EVO, PLI, PR, TA, or industrial zoning districts.
 - c. Single-family and two-family dwellings constructed prior to January 1, 2016, or on lots of 20,000 square feet or larger, or in Class B zoning districts.

- d. Uses without habitable floor area, such as utility substations.
- e. **Multifamily and townhouse residential developments for complete applications for such developments submitted on or after February 1, 2025, and before January 31, 2028. The date an application is determined complete pursuant to section 21.03.020F. shall secure the applicable Title 21 and Title 23 provisions for the proposed development in effect as of that date, including this moratorium. Absent assembly action to amend this provision of code, the criteria and standards set forth in this subsection F. shall become effective again for complete applications submitted after the expiration of the suspension period.**

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 (AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-82, § 3, 7-28-15; AO No. 2015-100, § 6, 10-13-15; AO No. 2017-55, § 9, 4-11-17; AO No. 2020-23, § 2, 3-10-20; AO No. 2020-38, § 8, 5-28-20; AO No. 2022-80(S), § 2, 11-22-22; AO No. 2023-50, § 3, 7-11-23, eff. 1-1-24)

Section 3[2]. The Planning Department shall provide a report to the Assembly no later than July 31 of 2025, **[and]** 2026, **and 2027**, and March 1, **2028 [2027]** analyzing the efficacy of this ordinance for encouraging multifamily development with comment and recommendations. The report shall be an informational memorandum provided on a regular meeting agenda.

Section 4[3]. Pursuant to AMC subsection 21.03.210C., this ordinance shall not require planning and zoning commission review prior to assembly action, and the 21-day published notice requirement of AMC subsection 21.03.020H.4. is waived; this ordinance shall comply with charter § 10.01(b) notice requirements.

Section 5[4]. This ordinance shall be effective immediately upon passage and approval by the assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2024.

_____ Chair

ATTEST:

_____ Municipal Clerk

MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM



No. AM XXX-2024

Meeting Date: December 3, 2024

1 **From: Assembly Vice Chair Zaletel and Assembly Member Brawley**

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3 **Subject: AO 2024-104(S): AN ORDINANCE OF THE ANCHORAGE**
4 **ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE**
5 **21 TO REDUCE THE COSTS AND BURDEN OF MULTIFAMILY**
6 **RESIDENTIAL DEVELOPMENTS BY SUSPENDING THE**
7 **RESIDENTIAL DESIGN STANDARDS FOR DEVELOPMENT**
8 **APPLICATIONS SUBMITTED WITHIN A TIME CERTAIN.**
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10 This (S) version of the ordinance is proposed to cover some additional areas of
11 multifamily residential design standards and criteria and include them in the
12 moratorium. The attached letter from Cook Inlet Housing Authority (CIHA) and
13 Debenham LLC, two prominent developers of new construction multifamily housing
14 in Anchorage, describes suggested changes and additional provisions to include in
15 the moratorium proposed by AO 2024-104. Without expanding the reach of the
16 moratorium, it is unlikely our community will see any noticeable impacts and
17 increased production of multifamily residential units during the suspension period.
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19 Specifically, the changes are:

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- 21 • Extend the moratorium for 1 additional year, to expire January 31, 2028.
- 22 • Include some single-family (over 20,000 square feet), two-family structures,
23 and smaller multifamily and townhouse developments. AMC subsection
24 21.07.110D., on p. 2.
- 25 • Include the moratorium for developments with five or more multiple
26 residential structures on a single lot. (Those with less than four structures are
27 already exempted.) AMC subsection 21.07.110E.2., on p. 3.
- 28 • Include the pedestrian frontage standards in the moratorium. AMC
29 subsection 21.07.060F.2. on p. 4.
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31 The intent of the proposed ordinance has not changed: “to catalyze development
32 and construction of new multifamily housing projects, as well as renovation of
33 existing multifamily properties, so the market and property owners can more quickly
34 and easily respond to the community’s acute need for housing.” The changes in the
35 (S) version provide more certainty that burdensome processes, such as major site
36 plan review, can be avoided and allow multifamily projects to proceed more
37 efficiently and affordably, and result in significantly increased growth in housing
38 stock over the next 3 years.
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We request your support for the ordinance.

Prepared by: Assembly Counsel's Office

Respectfully submitted: Meg Zaletel, Assembly Vice Chair
District 4 – Midtown Anchorage

Anna Brawley, Assembly Member
District 3 – West Anchorage

Attachments: Letter from Cook Inlet Housing Authority and Debenham LLC,
November 20, 2024



November 20, 2024

Re: AO 2024-104, Multi-Family Residential Design Standard Moratorium

Dear members of the Anchorage Assembly,

On behalf of Cook Inlet Housing Authority (CIHA) and Debenham LLC, we would like to support the passage of AO 2024-104 with an expanded scope and timeframe. Together our entities represent the most active non-profit and private developers of new construction multi-family housing in Anchorage. The benefit of AO 2024-104 is that it creates an immediate pause in design standards which will allow us to continue to plan and advance new housing while the various working groups work to improve the regulations that limit housing production.

We need action on housing challenges which includes production levels hovering between 200-300 units annually when we need closer to 1,000 units. The proposed ordinance is a helpful first step, but it is too narrow in its focus.

AO 2024-104 narrowly defines “multi-family design standards.” In 2023, AO 2023-50 shifted a number of design standards out of 21.07.110 and into other sections of Chapter 7. See the table below for a more expansive view of where multi-family design standards now exist, in some cases overlapping or conflicting with what remains in 21.07.110.

ANCHORAGE DESIGN STANDARDS – 2024		
Code Section	Title	Description
21.07.010.E	Urban Neighborhood Development Contexts	New overlay maps that direct how new pedestrian frontage standards are applied.
21.07.060.E. and F	Pedestrian Frontage Standards	New and existing requirements within Tables 21.07-2 and 21.07.03.
21.07.060.G	Pedestrian Amenities Menu	Extensive list of design options, many of which likely have never been used.
21.07.110	Residential Design Standards	Particularly problematic areas include:
21.07.110.C.5.	Building Articulation Menu	Standards apply to residential and no other use type and include treatment of entrances, parking, and garages, also overlapping with 21.07.060.F. and 21.06.060.G.
21.07.110.C.6	Northern Climate Weather Protection and Sunlight Menu	Standards apply to residential buildings of 8 or more units, include standards more appropriate as “design guidelines,” are either redundant or create conflict with above standards (e.g. do we orient to sun or street?).
21.07.110.C.7	Landscaping (related to landscaping between driveways)	Standards required in this section directly conflict with 21.07.060.F.



21.07.110.D	Standards for Single-Family, Two-Family, and some Townhouse developments	Like 21.007.060.F. includes standards for windows, garages, and entrances.
21.07.110.E.	Site Design for Multiple Structures on a Lot	Entitlement process that adds time and cost where primary purpose is to examine building and parking placement, entrances, open space, and orientation to streets. This process is redundant with all above requirements.

We recommend the Assembly consider this list in addition to the scope of the current ordinance.

Elsewhere in Chapter 7, standards for driveway widths (21.07.090) and landscaping (21.07.080) prevent much of Anchorage’s housing stock from being replicated today even if all the above rules were suspended. Other financial and feasibility barriers will continue to create a challenging environment for multi-family housing construction in Anchorage.

In other words, this short-term moratorium is unlikely to create noticeable impacts in the built environment. What it will do is provide certainty to allow projects currently in our pipelines to advance and will serve as a good first step for Title 21 working groups to come up with practical solutions to problems with design standards quickly and efficiently. At this point, this is essential.

Our summary recommendation for AO 2024-104

- **In addition to suspending 21.07.110.C include sections 21.07.060.E, 21.07.060.F, 21.07.060.G, 21.07.110.D, and 21.07.110.E.**
- **Extend the suspension from January 31, 2027 to January 31, 2028, or until such time as new or revised standards are adopted.**

Thank you for the opportunity to comment,

Tyler Robinson
 V.P., Community Development and Real Estate
 Cook Inlet Housing Authority

Shaun Debenham
 President
 Debenham LLC