



Handout A.06

Residential Care/Assisted Living Facilities

General:

The intent of this handout is to clarify the basic building/fire code requirements for residential care/assisted living facilities housing 3 to 16 residents (reference Anchorage Municipal Code 23.15.430). Residential care/assisted living facilities are regulated based on the resident's ability to respond to an emergency, the type of state license and the number of residents allowed by the license. The number of residents is the total number of residents under care within the entire building, or under care within a portion of the building separated from the rest of the building by two-hour fire resistance rated construction. For example, if the building has two dwelling units, include the total number of residents under care in each dwelling unit, unless the dwelling units are separated by two-hour fire resistance rated construction. This is true even when separate licenses are issued for each dwelling unit. Facilities located in buildings containing other uses must be separated from those uses by two-hour fire resistance rated construction, and egress cannot pass through the other uses.

Permit requirements for new facilities:

A new facility can be either a new building or an existing building with a new residential care/assisted living use as outlined below. Facilities in new buildings are regulated by the 2018 International Building Code (IBC) and International Fire Code (IFC). New facilities in existing buildings are regulated by the 2018 IBC, IFC and the 2018 International Existing Building Code (IEBC). General requirements for new facilities in existing buildings are outlined below.

1. New facility, 3 to 5 residents, *mental health license* or *physically disabled/elderly care license* - permit or change of use permit required, NFPA 13D fire sprinkler system with monitoring required, fire alarm system not required.
2. New facility, 6 to 16 residents, *mental health license* – permit or change of use permit required, Group R-4 Condition 1 or Condition 2 occupancy classification required, accessibility required, NFPA 13D (Condition 1) NFPA 13R (Condition 2) fire sprinkler system with monitoring required, fire alarm system required.
3. New facility, 17 or more residents, *mental health license* – permit or change of use permit required, Group I-1 (Condition 1 or Condition 2) institutional occupancy classification required, accessibility required, fire sprinkler system required, fire alarm system required.
4. New facility, 6 or more residents, *physically disabled/elderly care license* – permit or change of use permit required, Group I-1, Condition 2 or Group I-2 institutional occupancy classification required, accessibility required, NFPA 13 fire sprinkler system required, fire alarm system required.

Fire systems requirements for existing facilities:

Existing facilities are regulated by the 2018 IBC, IFC and IEBC as outlined below.

1. An existing Group R-3, R-4 or I-1 facility being issued a new license is required to be protected by an automatic fire sprinkler system (AMC 23.15.430.4.1).
2. An automatic fire sprinkler system shall be installed throughout all existing Group I-1 facilities, and Group R-3 and R-4 custodial care/assisted living facilities in accordance with Section 903 of the IFC by January 1, 2024 (AMC 23.45.1103.12).
3. Monitoring shall be provided for all existing occupancies with fire sprinkler or fire alarm systems. Fire sprinkler system monitoring shall comply with IFC Sections 903.4 and 903.4.1. Fire alarm monitoring shall

comply with IFC Section 907.6.6 (23.45.1103.11). Group I and R occupancies shall be in compliance by January 1, 2023 (AMC 23.45.1103.11.1).

Permit requirements for existing facilities:

1. Existing facility, new license of same type and having same number or fewer residents as previous license - no change of use permit required. Fire sprinkler system required per 23.15.430.4.1.
2. Existing facility, license change from *physically disabled/elderly care license* for 5 or fewer residents to *mental health license* for 5 or fewer residents - no change of use permit required. Fire sprinkler system required per 23.15.430.4.1.
3. Existing facility change from *mental health license* to *physically disabled/elderly care license* for 3 to 5 residents – change of use permit required, NFPA 13D fire sprinkler system with monitoring required, fire alarm system is not required.
4. Existing facility, change from *mental health license* to *physically disabled/elderly care license* for 6 or more residents – change of use permit required, Group I-1, Condition 2 or Group I-2 institutional occupancy classification required, accessibility required, NFPA 13 fire sprinkler system required, fire alarm system required.
5. Existing facility, *mental health license* for 5 or fewer residents, increase to 6 to 16 residents – change of use permit required, Group R-4 (Condition 1 or 2) occupancy classification required, accessibility required, NFPA 13D (Condition 1) or NFPA 13R (Condition 2) fire sprinkler system with monitoring required, fire alarm system required.
6. Existing facility, *physically disabled/elderly care license* for 5 or fewer residents, increase to more than 5 residents - change of use permit required, Group I-1, Condition 2 or Group I-2 institutional occupancy classification required, accessibility required, NFPA 13 fire sprinkler system required, fire alarm system required.

Information required to make a determination includes: The current use of the building (verify on tax records); state of Alaska license for existing facilities; state of Alaska license application for new facilities. Floor plans and plot plans may also be required.

Zoning requirements:

A small assisted living facility serving up to 8 residents is permitted by right in residential zoning districts. A facility with 9 or more residents may require a conditional use approval depending on the zoning district. Please see a land use reviewer for details.

DHHS approval required:

DHHS approval is required for food service serving 6 or more residents under care.

Definitions:

Mental health license (or Mental Health/Developmental Disability, MHDD) refers to a license issued by the state of Alaska to care for individuals 18 years of age or older who have a mental health or developmental disability.

Physically disabled/elderly care license (or Special Services, SS) refers to a license issued by the state of Alaska to care for individuals 18 years of age or older who have a physical disability, are elderly, or suffering from dementia, but who are not chronically mentally ill.

Dual License: A dual license shall follow the rules for a *Physically disabled/elderly care license*.

Intellectual Developmental Disability (IDD) License: An IDD license shall follow the rules for a *Physically disabled/elderly care license* when any of the residents are incapable of responding to an emergency.

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(ref: 15-03, 16-05, 21-09)