

Submitted by: Assembly Members Weddleton &
Zaletel, and Mayor Berkowitz
Prepared by: Planning Department
For reading: June 2, 2020

ANCHORAGE, ALASKA
AO No. 2020-58

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**
2 **ANCHORAGE MUNICIPAL CODE TABLE 21.05-1: TABLE OF ALLOWED USES,**
3 **TO ALLOW HOMELESS AND TRANSIENT SHELTERS IN THE B3 ZONING**
4 **DISTRICT BY CONDITIONAL USE; AND WAIVING PLANNING AND ZONING**
5 **COMMISSION REVIEW.**

6
7 **WHEREAS**, Anchorage has for many years had insufficient overnight and daytime
8 facilities for the number of homeless residents causing overloading at the existing
9 facilities and leading to a large number of campers in our parks and other public
10 spaces;

11
12 **WHEREAS**, the current public health protections required in response to the
13 COVID-19 emergency highlighted Anchorage's gross deficiency in its ability to
14 provide mass shelter; and

15
16 **WHEREAS**, the emergency shelters opened at the Sullivan and Boeke Arenas to
17 fill an immediate need during the COVID-19 emergency must be closed soon to
18 allow the buildings to return to their intended purposes;

19
20 **WHEREAS**, the need to find a replacement for the Sullivan arena overflow shelter
21 is immediate and warrants expedited actions to secure additional locations for
22 homeless and transient shelter;

23
24 **WHEREAS**, current Anchorage Municipal Code only allows for Homeless and
25 Transient Shelter Facilities in the Public Lands and Institution (PLI) zoning district,
26 subject to a conditional use permit;

27
28 **WHEREAS**, as the availability of PLI zoned property is limited within the Anchorage
29 Bowl more options are necessary for siting Homeless and Transient Shelter
30 Facilities in the Municipality;

31
32 **WHEREAS**, changes to Title 21 typically begin at the Planning and Zoning
33 Commission and then go to the Assembly, a schedule that would significantly
34 delay or disrupt the establishment of a new shelter intended to remain in operation
35 beyond the time period of the present COVID-19 emergency;

36
37 **WHEREAS**, this adjustment to the text is necessary in light of changed conditions,
38 changes in public policy, and is necessary to advance the general welfare of the
39 municipality;

40
41 **WHEREAS**, this ordinance would allow Homeless and Transient Shelters in more
42 than one zoning district; now, therefore,
43

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code subsection 21.05.010E, Table 21.05-1, Table of Allowed Uses - Residential, Commercial, Industrial, and Other Districts, is hereby amended to read as follows (*the remainder of the table is not affected and therefore not set out*):

21.05.010 Table of Allowed Uses

Table 21.05-1
Table of Allowed Uses –
Residential, Commercial, Industrial, and Other Districts

Use Category	Use Type	*** **			COMMERCIAL				
					B-1A	B-1B	B3	RO	MC
*** **									
Community Uses	Cemetery or mausoleum								
	Community Center					S	S	S	
	Crematorium						P		
	Government administration and civic facility				P/S/M	P/S/M	P/S/M	P/S/M	P/S/M
	Homeless and transient shelter						<u>C</u>		
	*** **								

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2013-139, § 1, 1-28-14; AO No. 2014-58, § 2(Att. A), 5-20-14; AO No. 2015-133(S), § 3(Exh. A), 2-23-16; AO No. 2015-142(S-1), § 3(Exh. B), 6-21-16 ; AO No. 2016-3(S), §§ 6, 7, 2-23-16 ; AO No. 2016-131 , § 1, 11-15-16; AO No. 2016-136am , § 2, 11-15-16; AO No. 2016-156 , § 1, 12-20-16; AO No. 2017-10, § 1, 1-24-17; AO No. 2017-57, § 1, 4-11-17; AO No. 2017-74, § 1, 5-23-17; AO No. 2017-176, § 4, 1-9-18; AO No. 2017-175(S), § 3(Exh. A), 2-13-18)

Section 2. Notwithstanding Anchorage Municipal Code 21.03.210B.4.a., this ordinance shall not require review by the Planning and Zoning Commission.

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2020.

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ATTEST:

Chair

Municipal Clerk

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 315-2020

Meeting Date: June 2, 2020

1 **From:** ASSEMBLY MEMBERS WEDDLETON AND ZALETTEL;
2 MAYOR
3

4 **Subject:** AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY
5 AMENDING ANCHORAGE MUNICIPAL CODE TABLE 21.05-1:
6 TABLE OF ALLOWED USES, TO ALLOW HOMELESS AND
7 TRANSIENT SHELTERS IN THE B3 ZONING DISTRICT BY
8 CONDITIONAL USE; AND WAIVING PLANNING AND ZONING
9 COMMISSION REVIEW.
10

11 This ordinance would amend the allowed uses in Anchorage Municipal Code
12 Title 21 to allow homeless and transient shelter facilities in the B-3 zoning district
13 by conditional use permit.
14

15 Currently, Homeless and Transient Shelter Facilities are allowed only in the
16 Public Lands and Institution (PLI) zoning district subject to approval of a
17 conditional use permit. However, the availability of PLI zoned property is limited
18 within the Anchorage Bowl and continues to shrink as other necessary public
19 facilities are developed. The majority of the PLI zoned properties in Anchorage
20 are owned by public entities; very few are owned by private or non-profit entities.
21 This creates an issue as the community pursues planning for smaller shelters
22 and engagement centers in several locations throughout Anchorage to serve this
23 population. Additionally, as most PLI zoned properties are undeveloped or
24 developed with public institutions, there is virtually no opportunity to take
25 advantage of existing infrastructure that could be renovated to accommodate
26 homeless or transient facilities.
27

28 Many other cities allow shelter facilities in various zoning districts including
29 residential, business, and industrial zoning districts, and very few, if any restrict
30 this use to only one zoning district. Most, if not all jurisdictions, require that
31 specific design and/or operation requirements be met or approval of a land use
32 entitlement such as our conditional use permit.
33

34 In Anchorage, industrial uses are limited to industrial zoned land and we work
35 hard to protect and reserve industrial zoned lands for true industrial uses.
36 Equally, we have a residential unit shortage and need to protect residential
37 zoned lands for permanent residential uses. The B-3 zoning district is the most
38 flexible zoning and allows a variety of uses, making it ideal for inclusion as a
39 zoning district where homeless and transient shelters could be located by
40 conditional use permit.
41

42 In addition, the current COVID-19 situation has highlighted how grossly deficient

1 Anchorage is in its capability to provide mass shelter and has permanently
2 altered the landscape for homeless sheltering. Now, more than ever, it is
3 imperative that we Anchorage provide more options for locating these critical
4 social services, which can only happen by allowing Homeless and Transient
5 Shelters in more than one zoning district.
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
7 This ordinance has no private sector economic effects and local government
8 effects are less than \$30,000. Pursuant to AMC 2.30.053B.1., a summary of
9 economic effects is not required.

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11 **The Administration supports approval, and we request your support.**

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13 Prepared by: Department of Law

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15 Respectfully submitted: John Weddleton, Assembly Member
16 District 6, South Anchorage

17
18 Meg Zaletel, Assembly Member
19 District 4, Midtown

 B-3 Zoning Districts

