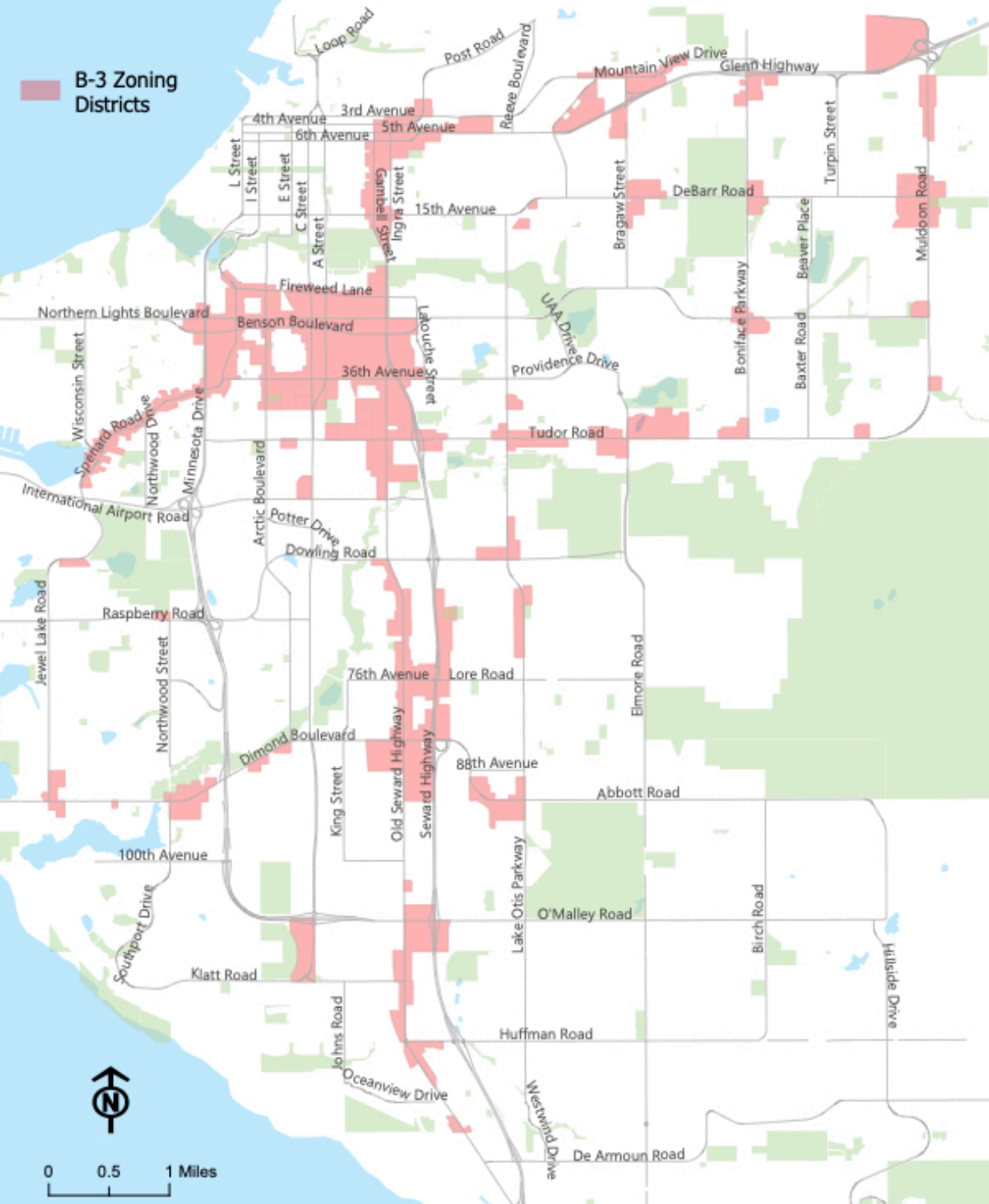


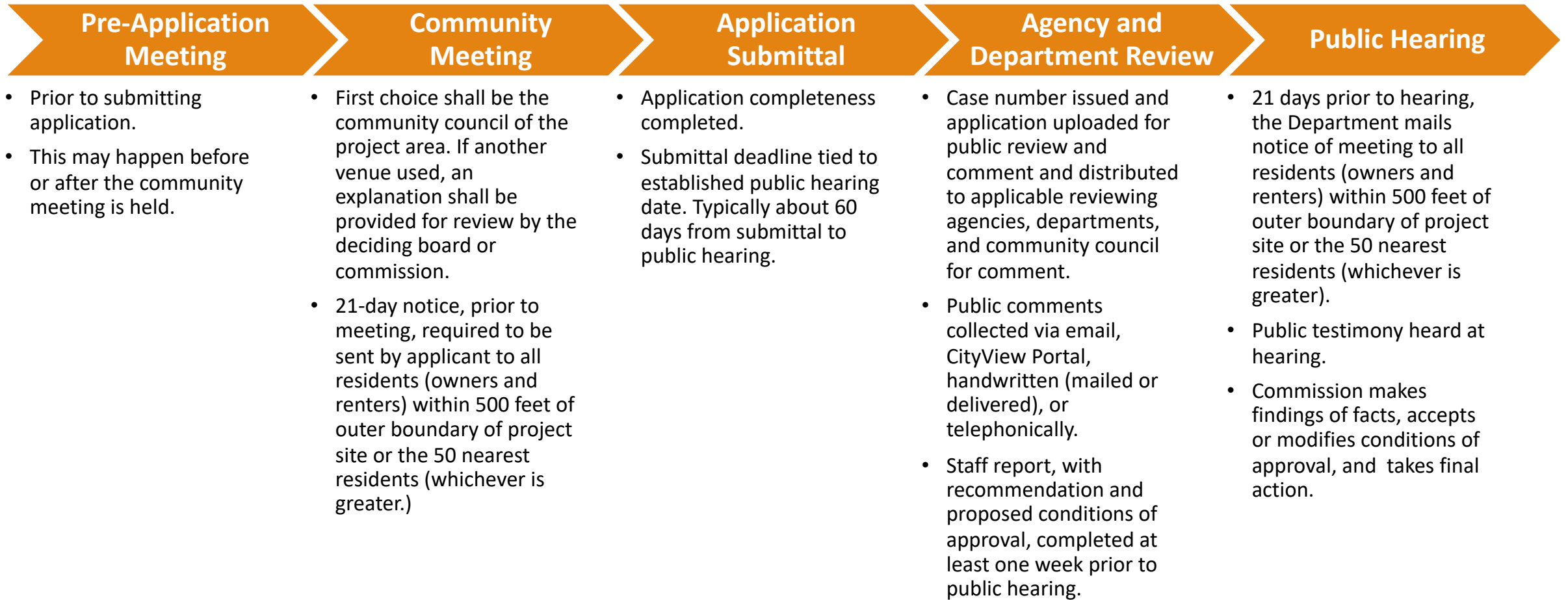
Worksession re: AO 2020-58

AMENDING ANCHORAGE MUNICIPAL CODE TABLE 21.05-1: TABLE OF ALLOWED USES, TO ALLOW HOMELESS AND TRANSIENT SHELTERS IN THE B3 ZONING DISTRICT.



Why are we here?

- Homeless shelters currently are limited to one single zoning district, makes it hard to provide additional beds.
- Allowing shelters in business zoning districts is more compatible than residential or industrial zoning districts.
- B-3 is the most common non-residential zoning district in the Bowl.
- Other communities across the country already allow or have expanded homeless shelters in business zonings.



Conditional Use Permit approval process now

AMC 21.03.080

Conditional Use Permit Approval Criteria now

AMC 21.03.080D

“The planning and zoning commission may approve a conditional use application if, in the judgment of the commission, ALL of the following criteria have been met in all material matters:”

1. The proposed use is consistent with the comprehensive plan and all applicable provisions of this title and applicable state and federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located, including any district-specific standards set forth in Chapter 21.04;
3. The proposed use is consistent with any applicable use-specific standards set forth in Chapter 21.05;
4. The site size, dimensions, shape, location, and topography are adequate for the needs of the proposed use and any mitigation needed to address potential impacts;
5. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
6. The proposed use is compatible with uses allowed on adjacent properties, in terms of its scale, site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
7. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent feasible;
8. The proposed use is appropriately located with respect to the transportation system, including but not limited to existing and/or planned street designations and improvements, street capacity, access to collectors or arterials, connectivity, off-site parking impacts, transit availability, impacts on pedestrian, bicycle, and transit circulation, and safety for all modes; and
9. The proposed use is appropriately located with respect to existing and/or planned water supply, fire and police protection, wastewater disposal, storm water disposal, and similar facilities and services.

Conditional Use Permit approval process now



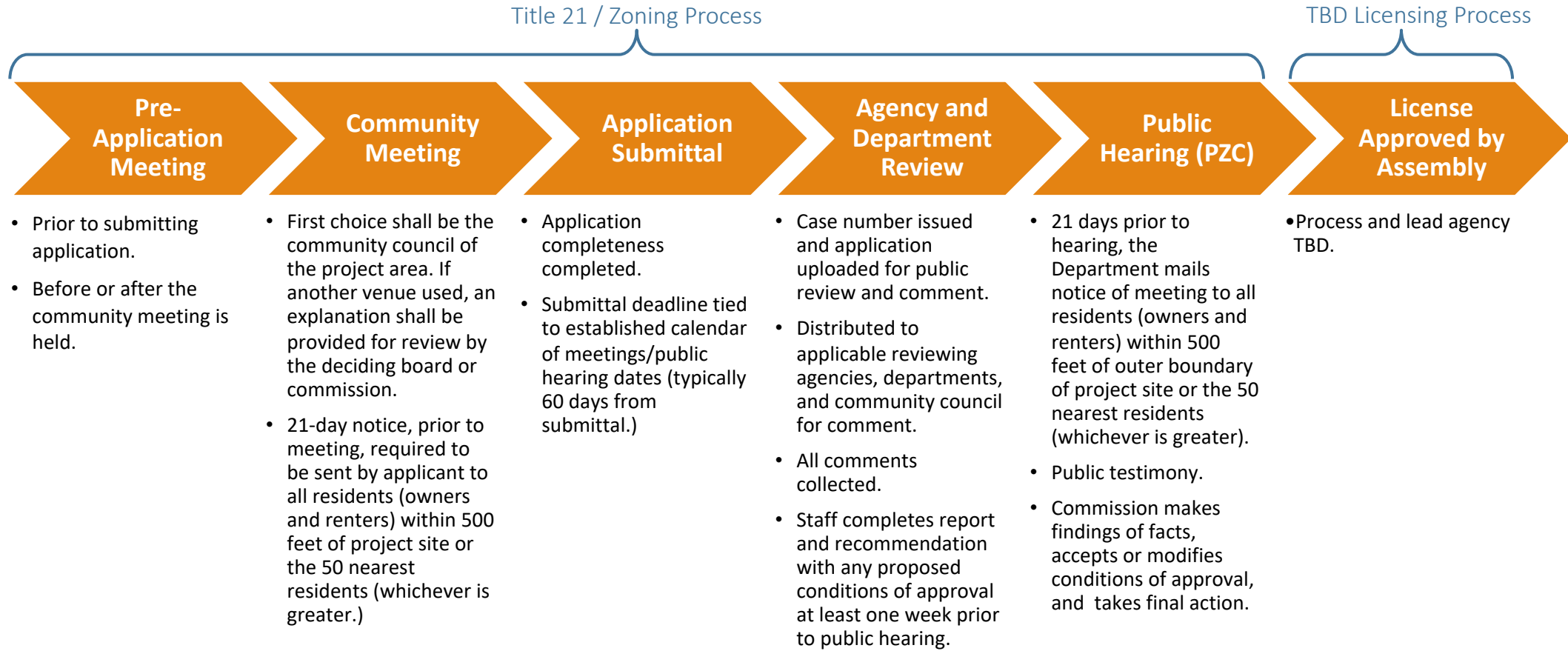
Concerns from Assembly Members

1. Lacks robust community involvement / from neighborhoods outside of noticed area.
2. Approval Criteria is vague.
3. Approval by Planning & Zoning Commission, no Assembly review or approval.
4. No annual review of approved CUPs.
5. Revocation is difficult.

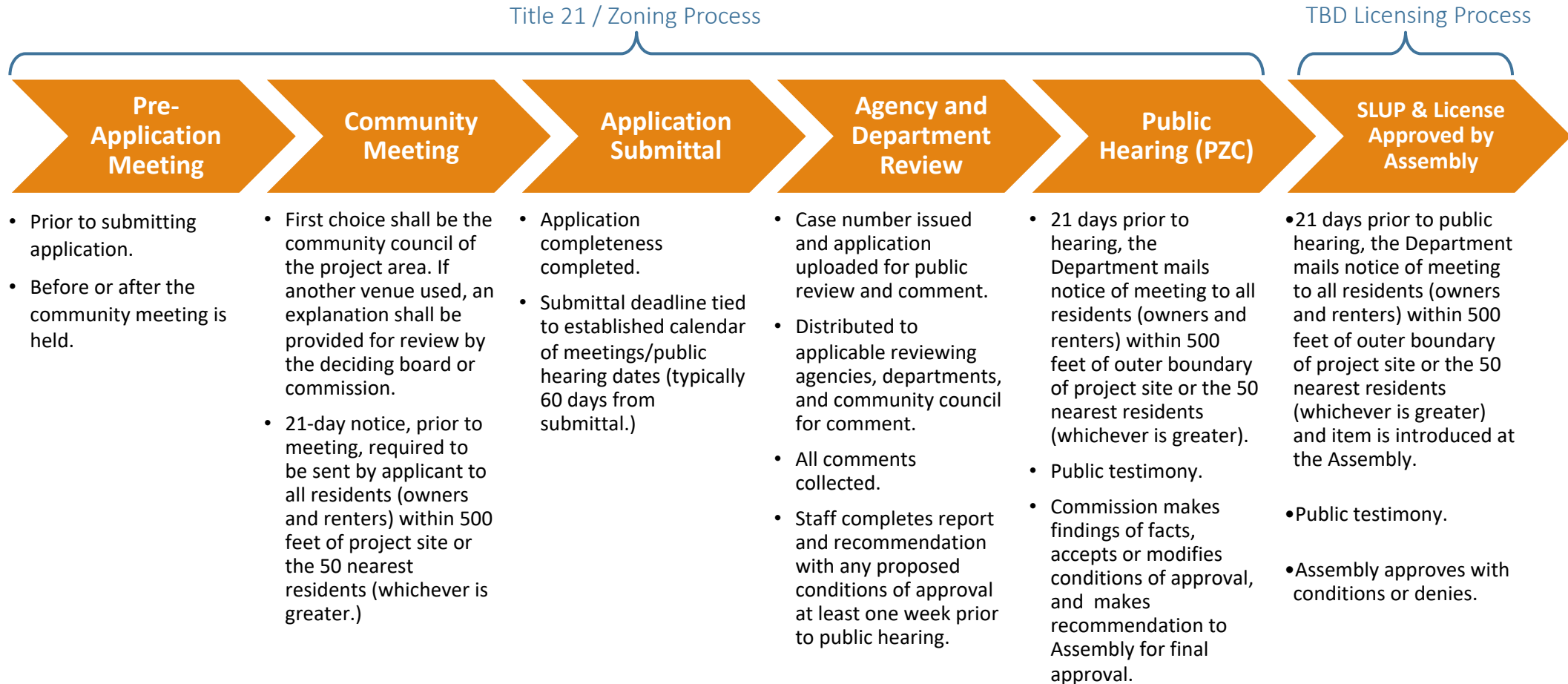
Potential Approval Paths

FOR HOMELESS AND TRANSIENT SHELTERS IN THE B-3 DISTRICT

Conditional Use + License



Special Land Use Permit + License



Possible Use-Specific Standards

- Separation distances from other shelters and/or protected uses;
- Provide adequate space for conducting security searches and other assessments;
- Centralized shelter operations office on each level providing sight lines to sleeping areas;
- Within certain distance of transit lines;
- Provide adequate indoor space to permit all shelter guests day shelter;
- Suitable laundry, kitchen, pantry, bicycle storage, and secure storage facilities provided on-site;
- An outdoor area for guest use on-site with adequate screening to protect privacy of guests;
- Facility should have a look and character that integrates into the neighborhood;

Possible Use-Specific Standards, cont'd

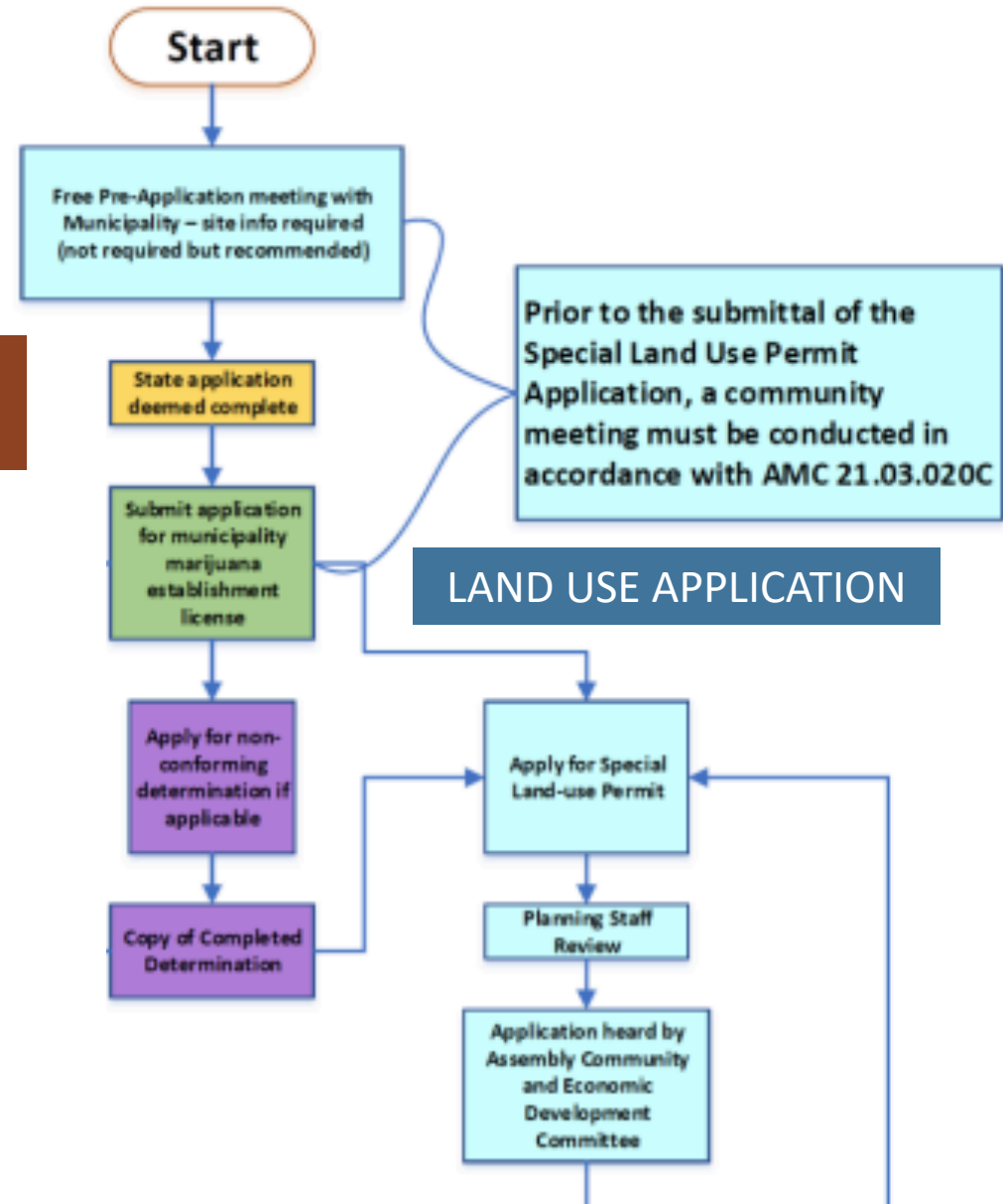
- Trash cans provided and maintained around the perimeter of the facility;
- Require a valid MOA license
 - “If at any time either the state license or the municipal license is suspended or revoked, the establishment shall immediately cease operations, until such time as both required licenses and the land use approval are valid. If an endorsement is suspended or revoked, the establishment shall immediately cease operations authorized by that endorsement until such time it is valid.”



Marijuana Permit Flowchart

LICENSING APPLICATION

LAND USE APPLICATION



License for Homeless and Transient Shelter Operations

Land Use Alone Can't Address Operational Concerns...

Follow the model of land use + operational license like marijuana:

Possible License Standards

- Define shelter outcomes and how to measure;
- The facility shall provide on-site services to support residents, such as case management, life skills training, counseling, employment and educational services, or other programs;
- On-site services (including meals) available only to residents;
- Clients must pre-register, limited number of walk-in clients based on a space available;
- Incentivize clients to stay in the shelter and utilize on-site services;
- Client Agreements given to all clients entering the Shelter Program to include a summary of the provisions of this Good Neighbor Plan;
- Enforce Good Neighbor Policy (following the example of the Sullivan/Boeke);

Possible License Standards, cont'd

- Potential Homeless Court site;
- Shelter Advisory Committee to oversee operations of the licensee;
 - In the case of an ongoing negative livability impact, shelter management will develop a policy and submit it to the advisory committee for approval;
- Regular meetings of shelter operations and security staff with APD/AFD;
- Annual Report to the Assembly;
- Others...?

CUP + License SLUP + License

CUP+LICENSE

PROS

- Minimal changes to Title 21
- Existing entitlement process
- Assembly approval of License
- Allows the CUP to remain in place, revoke license if needed to change out operators

CONS

- PZC approval of CUP, no Assembly
- Potential legal risk (FHA)

SLUP+LICENSE

PROS

- More extensive changes to Title 21
- Assembly approval of SLUP
- Assembly approval of License
- Allows the SLUP to remain in place, revoke license if needed to change out operators

CONS

- New entitlement process
- Potential legal risk (FHA)

Recommended Course of Action

Over next 6–9 months

1. Vote down / postpone indefinitely AO 2020-58
 - a. *Provides closure to community*
 - b. *Sets the stage for revised process*
2. Identify licensure process
 - a. *Work with Clerks' Office and others to identify licensure*
3. Develop CUP + License process
 - a. *Staff to develop Title 21 text amendments to codify the preferred CUP & License process*
 - b. *Work with CEDC*
4. Prepare ordinance(s)
5. Complete Title 21 text amendment process
 - a. *Staff to complete AMC 21.03.210 process*
 - b. *Requires Assembly approval*
6. Complete licensure process and ordinance(s)