

12-08-98

Submitted by: Assemblymember Carlson

For reading: July 14, 1998

Postponed indefinitely

ANCHORAGE, ALASKA

AO NO. 98-120

**AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
AMC 21.35.020 B. TO CHANGE THE DEFINITION OF "DWELLING,
FACTORY-BUILT"** (Formerly Ordinance No. AO 97-129)
(Planning and Zoning Commission Case No. 97-189)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: Chapter 21.35.020 B. of the Anchorage Municipal Code is amended by changing the definition of Dwelling, factory built as follows:

- a. *Dwelling, factory-built* means a detached, single-factory dwelling designed for long-term human habitation, and having complete living facilities, being at least 1,000 [900] square feet in size, measured by the outside dimensions of the dwelling, having a minimum width of 26 feet, constructed after January 1, 1994, constructed and fabricated into two [ONE] or more sections at a factory and designed to be joined at the location of use and installed on a permanent foundation. If all of the foregoing criteria are met, the presence of a chassis, tongue, hitch or wheels for transportation or the existence of either a serial or model number shall not be a basis for a determination that the manufactured dwelling is not a factory-built dwelling.

Section 2: This ordinance shall become effective upon passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of, _____ 1998.

Chair

ATTEST:

Municipal Clerk

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AIM 98-98

Meeting Date: August 18, 1998

From: Mayor

Subject: AO 98-120

Planning and Zoning Commission
Recommendation on an Ordinance Amending
Title 21 Concerning the Definition of Dwelling,
Factory Built

1 The Planning and Zoning Commission has had under consideration an
2 ordinance amending the Title 21 definition of "dwellings, factory built" as
3 submitted by Assemblymember Begich since September 30, 1997. The delayed
4 consideration was to give the Housing and Neighborhood Development
5 Commission (HAND) an opportunity to fully evaluate the ordinance. The Housing
6 and Neighborhood Development Commission has taken great interest in the
7 ordinance and the impact of manufactured housing on housing supply and
8 affordability in Anchorage.

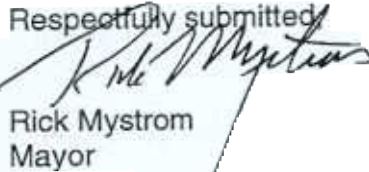
9 The Planning and Zoning Commission believes that Assemblymember Begich's
10 ordinance failed to address all the issues associated with manufactured
11 dwellings and unanimously recommended its rejection. Manufactured dwellings
12 are structures that range from multi-section units assembled at a site to a single
13 structure which is commonly referred to as a mobile home. Although mobile
14 homes may be placed in R-5 and R-5A zones, allowing them in other residential
15 zones is not appropriate. However, permitting manufactured dwellings that
16 mirror site built housing in all residential zones should not be prohibited.

17 The Housing and Neighborhood Development Commission developed an
18 alternative ordinance to that proposed by Assemblymember Begich. The HAND
19 Commission proposed ordinance provides manufactured housing development
20 standards and the Planning and Zoning Commission intends to give the
21 ordinance a public hearing and review in August.


22
23 Reviewed by:

24 
25
26 George J. Vakalis
27 Municipal Manager
28

29
30 Respectfully submitted,

31 
32
33 Rick Mystrom
34 Mayor

Prepared by:


Sheila Ann Selkregg
Director, Community Planning and
Development

Reviewed by:


For Elaine A. Christian,
Executive Manager

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION 98-

DRAFT

A RESOLUTION RECOMMENDING THE ASSEMBLY DENY AN ORDINANCE AMENDING TITLE 21 CONCERNING THE DEFINITION OF DWELLINGS, FACTORY BUILT

(CASE 97-189)

WHEREAS, a petition has been received from former Assemblymember Begich, to amend the Title 21 definition of "dwelling factory built," and

WHEREAS, notices were published and a public hearing was held.

NOW THEREFORE BE IT RESOLVED, by the Anchorage Planning and Zoning Commission that:

- A. The Commission makes the following findings of fact:
1. Assemblymember Begich introduced an ordinance that modified the definition of "dwelling, factory built" to allow installation of complete manufactured dwellings in more subdivisions than just those zoned R-5 and R-5A. These two zoning districts are the only districts that currently allow the permanent placement of a mobile homes outside of a mobile home park.
 2. The Housing and Neighborhood Development Commission examined Assemblymember Begich's proposed ordinance and found that more was needed to insure that manufactured dwellings fit in Anchorage's neighborhoods.
 3. A dwelling built in a factory is likely the way that more housing will be constructed in the future and it seems to provide an opportunity to increase housing affordability.
 4. After Assemblymember Begich initiated this issue he issued a letter that advised that it was not his intent to allow manufactured housing in all zoning districts.
 5. The Housing and Neighborhood Development Commission (HAND) had Community Planning and Development staff to explore other community's experiences with manufactured housing. The HAND Commission objective was to develop standards that the manufacturers or the local dealers and installers can meet that make the manufactured house indistinguishable from a site built house.
 6. Community Planning and Development staff developed an ordinance to set minimum design standards for a manufactured house that satisfied the HAND Commission. However, the Housing and Neighborhood Development Commission proposal has not been circulated to community

councils or to all the usual reviewing agencies.

- B. The Commission recommends the Assembly deny Assemblymember Begich's proposed ordinance amendment as it is an incomplete solution to the issue.
- C. The Commission is setting the Housing and Neighborhood Development Commission ordinance for public hearing and a recommendation to the Assembly on that ordinance will be forth coming from the Planning and Zoning Commission.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission this 1st day of June 1998.

Sheila Ann Selkregg, Ph.D.
Secretary

Daphne Brown
Chair

97-189

DRAFT

AYE: Karabelnikoff, Jones, Adams, Hodel, Brown, Stiles, DeLucia, Cox,
Birkinshaw

NAY: None

PASSED

DRAFT

4. 97-189 Anchorage Assembly. An ordinance of the Anchorage Municipal Assembly amending AMC 21.35.020.B to change the definition of "Dwelling, Factory-Built."

Staff member DON ALSPACH explained the ordinance introduced by former Assembly member Begich is before the Commission this evening. He explained that, after introduction of that ordinance, the Housing and Neighborhood Development (HAND) Commission conducted its review and found it did not meet community needs. Staff was asked to investigate the topic of manufactured housing and how to make that type of housing blend in with stick-built housing. Staff researched the issue further; a subcommittee of the HAND Commission reviewed the ordinance several times; and two weeks ago, the HAND Commission approved the ordinance with several amendments. He explained the HAND Commission's proposed ordinance has not yet been distributed to the public for review. The Department, therefore, is recommending that the Planning and Zoning Commission recommend that the Assembly not approve former Assemblymember Begich's ordinance and that it set the HAND Commission's ordinance for public hearing.

COMMISSIONER STILES agreed with Mr. Alspach's recommendation and asked if the appropriate action would be to move to approve Mr. Begich's ordinance and deny that ordinance, or perhaps instead to take action to forward the substitute ordinance to the Assembly. MR. ALSPACH stated neither the Commission nor Staff will, under that scenario, have an opportunity for the public to review the ordinance. CHAIR BROWN suggested the Commission could take action to deny the ordinance proposed by former Assemblymember Begich and request Staff to set the HAND Commission ordinance for public hearing before the Planning and Zoning Commission.

The public hearing was opened and closed without public comment.

COMMISSIONER STILES moved to recommend to the Assembly the approval of AO 97-129.

COMMISSIONER DeLUCIA seconded.

COMMISSIONER STILES did not support this motion, noting that, based on the Staff packet, this ordinance is too narrowly defined and does not appropriately address issues associated with manufactured housing.

COMMISSIONER BIRKINSHAW remarked that this is a very important issue for the Municipality of Anchorage. He noted he has seen beautiful manufactured homes in areas of the Lower 48, but had also seen some unattractive manufactured units. He felt this type of ordinance deserves consideration.

COMMISSIONER COX also did not support the motion, adding that it is important there be public input into this ordinance, which is a key mechanism for providing additional housing options throughout the Municipality.

AYE: None

NAY: Karabelnikoff, Jones, Hodel, Brown, Stiles, DeLucia, Cox, Adams, Birkinshaw

FAILED

COMMISSIONER STILES moved that the Planning and Zoning Commission set the HAND Commission draft ordinance for public hearing, subject to notification to all community councils.

COMMISSIONER JONES seconded.

CHAIR BROWN noted that, as written, the draft ordinance is very prescriptive. She asked if there is some other way to get good designs in manufactured housing than to create such an ordinance. She felt the ordinance was too prescriptive with regard to particular design aspects and asked if there would be a way to allow an alternative design option other than what is contained in the ordinance.

COMMISSIONER HODEL suggested that the ordinance focus on the essential differences between mobile homes and manufactured homes.

CHAIR BROWN noted that, without some prescriptive content, the ordinance will not produce housing that will hold its value over time.

COMMISSIONER JONES asked that Staff look forward to how the community will interpret what this ordinance is proposing, particularly whether the language will be burdensome and difficult to understand and potentially spawn disputes.

DRAFT

COMMISSIONER BIRKINSHAW asked whether manufactured housing representatives have been involved in the development of this ordinance. MR. ALSPACH replied they have been involved and noted that Mr. Carey of Carey Homes was present at the HAND Commission meeting at which the proposed HAND ordinance was adopted and provided important input into shipping and other issues.

COMMISSIONER STILES asked that Mr. Carey be invited to the Planning and Zoning Commission's public hearing on the manufactured housing ordinance.

AYE: Karabelnikoff, Jones, Adams, Hodel, Brown, Stiles, DeLucia, Cox,
Birkinshaw

NAY: None

PASSED

5. 98-088

Municipality of Anchorage. An ordinance amending the Anchorage Municipal Code Title 21 to increase the allowable maximum sign viewing area for churches and schools from 20 square feet to 50 square feet, to increase the number of signs from one per church or school to one sign for each street frontage and to permit signs for schools to be illuminated or lighted.

Staff member DON ALSPACH explained this ordinance was introduced by Assemblymember Weurch with regard to signage for churches and schools. He stated the Department is recommending this amendment be reviewed in the context of an overall sign ordinance amendment, which is on the Department's work plan for September of this year. Because that review is scheduled, Staff found the proposed amendment to be premature.

To allow the set up of materials by the petitioner, the Commission took a brief break.

The public hearing was opened.

CHAIR BROWN suggested because Robert Yahara had been involved in the development of this ordinance, he be viewed as the petitioner in this case.


DRAFT


G.4.

**MUNICIPALITY OF ANCHORAGE
MEMORANDUM**

DATE: June 1, 1998

TO: Planning and Zoning Commission

THRU: Sheila Ann Sell  Director Community Planning and Development

FROM: Donald S. Alspach  Deputy Director Community Planning and Development

SUBJECT: 97-189 Manufactured Dwellings

Assemblymember Begich introduced an ordinance that modified the definition of factory built dwelling to allow installation of complete manufactured dwelling in more subdivisions than just those zoned R-5 and R-5A. These two zoning districts are the only districts that allow the permanent placement of a mobile home outside of a mobile home park. The Housing and Neighborhood Development Commission examined the Begich proposal and found that more was needed to insure that these dwellings fit in to Anchorage's neighborhoods. A dwelling built in a factory is likely the way that more housing will be built and it seems to provide an opportunity to increase housing affordability.

After Assemblymember Begich started the ball rolling on this issue he issued a letter, included in the packet, that advised that it was not his intent to allow manufactured housing in all zoning districts. However, it is not possible if we accept the principle that a manufactured house is not a mobile home.

The Housing and Neighborhood Development Commission encouraged the staff to explore other communities experiences with manufactured housing. The objective is to develop standards that the manufacturers or the local dealers and installers can meet that make the manufactured house indistinguishable from a site built house. To achieve that end the staff developed an ordinance to set minimum design standards for a manufactured house.

The draft ordinance included in the packet accomplishes:

Revisions of the definitions for the many types dwellings to identify manufactured dwelling, but not to limit the manufactured house to only single-family dwellings as is the present case. The terms are also updated to the industry terminology. The definition of *mobile home* has also been altered but a

reference to mobile home is retained as the term *mobile home* is used extensively in the Title 21. Further a definition of site-built dwelling is also added to show a distinction between dwelling types.

The proposed standards for manufactured dwelling units addresses the design issues identified by other communities. From other communities we have been advised that manufactured unit are of varying quality and yet still meet the HUD standards. There are some manufactured dwellings that are equal to or better than site built housing and others that have apparently failed after only a decade of use. The proposed zoning design standards do not address any Title 23 or Uniform Building Code issues, if there are any.

A Walk Through of the Proposed Standards

The Housing and Neighborhood Development Commission believe that it is important that we state a purpose for adoption of these standards. The proposed wording emphasizes compatibility and affordability.

Purpose. This section provides standards which will allow the placement of manufactured dwellings in residential zones without changing the character of the existing neighborhood. Manufactured dwellings allow affordable housing opportunities in structures whose appearance is similar to site-built housing satisfying the standards of Title 23 of this Code.

In order to eliminate structures that have the appearance of a mobile home, 12 foot by 60 foot or 14 foot by 70 foot flat roofed box, minimum dimensions for the structure have been proposed. These dimensions include area and width of the narrowest portion of the structure.

Minimum interior floor area. The interior floor area of the manufactured dwelling shall be at least 1,000 square feet in area.

Minimum plan dimensions. Manufactured dwelling shall have a minimum plan dimension after assemblage on site of 24 feet as measured across the narrowest portion of the structure.

Another appearance item that distinguishes a mobile home from site built housing is roof pitch. Most site built housing has a pitched roof of some type. The proposal is to set a minimum pitch of 4:12 which is the general standard pitch for site built housing. The Uniform Building Code does allow roof at 3:12, but with ice dams as a reoccurring problem, a steeper pitched roof usually works better. Local home builders have advised staff the current trend is to 8:12 and 10:12 roofs. The drawback to the steeper pitched roofs is with the wider manufactured dwellings. Those units that come in three sections, which promotes a design feature would like to see of a wider unit creates special

transportation problems. The Housing and Neighborhood Development Commission was advised by a local dealer that a 4:12 pitch roof on these unit is not currently possible. The Housing and Neighborhood Development Commission believe this was an important consideration and recommended that the wider units be given permission to use the lower pitched roof.

Staff was noted from other sources that eaves should be required to enhance structure appearance and to add structure protection from roof run off.

Roof. The manufactured dwelling shall have a roof of minimum pitch of 4 foot rise for each 12 feet of horizontal run except that manufactured dwellings that exceed 28 feet in width at the gable end of the structure may utilize a roof of minimum pitch of 3 foot rise for each 12 feet of horizontal run. The roof shall have a minimum roof overhang or eaves of 10 inches from the intersection of the roof and the exterior walls.

One of the key differences between a mobile home and a manufactured dwelling is its attachment to a permanent foundation. This standard specifies what constitutes a permanent foundation and that the unit must be *securely affixed* to the foundation. When the foundation is not at the perimeter of the unit, such as with a pile or pier foundation, the foundation must be hidden from view.

Foundation. The manufactured dwelling shall be set on an excavated, back-filled foundation and enclosed at the perimeter of the manufactured dwelling. Footings and foundations shall be constructed of masonry, concrete, driven piles or all weather wood. The manufactured dwelling shall be securely affixed in a permanent manner to the foundation. A manufactured dwelling utilizing a pier or pile foundation shall have continuous perimeter skirting. The skirting material and finish shall be the same as the exterior material or finishes of the manufactured dwelling.

The appearance of the manufactured dwelling will be most evident in its exterior finishes. The public associates a flat embossed sheet metal skin with a mobile home. The following paragraph directs that the manufactured dwelling be provided with an exterior appearance that is compatible with the neighboring structures. In our area, customary finishes means horizontal lap siding or T-111 plywood siding. This provision does not ban other exterior materials and treatments, but the chosen design must not be clearly incompatible to a reasonable person observing the unit and its adjacent structures.

Exterior siding and finishes. The exterior siding material of the manufactured dwelling shall utilize finishes and materials customarily associated with site-built dwellings in the general proximity.

A design feature that staff believes must be encouraged is enhancement of the street face of residential structures. Requiring the installation of a porch or a recessed entry that includes a porch is minimal, but can have a significant impact on the overall appearance of the structure.

Entries. At designed principal entrance of the manufactured dwelling shall be a recessed porch and entry or a covered porch of 50 square feet in surface area or more.

As a further enhancement to the structure appearance is a provision to allow selection of special features to make the manufactured dwelling unique to its owner and setting. The provision allow the first owner to pick from the list of design features. The category 1 features are more expensive than those of category 2. Category 1 feature will have a bigger impact on the structure appearance than those of category 2.

Design features. The manufactured dwelling shall utilize at least one of the following design features from each category or two from category 1. Exterior siding and finishes of a design feature that is erected at the site shall be the same as the exterior material or finishes of the manufactured dwelling.

category 1.

*architectural grade asphalt roof singles
arctic entry
attached garage
off-sets on the building facade (minimum of 12 inches)
roof overhang or eaves of 12 inches
roof pitch of 4 foot rise for each 12 feet of horizontal run or greater
where the standard is 3 foot rise for each 12 feet of horizontal run
roof pitch of 6 foot rise for each 12 feet of horizontal run or greater
where the standard is 4 foot rise for each 12 feet of horizontal run*

category 2.

*bay or bow windows
carport
cupolas
detached garage
dormers
horizontal lap siding*

Any manufactured dwelling will be transported to the site most likely as a trailer. To insure the transportation devices, which are another distinct attribute of a mobile home, are eliminated, this provision requires remove of all such devices.

Removal of transportation devices. All transportation equipment and devices, including wheels, axles, and hitch, shall be removed from the manufactured dwelling.

The final provision is the design qualification procedure. The objective is to have the Planning and Zoning Commission review the initial floor plan and finishes and qualify that design. After the installation of the first unit the Commission will have an opportunity to examine the manufactured dwelling in place and determine if it turned out as expected. If not, the Commission can insist on appropriate changes to future units of that design and finish. Alternative to this proposal would be to place the staff in charge of qualifying units. The advantage to a staff authority would be a speedier process.

Part 2 of this paragraph concerns subdivisions where there will be a concentration of manufactured dwellings. The provision is to require variations in the design of the manufactured dwellings so that the same design and facade is not soldiered down the street.

Qualification of manufactured dwelling.

Single plan. Each manufactured dwelling design shall be qualified as meeting this design standard by the Planning and Zoning Commission. A proponent of a manufactured dwelling design shall provide the Commission with evidence in the form of construction drawings, photographs, renderings, or other data sufficient for the Commission to find the design standard is satisfied. At completion of the construction and installation of the first manufactured dwelling under a newly qualified design, it shall be reviewed by the Commission to confirm the installation complies with the design standards. If the installation fails to comply subsequent unit design and installation shall be amended or redesigned as directed by the Commission.

Manufactured dwelling developments. Subdivisions in which manufactured dwellings shall be sited on abutting lots shall utilize varied floor plans approved as set forth in paragraph 1 on this subparagraph. The same floor plan shall not be sited on abutting lots. Same floor plan shall be spaced at least three lots apart.

Recommendation

Staff believes the Commission should advise the Assembly not approve the Begich amendment as it is an incomplete solution to the issue. However, the Housing and Neighborhood Development Commission proposal has not been circulated to community councils or to all the usual reviewing agencies. Staff is hesitant to recommend the Commission pass it on to the Assembly with

favorable recommendation. The Assembly's refusal to grant the full time extension requested by Commission has placed us in this box.

The options the staff believes the Commission has is to recommend the Assembly introduce the Housing and Neighborhood Development Commission ordinance draft and set it for public hearing, or advise the Assembly the Commission is setting the Housing and Neighborhood Development Commission ordinance for its own public hearing and a recommendation to the Assembly on that ordinance will be forth coming.