

ANCHORAGE, ALASKA
AO NO. 2003-125

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE
MUNICIPAL CODE SECTION 21.35.020 RELATING TO THE DEFINITION OF HOUSING
FOR THE ELDERLY, AMENDING PROVISIONS OF CHAPTER 21.40 BY ADDING
SENIOR HOUSING AS A PERMITTED USE IN THE R-2M, R-3, R-4, R-5, R-6, R-7, R-11,
R-0, B-1B, B-2A, B-2B, B-2C, AND B-3 DISTRICTS, AND AMENDING ANCHORAGE
MUNICIPAL CODE 21.45.080(B) RELATING TO PARKING REQUIREMENTS FOR
SENIOR HOUSING.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 21.35.020 is hereby amended to read as follows:
(Other definitions in the referenced section are not affected and therefore not set out.)

21.35.020 Definitions and rules of construction.

B. The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Senior housing means multiple-family housing intended for occupancy by persons 55 years of age and older. The facility may include, as accessory uses, central recreation and dining areas and health services. [HOUSING FOR THE ELDERLY MEANS MULTIPLE-FAMILY HOUSING ESPECIALLY DESIGNED FOR OCCUPANCY BY PERSONS 62 YEARS OF AGE AND OLDER AND REQUIRES 30 PERCENT OF THE UNITS WITHIN THE FACILITY TO BE HANDICAPPED ACCESSIBLE WITH ACCOMMODATION FOR WHEELCHAIRS. THE FACILITY MAY INCLUDE, AS ACCESSORY USES, CENTRAL RECREATION AND DINING AREAS AND HEALTH SERVICES].

Section 2. Senior housing as defined under Anchorage Municipal Code section 21.35.020 is added as a permitted principle use in the following districts:

Section 3. Anchorage Municipal Code 21.40.020 is amended to read as follows: *(Other subsections not affected are not set out.)*

B. Permitted principal uses and structures. Permitted principal uses and structures are as follows:

Section 4. Anchorage Municipal Code subsection 21.45.080B is amended by adding a new subsection 3 to read as follows: *(Other subsections not affected are not set out)*

B. Dwellings and apartment buildings.

- 1 *** 2 *** 3 ***
2. Multifamily dwellings.
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- 4 a. One and one-fourth parking spaces are required for each efficiency unit.
- 5
- 6 b. One and one-half parking spaces are required for each one-bedroom
- 7 unit.
- 8
- 9 c. One and one-half parking spaces are required for each two-bedroom
- 10 unit, 800 square feet or less.
- 11
- 12 d. One and three-fourths parking spaces are required for each two-bedroom
- 13 unit, over 800 square feet.
- 14
- 15 e. One and three-fourths parking spaces are required for each
- 16 three-bedroom unit, 900 square feet or less.
- 17
- 18 f. Two and one-half parking spaces are required for each three-bedroom
- 19 unit, over 900 square feet.
- 20
- 21 3. Senior housing.
- 22
- 23 a. One parking space is required for each efficiency unit.
- 24
- 25 b. One and one-fourth parking spaces are required for each one-bedroom
- 26 unit.
- 27
- 28 c. One and one-half parking spaces are required for each two-bedroom
- 29 unit.
- 30
- 31 d. Two parking spaces are required for each three-bedroom unit.
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33 *** 34 *** 35 ***

36 **Section 4.** This ordinance shall become effective immediately upon its passage and approval by
37 the Assembly.
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1 PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____,
2 2003.

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7 Chair
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9 ATTEST:

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14 Municipal Clerk
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MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
AM NO. 688-2003

Meeting Date: August 19, 2003

From: Assemblymember Allan Tesche
Subject: AO 2003-125 Amending Chapters 21.35, 21.40, and 21.45 of the Anchorage Municipal Code to Change the Definition of Housing for the Elderly, to Permit Senior Housing in Certain Residential and Business Districts, and to Specify Parking Requirements for Senior Housing.

The proposed ordinance has two purposes: to define senior housing in a manner consistent with federal law and to clarify the zoning districts in which senior housing is permitted. Under the current zoning code, an argument could be made that housing for the elderly is only permitted on land designated PLI. Such a limitation would discourage the development of needed housing for our senior citizens, including projects based on programs such as the § 202 program administered by the U.S. Department of Housing and Urban Development (HUD), which provides housing for low-income seniors.

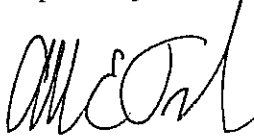
The current zoning code specifically allows "housing for the elderly" as a permitted use in the PLI district. However, AMC 21.40.015.B says a use that is listed as a permitted use in one district but not another is prohibited in the district in which it is not listed. Thus, the zoning code could be interpreted to preclude senior housing in all other zoning districts - a result which is probably unintended. The proposed ordinance will resolve this potential problem by specifically listing multi-family "senior housing" as a permitted use in the following districts: R-2M, R-3, R-4, R-5, R-6, R-7, R-11, R-O, B-1B, B-2A, B-2B, B-2C, and B-3, in addition to PLI.

Currently, "housing for the elderly" is defined in AMC 21.35.020 as multiple-family housing for persons 62 or older with 30% of the units handicapped accessible. The ordinance will change the term "housing for the elderly" to "senior housing." The age limit will be reduced to 55 and the 30% handicapped access requirement will be eliminated. This change will allow the flexibility to develop projects contemplated by such federal legislation as the Fair Housing Act, 42 USC § 3607 (age 55 or older) and such state of Alaska legislation as the Senior Revolving Fund, AS 18.56.710 and Senior Citizens Housing Development Fund, AS 18.56.800. The state legislation was amended in 1998 to change the criteria for senior housing from "60 years of age or older" to "older individuals". AS 18.56.795 calls for regulations to establish age requirements for senior housing not less than 55 years of age. The current regulation, 15 AAC 151.950, designates "senior" as age 60 or older.

1 The number of units required to be handicapped accessible will be determined by other
2 existing law, such as the Americans with Disabilities Act. The 30% requirement is not in line with
3 government programs such as HUD's § 202 program, which typically call for 5% of the units to be
4 handicapped accessible.

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6 Finally, parking requirements for senior housing are specified in section 16 of the proposed
7 ordinance. The proposed standards call for a slightly reduced amount of parking as compared to
8 multi-age multiple family housing. The proposed parking ratios recognize that older members of
9 the population are less likely to drive, due to health and vision problems, as well as lifestyle changes.
10 Older persons are more likely to live alone. Retired couples are more likely than younger couples,
11 who are active in the workforce, to own just one car. Experience at existing senior housing facilities,
12 such as Muldoon Manor, Commodore Park and Jewel Lake Plaza, has shown the demand for parking
13 to be lower than at multiple-family housing developments catering to younger or mixed-age
14 populations. The slight reduction in parking will translate into a slight reduction in cost, which will
15 especially benefit projects intended to provide safe and affordable housing for low and
16 middle-income seniors.

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19 Respectfully submitted,

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24 Allan Tesche
25 Assemblymember, Section 1
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Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

Ag 2003-125

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT An Ordinance Amending Chapters 21.35, 21.40, and 21.45 Changing Definition of Housing for the Elderly, Permitting Senior Housing in Certain Residential and Business Districts, and Specifying Parking Requirements for Senior Housing.	DATE PREPARED 8/15/03 Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM
2	DEPARTMENT NAME Assembly	DIRECTOR'S NAME HIS/HER PHONE NUMBER 4420
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Allan Tesche	HIS/HER PHONE NUMBER 4420
4	COORDINATED WITH AND REVIEWED BY	INITIALS
	Mayor	
	Heritage Land Bank	
	Merrill Field Airport	
	Municipal Light & Power	
	Port of Anchorage	
	Solid Waste Services	
	Water & Wastewater Utility	
	Municipal Manager	
	Cultural & Recreational Services	
	Employee Relations	
	Finance, Chief Fiscal Officer	
	Fire	
	Health & Human Services	
	Office of Management and Budget	
	Management Information Services	
	Police	
	Planning, Development & Public Works	
	Development Services	
	Facility Management	
	Planning	
	Project Management & Engineering	
	Street Maintenance	
	Traffic	
	Public Transportation Department	
	Purchasing	
	Municipal Attorney	
	Municipal Clerk	
	Other	
5	Special Instructions/Comments <div style="text-align: center; font-size: 1.2em;"> <i>Agenda Introduction</i> </div>	
6	ASSEMBLY HEARING DATE REQUESTED 8/19/03	7 PUBLIC HEARING DATE REQUESTED <div style="text-align: center; font-size: 1.2em;"> <i>9/9/03</i> </div>

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 M O A
 CLERK'S OFFICE