

Submitted by: Chair of the Assembly at the
Request of the Acting Mayor
Prepared by: Planning Department
For reading: February 24, 2009

CLERK'S OFFICE

APPROVED

Date: 4-14-09
Anchorage, Alaska
AO 2009-23

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.40.130B.10., CORRECTING AN OMISSION IN AO 2005-124(S-1A), RELATING TO ADULT CARE USE IN THE R-O (RESIDENTIAL-OFFICE) DISTRICT.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code subsection 21.40.130B.10. is hereby amended as follows (*the remainder of the section is not affected and therefore is not set out*):

21.40.130 R-O residential-office district.

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

10. Residential care and adult care facilities, any size.

(GAAB 21.05.050.I; AO No. 77-219; AO No. 77-355; AO No. 78-199; AO No. 80-57; AO No. 81-67(S); AO No. 83-226; AO No. 85-18; AO No. 85-23; AO No. 85-69; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 86-171; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 91-97; AO No. 92-114; AO No. 96-131(S), § 3, 10-22-96; AO No. 99-62, § 16, 5-11-99; AO No. 2003-124(S), § 3, 1-20-04; AO No. 2005-175, § 13, 1-10-06; AO No. 2005-178, § 14, 1-24-06; AO No. 2005-185(S), § 15, 2-28-06; AO No. 2005-124(S-1A), § 18, 4-18-06; AO No. 2006-64(S-1), §§ 2, 3, 12-12-06; AO No. 2007-121(S-1), § 2, 10-23-07)

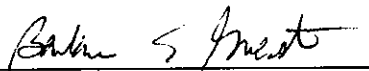
1 **Section 2.** Anchorage Municipal Code section 21.10.015 notwithstanding, this
2 ordinance shall not require Planning and Zoning Commission review.
3

4
5 **Section 3.** This ordinance shall be effective immediately upon passage and
6 approval by the Anchorage Assembly.
7

8
9 PASSED AND APPROVED by the Anchorage Assembly this 14th day of
10 April 2009.

11 
12 Chair
13

14 ATTEST:

15
16
17
18 
19 Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2009-23

Title: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.40.130B.10., CORRECTING AN OMISSION IN AO 2005-124(S-1A), RELATING TO ADULT CARE USE IN THE R-O (RESIDENTIAL-OFFICE) DISTRICT.

Sponsor: ACTING MAYOR
Preparing Agency: Department of Planning
Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)				
	FY09	FY10	FY11	FY12	FY13	
Operating Expenditures						
1000 Personal Services						
2000 Non-Labor						
3900 Contributions						
4000 Debt Service						
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -	
Add: 6000 Charges from Others						
Less: 7000 Charges to Others						
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -	
REVENUES:						
CAPITAL:						
POSITIONS: FT/PT and Temp						

PUBLIC SECTOR ECONOMIC EFFECTS:

This is a code correction; there are no public sector economic effects for this ordinance.

PRIVATE SECTOR ECONOMIC EFFECTS:

This is a code correction; there are no private sector economic effects for this ordinance.

Prepared by: Jerry Weaver

Telephone: 343-7939



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 90-2009

Meeting Date: February 24, 2009

FROM: ACTING MAYOR

**Subject: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL
CODE SECTION 21.40.130B.10., CORRECTING AN
OMISSION IN AO 2005-124(S-1A), RELATING TO ADULT
CARE USE IN THE R-O (RESIDENTIAL-OFFICE) DISTRICT.**

1 Anchorage Ordinance 2005-124(S-1A) was adopted by the Anchorage
2 Assembly April 18, 2006 to address health care, assisted living, and related
3 uses. A considerable number of code changes were part of the original
4 ordinance regarding these provisions. Included in this ordinance was a
5 provision to allow adult care where child care uses were allowed.
6

7 This one provision in the R-O zoning district was overlooked. This ordinance
8 corrects the code to reflect the original intent of AO 2005-124(S-1A).
9

10 **THE ADMINISTRATION RECOMMENDS ADOPTION OF AN ORDINANCE**
11 **AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.40.130B.10.**
12 **CORRECTING AN OMISSION IN AO 2005-124(S-1A) RELATING TO**
13 **ADULT CARE USE IN THE R-O (RESIDENTIAL-OFFICE) DISTRICT.**
14

15 Prepared by: Jerry T. Weaver Jr., Zoning Administrator
16 Planning Department
17 Concur: Tom Nelson, Director, Planning Department
18 Concur: Mary Jane Michael, Executive Director
19 Office of Economic and Community Development
20 Concur: James N. Reeves, Municipal Attorney
21 Concur: Michael K. Abbott, Municipal Manager
22 Respectfully submitted, Matt Claman, Acting Mayor
23

Submitted by: DAN COFFEY, VICE Chair of the
Assembly
Prepared by: Assembly Counsel
For reading April 18, 2006

CLERK'S OFFICE
AMENDED AND APPROVED ANCHORAGE, ALASKA
Date: 4-18-06
~~IMMEDIATE RECONSIDERATION~~
FAILED 4-18-06 AO 2005-124 (S-1A)

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 21.35, 21.40, 21.45 AND 21.50 REGARDING ADMINISTRATIVE PROCEDURES, DEFINITIONS FOR VARIOUS CARE, SERVICE AND LIVING FACILITIES, AMENDING ZONING DISTRICTS, AMENDING SUPPLEMENTARY DISTRICT STANDARDS, CONDITIONAL USES AND SITE PLANS, AND AMENDING SECTION 14.60.030 TO ADD CARE FACILITIES VIOLATIONS.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 21.10.025 is hereby amended to read as follows (*the remainder of the section is not affected and therefore is not set out.*):

21.10.025 Zoning board of examiners and appeals.

*** *** ***

B. Hear and decide appeals from enforcement orders, [AND] denials of permit or certificate applications, and decisions to approve or deny section 21.15.013 administrative variance applications, under sections 21.30.110 through 21.30.170, and 21.55.040.

*** *** ***

(GAAB 21.30.250, 21.30.350; AO No. 77-355; AO No. 85-23; AO No. 99-131, § 2, 10-26-99; AO No. 2001-117, § 1, 7-10-01)

Cross references: Appointment of boards and commissions, Ch. 4.05; zoning board of examiners and appeals, section 4.40.130.

Section 2. Anchorage Municipal Code chapter 21.15 is hereby amended by adding a new section to read as follows:

21.15.013 Administrative variance from occupancy limits for residential care facilities.

A. **Intent. The intent of this section is to provide a procedure to allow persons with disabilities and assisted living providers to request reasonable accommodation from the Planning Department when access to decent safe, accessible and affordable housing with assisted living would not be available absent a reasonable accommodation. This administrative variance procedure is available to address application for minor variance in dimensional and setback requirements to accommodate special needs of persons with disabilities and to**

1 address application for variance in occupancy limits of no more than three
2 [two] persons. [It is the intent of this section to provide reasonable
3 accommodation to residential care facilities to locate in specific buildings or
4 neighborhoods for justifiable reasons, but without allowing occupancy limits to
5 exceed the average building in the neighborhood.]
6

7 B. Application. Application for minor variance in dimensional and setback
8 requirements to accommodate special needs of persons with disabilities and
9 application for variance in occupancy limits of no more than three [two]
10 persons shall be made to the Director of the Planning Department on a form
11 provided by the municipality, shall be executed by or on behalf of the person
12 with disabilities seeking the reasonable accommodation, or the owner of the
13 real property, or the lessee with proof of the owner's consent, and shall be
14 complete in all respects prior to review under this section. [An application for
15 an administrative variance from occupancy limits shall be made on a form
16 provided by the municipality, shall be executed by the owner of the real
17 property, or the lessee with proof of the owner's consent, and shall be complete
18 in all respects prior to review under subsection C.]
19

20 C. Notice of application for variance in occupancy limits. On an application for
21 variance in occupancy limits, the Planning Department shall provide public
22 notice and a period for written comment of no less than twenty-one (21) days,
23 as described in this subsection. The public notice shall [will] include a
24 description of the application, a legal description of the land, and if available, a
25 street address for the property subject to the application, with a map of the
26 vicinity. Notice, specifying [that] written comment appropriate to the
27 application for reasonable accommodation in occupancy limits may be
28 submitted, shall [will] be posted electronically on the Planning Department's
29 municipal website, and mailed in hard copy to the following:
30

- 31 1. Any officially recognized community council whose boundaries contain
32 land described in subsection C.2. below [of this subsection];
33
- 34 2. All persons listed on the records of the municipal assessor as owners of
35 land subject to the application or as owners of (a) the parcels within 500
36 feet of the outer boundary of the land subject to the application or (b)
37 the 50 parcels nearest to the outer boundary of the land subject to the
38 application, whichever is the greater number of parcels, at the mailing
39 addresses of such persons in the records of the municipal assessor;
40
- 41 3. Such additional persons or geographic areas as the Planning
42 Department may designate.
43

44 D[~~C~~]. Time for approval. The Planning Department shall make a determination on an
45 application within 60 days of submittal. Notification of approval or denial shall be
46 posted electronically on the Planning Department's municipal web site and

furnished ~~[made]~~ in writing to the applicant by mail or delivered by electronic means.

E[D]. *Standards.* In deciding to approve or deny an application, the Planning Department shall review the application and written comments addressing factors relevant to the request for reasonable accommodation, including but not limited to, the extent to which the application demonstrates the following, as related to the particular request of the applicant ~~[make reasonable accommodations, considering relevant factors including, but not limited to, the following]~~:

1. For administrative variance applications to increase occupancy limits in R-1, R-1A, R-2A and R-2D districts, the extent to which the accommodation and the assisted living provider seek to protect and preserve the primarily residential character of the district. Factors may include traffic patterns, on-street parking patterns, the control exercised by the assisted living provider to mitigate environmental disturbance associated with ingress and egress of facility staff workers at shift change, and any other measures taken by the assisted living provider to ensure the [that] commercial aspects of the facility do not detract from its residential purpose and the primarily residential character of the district. An example of a commercial aspect is [would be] if residential trash containers were standard in the neighborhood and the assisted living provider used one or more dumpsters due to volume. An example of a mitigation measure for this aspect [which could be taken by] the assisted living provider might take is [would be] to screen the dumpster [to mitigate this aspect].
~~[Quantifiable risks to the health, safety, and quality of life of area residents and users;]~~
2. For administrative variance applications to increase occupancy limits, economic hardship on the intended occupants if the variance is denied. Cost and availability of other housing alternatives may be addressed in preparation and review of the application.
~~[Economic hardship to the applicant, if the variance is denied;]~~
3. Whether [That] the requested accommodation and the assisted living provider are [will be] implementing accident prevention and safety measures specific to the needs of the residents, including but not limited to safety measures in state law and regulation, and in municipal fire code adopted under title 23.
~~[Economic hardship on the intended occupants, if the variance is denied, including the availability of other housing alternatives;]~~
4. Whether [That] the accommodation requested is [will be] advancing housing opportunities for disabled individuals in a residential

community without jeopardizing residential aspects of the
neighborhood with commercial aspects of operation.

~~[Administrative and economic burden on the municipality, if the
variance is granted; and]~~

5. For administrative variance applications to increase occupancy limits,
whether ~~[that]~~ the proposed size of the facility is ~~[would be]~~ necessary
for the facility's financial viability.

~~[External characteristics and impacts of the proposed facility, including
appearance and projected contribution to traffic volumes within the
neighborhood.]~~

6. External characteristics and impacts of the proposed facility, including
without limitation appearance, projected contribution to traffic
volumes and on-street parking within the neighborhood, available
street lighting and sidewalks.

7. Quantifiable risks to the health, safety, and quality of life of area
residents and users.

8. Administrative and economic burden on the municipality, in either
approval or denial of the variance.

9. Other factors deemed relevant to the applicant or the Planning
Department in review of the application.

F[E]. *Conditions.* In approving a variance, the Planning Department may impose
reasonable conditions designed to address the standards in subsection E. or
mitigate impacts created by the variance.

G[F]. *Appeal.* All decisions of the Planning Department under this section shall be
final unless an appeal is filed timely. Appeals of the decision to approve or deny a
variance under this section shall be to the zoning board of examiners and appeals,
pursuant to the provisions of sections 21.30.110 - .170, except ~~[that]~~ an appeal
may be brought by any person with standing to request reasonable
accommodation under the Fair Housing Act, 42 U.S.C. § 3604(f) ~~[and may be
brought by any person adversely affected by the action].~~

(GAAB 21.05.060, 21.05.080; AO No. 77-355; AO No. 78-231; AO No. 79-34; AO No.
79-214; AO No. 82-22(S); AO No. 82-49; AO No. 84-70; AO No. 85-21; AO No. 85-72;
AO No. 85-91, 10-1-85; AO No. 86-19; AO No. 86-155; AO No. 87-121, 11-27-87; AO
No. 88-5(S); AO No. 94-62, § 1, 4-12-94; AO No. 95-129, § 5, 3-12-96; AO No. 2004-6, §
1, 10-1-03; AO No. 2004-108(S), § 1, 10-26-04)

Section 3. Anchorage Municipal Code section 21.30.110 is hereby amended to add a new
subsection as follows (*the remainder of the section is not affected and therefore is not set out.*):

21.30.110 **Jurisdiction of board.**

The zoning board of examiners and appeals shall hear appeals from decisions of the municipal staff regarding:

*** *** ***

H. Approval of or denial of an application for an administrative variance under section 21.15.013.

*** *** ***

(GAAB 21.05.080, 21.30.350; AO No. 85-23; AO No. 88-59(S); AO No. 99-131, § 5, 10-26-99; AO No. 2001-117, § 2, 7-10-01)

Section 4. Anchorage Municipal Code section 21.35.020 is amended to revise, add or repeal, as indicated, the following definitions (*the remainder of the section is not affected and therefore is 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:

*** *** ***

Adult care facility is a **non-residential** facility ~~[that]~~ providing ~~[es]~~ assistance with activities of daily living as described in Alaska Statutes 47.33.990(1) ~~for [010 on a non residential basis to]~~ 3 or more adults or a combination of 3 or more adults and adolescents.

*** *** ***

Assisted living refers to the housing and ancillary care services offered on a residential basis ~~[as set forth]~~ for an assisted living home in Alaska Statutes 47.33.010 and 47.33.990(6) ~~[has the same meaning as set forth in Alaska Statutes chapter 47.33].~~

Assisted living provider means a person or entity ~~[that]~~ offering ~~[s]~~ housing and ancillary care services to persons with disabilities for compensation.

*** *** ***

Disability or handicap has the same meaning as “disability”, pursuant to the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. Chapter 126.

*** *** ***

Habilitative care facility [QUASI-INSTITUTIONAL HOUSE] means a residential facility, other than a correctional center or transitional living facility, [LOCATED IN A STRUCTURE OR RESIDENCE OR ANY LIVING UNIT THEREOF DESIGNED] the

principal use or goal of which is to serve as a place for persons seeking rehabilitation or recovery from any physical, mental, or emotional infirmity, or any combination thereof, that does not qualify as a disability as defined above, in a family setting as part of a group rehabilitation and/or recovery program utilizing counseling, self-help or other treatment or assistance, including, but not limited to, substance abuse rehabilitation. Such care for persons age 18 and under, who are under the jurisdiction of the State Division of Juvenile Justice, shall be considered habilitative care, and not a correctional community residential center. The term "habilitative care facility" replaces the "quasi-institutional house" previously used in this title.

*** **

Health care facility means a facility or institution, whether public or private, principally engaged in providing services for health maintenance, diagnosis or treatment of human disease, pain, injury, deformity or physical condition, including but not limited to a general hospital, special hospital, mental hospital, public health center, diagnostic center, treatment center, rehabilitation center, extended care facility, skilled nursing home, nursing home, intermediate care facility, tuberculosis hospital, chronic disease hospital, or maternity hospital, [OUTPATIENT CLINIC, DISPENSARY, HOME HEALTH CARE AGENCY, AND BIOANALYTICAL LABORATORY OR CENTRAL SERVICES FACILITY SERVING ONE OR MORE SUCH INSTITUTIONS,] but excluding habilitative care facilities [QUASI-INSTITUTIONAL HOUSES] and residential care facilities. Training, rehabilitation services, and health services may be permitted as accessory uses, if integral to the facility's function. Central services facilities, such as kitchens and laboratories, which serve the health care facility are permitted accessory uses to a health care facility.

Health services means establishments primarily engaged in furnishing, on an outpatient basis, chiropractic, dental, medical, surgical or other services to individuals, including the offices of chiropractors, physicians, osteopaths, dentists and other health practitioners, medical and dental laboratories, outpatient care and outpatient care facilities, dispensaries, home health care agencies, blood banks and pharmacies.

*** **

Hospital has the same meaning as set forth in Alaska Statutes chapter 18.20 [MEANS AN INSTITUTION PROVIDING PRIMARY HEALTH SERVICES AND MEDICAL OR SURGICAL CARE TO PERSONS, PRIMARILY INPATIENTS, SUFFERING FROM ILLNESS, DISEASE, INJURY, DEFORMITY AND OTHER ABNORMAL PHYSICAL OR MENTAL CONDITIONS, AND INCLUDING, AS AN INTEGRAL PART OF THE INSTITUTION, RELATED FACILITIES SUCH AS LABORATORIES, OUTPATIENT FACILITIES OR TRAINING FACILITIES].

*** **

Nursing facility has the same meaning as set forth in Alaska Statutes chapter 18.20.

*** **

Residential care facility is a facility that provides assisted living to 3 or more adults, and adolescents in appropriate cases as allowed by exception on a residential basis. **For**

purposes of 21.40.030 and 21.40.040, a small residential facility ~~[that]~~ providing ~~[es]~~ housing and ancillary care services for compensation to a group of five ~~[six]~~ or fewer residents shall ~~[will]~~ be deemed a single housekeeping unit. A large residential care facility has 9 or more residents; a small residential care facility has 8 or fewer residents, except ~~[that]~~ in the residential districts under sections 21.40.030 and 21.40.040, a small residential facility shall ~~[will]~~ not exceed 5 ~~[6]~~ residents without an administrative variance to provide reasonable accommodation. Residential care provided to two or fewer clients is permitted in any zoning district where a residential dwelling is allowed, and is not subject to this definition.

*** *** ***

Roominghouse means any dwelling in which four or more guestrooms are available for compensation which is paid on a daily, weekly, or monthly basis. A roominghouse may offer dining services only to its tenants and their guests. A small residential care facility ~~[that]~~ providing ~~[es]~~ housing and ancillary care services for compensation to a group of five ~~[six]~~ or fewer residents, habilitative care facility [QUASI-INSTITUTIONAL FACILITY], hotel, bed and breakfast and any other facility [WHICH ~~is~~] licensed or regulated by this title is not a roominghouse. A boardinghouse, single-room occupancy facility [WHICH IS] not in a residential zone, tourist home or any other facility [THAT] falling [S] within this definition is a roominghouse.

*** *** ***

Transitional living facility means temporary housing with services to assist homeless persons and families to prepare for and obtain permanent housing within twenty-four (24) months. The facility provides 24-hour a day, seven (7) days a week programmatic assistance, or services, for self sufficiency skills to its tenants ~~[residents]~~, and may provide services such as, but not limited to, on-site assistance to its tenants in learning independent living skills (shopping, cooking, financial budgeting, preparing for job interviews, preparing resumes, and similar skills) and referral to off-site education and employment resources (GED completion, job training computer training, employment services, and the like) to assist the tenants in becoming financially self sustaining.

*** *** ***

(GAAB 21.05.020; AO No. 77-355; AO No. 78-16; AO No. 78-28; AO No. 78-171; AO No. 78-231; AO No. 79-214; AO No. 80-42; AO No. 81-67(S); AO No. 81-97; AO No. 81-180; AO No. 82-54; AO No. 82-167; AO No. 83-91(S); AO No. 84-14; AO No. 84-52; AO No. 85-58; AO No. 85-159; AO No. 85-91, 10-1-85; AO No. 85-216; AO No. 86-19; AO No. 86-78; AO No. 86-90; AO No. 86-171; AO No. 88-172; AO No. 88-171(S-1), 12-31-88; AO No. 89-35, 4-7-89; AO No. 88-147(S-2); AO No. 90-50(S); AO No. 91-35; AO No. 90-152(S); AO No. 91-90(S); AO No. 91-184; AO No. 92-7(S-2); AO No. 92-26; AO No. 92-93; AO No. 92-128(S); AO No. 92-129(S); AO No. 93-58; AO No. 93-148, § 1, 11-16-93; AO No. 94-62, § 2, 4-12-94; AO No. 95-68(S-1), §§ 2, 3, 8-8-95; AO No. 95-173, § 1, 11-14-95; AO No. 96-41, § 1, 3-5-96; AO No. 96-131(S), § 1, 10-22-96; AO No. 98-106, § 1, 7-21-98; AO No. 98-160, § 3, 12-8-98; AO No. 99-62, § 2, 5-11-99; AO No. 2000-119(S), § 8, 2-20-01; AO No. 2001-79(S), § 1, 5-8-01; AO No. 2001-80, § 1, 5-8-01; AO No. 2002-101(S), § 2, 4-9-02; AO No. 2002-109, § 2, 9-10-02; AO No. 2002-117, § 4, 1-

28-03; AO No. 2003-62(S-1), § 3, 10-1-03; AO No. 2003-97, § 1, 9-30-03; AO No. 2003-132, § 1, 10-7-03; AO No. 2003-124(S), § 1, 1-20-04; AO. No. 2004-108(S), § 2, 10-26-04)
Editor's note: The definition of fallout shelters contained in this section was formerly codified in the 1977 Code as the first sentence of subsection 21.45.060A.

Cross references: Definitions and rules of construction generally, section 1.05.020.

Section 5. Anchorage Municipal Code section 21.40.020 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out.):

21.40.020 **PLI public lands and institutions district.**

*** *** ***

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

*** *** ***

19. **Adult care facilities with 16 or more persons.**

*** *** ***

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** *** ***

6. **Habilitative care facilities [QUASI-INSTITUTIONAL USES].**

*** *** ***

16. **Health care facilities with 16 or more persons and health services.**

*** *** ***

18[19]. **Correctional community residential centers [HOSPITALS].**

19. **Large residential care facilities.**

*** *** ***

(GAAB 21.05.050.A; AO No. 77-355; AO No. 79-25; AO No. 81-67(S); AO No. 81-178(S); AO No. 82-24; AO No. 83-78; AO No. 84-34; AO No. 85-18; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 86-19; AO No. 86-90; AO No. 88-7(S), 7-4-88; AO No. 90-152(S); AO No. 92-93; AO No. 93-148, § 3, 11-16-93; AO No. 95-68(S-1), § 4, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 99-62, § 3, 5-11-99; AO No. 99-131, § 6, 10-26-99; AO No. 99-149, § 1, 12-14-99; AO No. 2002-109, § 3, 9-12-02; AO No. 2003-132, § 2, 10-7-03)

Cross references: Zoning map; districts designated, section 21.40.010A.1.

Section 6. Anchorage Municipal Code section 21.40.030 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out.):

21.40.030 **R-1 and R-1A single-family residential districts.**

*** **

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

*** **

7. Small residential care facilities with up to 5 [6] residents and small residential care facilities with up to 8 residents if approved as a reasonable accommodation under section 21.15.013.

8. Adult care facilities with 1 through 8 persons.

9 [7]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions, but excluding day care uses, which shall be permitted only if they are otherwise allowed in accordance with this title. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

10 [8]. With a permitted non-residential use as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas.

*** **

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** **

9. Habilitative care facilities [QUASI-INSTITUTIONAL USES].

*** **

11. Adult care facilities with 9 or more person.

12. Large residential care facilities.

13 [11]. Bed and breakfast with five guestrooms.

14 [12]. Roof mounted satellite dishes greater than 1 meter in diameter on residential structures or structures accessory to a residential use (except satellite dishes up to two meters in diameter may be used until December 31, 2002.)

15 [13]. Snow disposal site.

16 [14]. Community interest and local interest towers that do not meet the supplementary district regulations.

*** **

(GAAB 21.05.050.B; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 83-216; AO No. 85-21; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 98-53(S), § 1, 6-9-98; AO No. 99-49, § 1, 3-23-99; AO No. 99-62, § 4, 5-11-99; AO No 2002-109, § 3, 9-10-02)

Section 7. Anchorage Municipal Code section 21.40.040 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out.):

21.40.040 R-2A two-family residential district (large lot); R-2D two-family residential district.

*** ***

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

*** ***

8. Adult care facilities with 1 through 8 persons.

9. Small residential care facilities with up to 5 [6] residents and small residential care facilities with up to 8 residents if approved as a reasonable accommodation under section 21.15.013.

10[8]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions, but excluding day care uses, which shall be permitted only if they are otherwise allowed in accordance with this title. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

11[9]. With a permitted non-residential use as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas.

*** ***

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** ***

4. Hospitals and nursing facilities with 1 through 16 clients [NURSING HOMES, CONVALESCENT HOMES AND SIMILAR INSTITUTIONAL USES].

*** ***

9. Habilitative care facilities [QUASI-INSTITUTIONAL HOUSES].

*** ***

11. Adult care facilities with 9 or more persons.

12. Large residential care facilities.

13[11]. Bed and breakfast with five guestrooms.

14[12]. Roof mounted satellite dishes greater than 1 meter in diameter on residential structures or structures accessory to a residential use (except satellite dishes up to two meters in diameter may be used until December 31, 2002.)

15[13]. Snow disposal sites.

16[14]. Community interest and local interest towers that do not meet the supplementary district regulations.

*** **

(GAAB 21.05.050.C; AO No. 77-355; AO No. 79-13; AO No. 80-27; AO No. 80-42; AO No. 81-67(S); AO No. 82-54; AO No. 83-217; AO No. 84-52; AO No. 85-18; AO No. 85-21; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 85-91, 10-1-85; AO No. 85-163; AO No. 86-19; AO No. 86-78; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 98-53(S), § 2, 6-9-98; AO No. 99-49, § 2, 3-23-99; AO No. 99-62, § 5, 5-11-99)

Section 8. Anchorage Municipal Code section 21.40.045 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.045 R-2M multiple-family residential district.

*** **

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

*** **

9. Adult care facilities with 1 through 8 persons [DAY CARE, ON A LOT OF AT LEAST 14,000 SQUARE FEET].

10. Residential care facilities, any size.

11[10]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions, but excluding day care uses, which shall be permitted only if they are otherwise allowed in accordance with this title. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title

12[11]. With a permitted non-residential use as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas.

*** **

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** **

4. Hospitals and nursing facilities with 1 through 16 persons [NURSING HOMES, CONVALESCENT HOMES AND SIMILAR INSTITUTIONAL USES].

*** **

10. Habilitative care facilities [QUASI-INSTITUTIONAL HOUSES].

*** **

17. Adult care facilities with nine (9) or more persons.

*** **

(GAAB 21.05.050.C; AO No. 77-355; AO No. 79-13; AO No. 80-27; AO No. 80-42; AO No. 81-67(S); AO No. 82-54; AO No. 83-217; AO No. 84-52; AO No. 85-18; AO No. 85-21; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 85-163; AO No. 86-19; AO No. 86-78; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 98-53(S), § 3, 6-9-98; AO No. 99-49, § 3, 3-23-99; AO No. 99-62, § 6, 5-11-99)

Section 9. Anchorage Municipal Code section 21.40.050 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.050 R-3 multiple-family residential district.

*** **

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

*** **

9. Adult care facilities with one (1) through eight (8) persons.

10. Residential care facilities, any size.

11. Transitional living facilities.

12[9]. Roominghouses.

13[10]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions, but excluding day care uses, which shall be permitted only if they are otherwise allowed in accordance with this title. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

14[11]. With a permitted non-residential use or residential use of six (6) dwelling units or more as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas.

*** **

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

1. Hospitals and nursing facilities [NURSING HOMES, CONVALESCENT HOMES AND SIMILAR INSTITUTIONAL USES].

*** **

13. Habilitative care facilities [QUASI-INSTITUTIONAL HOUSES].

*** **

20. Adult care facilities with nine (9) or more persons.

*** **

(GAAB 21.05.050.D; AO No. 77-355; AO No. 80-27; AO No. 80-42; AO No. 81-67(S); AO No. 82-54; AO No. 83-218; AO No. 84-52; AO No. 85-18; AO No. 85-21; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 85-91, 10-1-85; AO No. 85-163; AO No. 86-19; AO No. 86-78; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 96-131(S), § 2, 10-22-96; AO No. 99-62, § 7, 5-11-99)

Section 10. Anchorage Municipal Code section 21.40.060 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.060 R-4 multiple-family residential district.

*** **

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

*** **

10. Adult care facilities with 1 through 8 persons.

11. Residential care facilities, any size.

12. Transitional living facilities.

13[10]. Roominghouses.

14[11]. Private clubs and lodges. Any use involving sale or dispensing or service of alcoholic beverages may be permitted by conditional use only.

15[12]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions, but excluding day care uses, which shall be permitted only if they are otherwise allowed in accordance with this title. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

16[13]. With a permitted non-residential use or residential use of 6 dwelling units or more as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas.

*** **

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** **

2. Hospitals and nursing facilities [NURSING HOMES, CONVALESCENT HOMES AND SIMILAR INSTITUTIONAL USES].

*** **

12. Habilitative care facilities [QUASI-INSTITUTIONAL HOUSES].

*** **

19. Adult care facilities with 9 or more persons.

*** **

(GAAB 21.05.050.E; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 85-18; AO No. 85-21; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 96-131(S), § 2, 10-22-96; AO No. 99-62, § 8, 5-11-99; AO No. 2003-124(S), § 2, 1-20-04)

Section 11. Anchorage Municipal Code section 21.40.070 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.070 **R-5 rural residential district; R-5A, rural residential district (large lot).**

*** **

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

*** **

11. Adult care facilities with 1 through 8 persons.

12. Residential care facilities, any size.

*** **

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** **

8. Habilitative care facilities [QUASI-INSTITUTIONAL HOUSES].

*** **

16. Adult care facilities with 9 or more persons.

*** **

(GAAB 21.05.050.F; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 83-52; AO No. 85-21; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 99-62, § 9, 5-11-99; AO No. 2002-63(S), § 1, 5-21-02)

Section 12. Anchorage Municipal Code section 21.40.080 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.080 **R-6 suburban residential district (large lot).**

*** *** ***

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

*** *** ***

6. Adult care facilities with 1 through 8 persons.

7. Small residential care facilities.

8 [6]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions, but excluding day care uses, which shall be permitted only if they are otherwise allowed in accordance with this title. Use of church building other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

9 [7]. With a permitted non-residential use as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas.

*** *** ***

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** *** ***

6. Habilitative care facilities [QUASI-INSTITUTIONAL HOUSES].

*** *** ***

14. Large residential care facilities.

*** *** ***

(GAAB 21.05.050.G; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 85-18; AO No. 85-21; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 99-27, § 1, 2-23-99; AO No. 99-62, § 10, 5-11-99)

Section 13. Anchorage Municipal Code section 21.40.090 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.090 **R-7 intermediate rural residential district.**

*** *** ***

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

*** *** ***

6. Adult care facilities with 1 through 8 persons.

7. Small residential care facilities.

8 [6]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions, but excluding day care uses, which shall be permitted only if they are otherwise allowed in accordance with this title. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

9 [7]. With a permitted non-residential use as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas.

*** *** ***

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** *** ***

7. Habilitative care facilities [QUASI-INSTITUTIONAL HOUSES].

*** *** ***

15. Large residential care facilities.

(GAAB 21.05.050.H; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 83-219; AO No. 85-21; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 99-62, § 11, 5-11-99)

Section 14. Anchorage Municipal Code section 21.40.100 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.100 R-8 rural residential district (large lot).

*** *** ***

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

*** *** ***

3. Adult care facilities with 1 through 8 persons.

4. Small residential care facilities.

5 [3]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions, but excluding day care uses, which shall be permitted only if they are otherwise allowed in accordance with this title. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

6 [4]. With a permitted non-residential use as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas.

*** *** ***

(GAAB 21.05.050.U; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 85-21; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 98-53(S), § 4, 6-9-98; AO No. 99-62, § 12, 5-11-99)

Section 15. Anchorage Municipal Code section 21.40.110 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.110 R-9 rural residential district.

*** *** ***

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

*** *** ***

3. Adult care facilities with 1 through 8 persons.

4. Small residential care facilities.

5 [3]. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions, but excluding day care uses, which shall be permitted only if they are otherwise allowed in accordance with this title. Use of church buildings other than the parsonage for the purpose of housing or providing shelter to persons is not permitted except as otherwise allowed in this title.

6 [4]. With a permitted non-residential use as a secondary and subordinate use and as specified in the supplementary district regulations, antennas without tower structures, type 1, 3, local interest towers and type 4 tower structures and antennas.

*** *** ***

(GAAB 21.05.050.V; AO No. 77-355; AO No. 80-27; AO No. 81-67(S); AO No. 82-54; AO No. 85-21; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 98-53(S), § 5, 6-9-98; AO No. 99-62, § 13, 5-11-99)

Section 16. Anchorage Municipal Code section 21.40.115 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.115 R-10 residential alpine/slope district.

*** *** ***

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

*** *** ***

7. Adult care facilities with 1 through 8 persons.

8. Small residential care facilities.

*** *** ***

(AO No. 81-97; AO No. 81-217; AO No. 85-23; AO No. 85-28; AO No. 85-78; AO No. 86-90; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 98-53(S), § 6, 6-9-98; AO No. 99-49, § 1, 3-23-99; AO No. 99-62, § 14, 5-11-99)

Section 17. Anchorage Municipal Code section 21.40.117 is hereby amended to add new subsections to read as follows (*the remainder of the section is not affected and therefore is not set out*):

21.40.117 R-11 Turnagain Arm district.

*** *** ***

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

*** *** ***

6. Adult care facilities with 1 through 8 persons.

7. Small residential care facilities.

*** *** ***

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** *** ***

19. Adult care facilities with 9 or more persons.

20. Health care facilities.

21. Large residential care facilities.

*** *** ***

(AO No. 82-162; AO No. 84-34; AO No. 85-28; AO No. 85-78; AO No. 85-91, 10-1-85; AO No. 86-122; AO No. 86-182; AO No. 88-143; AO No. 88-144, 11-26-88; AO No. 88-171(S-1), 12-31-88; AO No. 94-120, § 1, 8-23-94; AO No. 94-238(S), § 3, 2-28-94; AO No. 94-239, § 1, 2-14-95; AO No. 96-118, § 1, 8-22-96; AO No. 96-118, § 1, 8-13-96; AO No. 99-62, § 15, 5-11-99; AO No. 2001-88, § 1, 6-5-01)

Section 18. Anchorage Municipal Code section 21.40.130 is hereby amended to read as follows (*the remainder of the section is not affected and therefore is not set out*):

21.40.130 R-O residential-office district.

*** **

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

*** **

9. Hospitals and nursing facilities [HOSPITALS, NURSING HOMES, CONVALESCENT HOMES, HOMES FOR THE AGED, MEDICAL CLINICS, MEDICAL AND DENTAL LABORATORIES, RESEARCH CENTERS, PHARMACIES AND THE LIKE].

10. Residential care facilities, any size.

11. Transitional living.

***Code Revisor is instructed to renumber remaining subsections.**

*** **

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** **

6. Habilitative care facilities [QUASI-INSTITUTIONAL HOUSES].

*** **

(GAAB 21.05.050.I; AO No. 77-219; AO No. 77-355; AO No. 78-199; AO No. 80-57; AO No. 81-67(S); AO No. 83-226; AO No. 85-18; AO No. 85-23; AO No. 85-69; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 86-171; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 91-97; AO No. 92-114; AO No. 96-131(S), § 3, 10-22-96; AO No. 99-62, § 16, 5-11-99; AO No. 2003-124(S), § 3, 1-20-04)

Section 19. Anchorage Municipal Code section 21.40.140 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.140 B-1A local and neighborhood business district.

*** **

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

*** **

3. Office uses:

a. Health services [OFFICES OF PHYSICIANS, SURGEONS, DENTISTS, OSTEOPATHS, CHIROPRACTORS AND OTHER PRACTITIONERS OF THE HEALING SCIENCES].

*** **

6. Other uses:

*** **

- g. Adult care facilities.
- h. Small residential care facilities.

*** *** ***

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** *** ***

- 13. Hospitals and nursing facilities with 1 through 16 persons.

*** *** ***

(GAAB 21.05.050.J; AO No. 77-355; AO No. 78-28; AO No. 78-169; AO No. 81-67(S); AO No. 81-143; AO No. 83-210; AO No. 85-18; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 85-173, 3-17-86; AO No. 86-90; AO No. 87-62; AO No. 88-49(S); AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 96-131(S), § 2, 10-22-96; AO No. 99-62, § 17, 5-11-99)

Section 20. Anchorage Municipal Code section 21.40.145 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.145 B-1B community business district.

*** *** ***

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

*** *** ***

- 5. Other uses:

*** *** ***

- j. Adult care facilities.
- k. Hospitals and nursing facilities with 1 through 16 persons.
- l. Small residential care facilities.
- m. Transitional living facilities.

*** *** ***

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** *** ***

- 12. Habilitative care facilities [QUASI-INSTITUTIONAL HOUSES].

*** *** ***

- 15. Hospitals and nursing facilities with 17 or more persons.
- 16. Large residential care facilities.

*** *** ***

(GAAB 21.05.050.J; AO No. 77-355; AO No. 78-28; AO No. 78-169; AO No. 81-67(S);

AO No. 81-143; AO No. 83-210; AO No. 85-18; AO No. 85-23; AO No. 85-173, 3-17-86;
AO No. 86-90; AO No. 87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO
No. 95-68(S-1), § 5, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 98-173, § 1, 11-3-
98; AO No. 99-62, § 18, 5-11-99; AO No. 2001-80, § 2, 5-8-01)

Section 21. Anchorage Municipal Code section 21.40.150 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.150 B-2A central business district core.

*** *** ***

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

*** *** ***

4. Other uses:

*** *** ***

k. Adult care facilities.

l. Large residential care facilities.

*** *** ***

D. *Conditional uses.* Subject to the requirements of the conditional use standards and
procedures of this title, and to the use's conformity to the CBD comprehensive
development plan, the following uses may be permitted:

*** *** ***

9. Habilitative care facilities [QUASI-INSTITUTIONAL USES].

*** *** ***

(GAAB 21.05.050.W; AO No. 77-20; AO No. 77-355; AO No. 80-57; AO No. 81-67(S);
AO No. 81-72; AO No. 82-49; AO No. 85-173, 3-17-86; AO No. 85-91, 10-1-85; AO No.
86-90; AO No. 87-62; AO No. 87-148; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-
2); AO No. 90-124; AO No. 91-1; AO No. 91-39; AO No. 91-144; AO No. 92-57; AO No.
95-68(S-1), § 6, 8-8-95; AO No. 98-160, § 4, 12-8-98; AO No. 98-188, §§ 1--3, 1-12-99;
AO No. 99-62, § 19, 5-11-99; AO No. 99-131, § 7, 10-26-99; AO No. 2001-80, § 3, 5-8-01)

Section 22. Anchorage Municipal Code section 21.40.160 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.160 B-2B central business district, intermediate.

*** *** ***

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

*** **

3. Other uses:

*** **

o. Adult care facilities.

p. Large residential care facilities.

*** **

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, and to the use's conformity to the CBD comprehensive development plan, the following uses may be permitted:

*** **

11. Habilitative care facilities [QUASI-INSTITUTIONAL HOUSES].

*** **

(GAAB 21.05.050.Y; AO No. 77-20; AO No. 77-355; AO No. 80-57; AO No. 81-67(S); AO No. 81-72; AO No. 82-49; AO No. 85-173, 3-17-86; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 90-124; AO No. 91-1; AO No. 91-39; AO No. 91-144; AO No. 92-57; AO No. 95-68(S-1), § 7, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 98-160, § 5, 12-8-98; AO No. 98-188, §§ 4--6, 1-12-99; AO No. 99-62, § 20, 5-11-99; AO No. 99-131, § 8, 10-26-99; AO No. 99-149, § 2, 12-14-99; AO No. 2001-80, § 4, 5-8-01)

Section 23. Anchorage Municipal Code section 21.40.170 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.170 B-2C central business district, periphery.

*** **

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

*** **

3. Other uses:

*** **

r. Adult care facilities.

s. Large residential care facilities.

*** **

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, and to the use's conformity to the CBD comprehensive development plan, the following uses may be permitted:

*** **

11. Habilitative care facilities [QUASI-INSTITUTIONAL HOUSES].

*** **

(GAAB 21.05.050.X; AO No. 77-20; AO No. 77-355; AO No. 80-57; AO No. 81-67(S); AO No. 82-49; AO No. 85-173, 3-17-86; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 90-124; AO No. 91-1; AO No. 91-39; AO No. 91-144; AO No. 92-57; AO No. 95-68(S-1), § 8, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 98-160, § 6, 12-8-98; AO No. 98-173, § 4, 11-3-98; AO No. 98-188, §§ 7--9, 1-12-99; AO No. 99-62, § 21, 5-11-99; AO No. 99-131, § 9, 10-26-99; AO No. 99-149, § 3, 12-14-99; AO No. 2001-80, § 5, 5-8-01)

Section 24. Anchorage Municipal Code section 21.40.180 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.180 B-3 general business district.

*** **

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

*** **

3. *Other uses:*

*** **

- l. Adult care facilities.
- m. Hospitals and nursing facilities.
- n. Transitional living facilities.
- o. Large residential care facilities.

*** **

D. *Conditional uses.* Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted:

*** **

7. Habilitative care facilities [QUASI-INSTITUTIONAL HOUSES].

*** **

(GAAB 21.05.050.M; AO No. 77-355; AO No. 78-28; AO No. 80-57; AO No. 80-132; AO No. 81-67(S); AO No. 83-209; AO No. 85-18; AO No. 85-91, 10-1-85; AO No. 85-173, 3-17-86; AO No. 86-90; AO No. 86-182; AO No. 87-32; AO No. 87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-26; AO No. 92-114; AO No. 95-68(S-1), § 9, 8-8-95; AO No. 96-107, § 1, 7-30-96; AO No. 96-131(S), § 3, 10-22-96; AO No. 98-160, § 7, 12-8-98; AO No. 99-62, § 22, 5-11-99; AO No. 2001-80, § 6, 5-8-01; AO. No. 2004-108(S), § 3, 10-26-04)

Section 25. Anchorage Municipal Code section 21.40.190 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.190 **B-4 rural business district.**

*** *** ***

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

*** *** ***

2. Commercial-retail uses:

*** *** ***

vv. Hospitals and nursing facilities [NURSING HOMES, CONVALESCENT HOMES AND SIMILAR INSTITUTIONAL USES; PROVIDED, HOWEVER, THAT REHABILITATION CENTERS, CORRECTIONAL INSTITUTIONS AND PSYCHIATRIC INSTITUTIONS MAY BE PERMITTED ONLY UPON A GRANT OF A CONDITIONAL USE BY THE PLANNING AND ZONING COMMISSION].

*** *** ***

hhh. Adult care facilities.

iii. Large residential care facilities.

*** *** ***

(GAAB 21.05.050.N; AO No. 77-355; AO No. 81-67(S); AO No. 84-41; AO No. 85-18; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 86-90; AO No. 87-32; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-114; AO No. 97-78, § 1, 6-3-97; AO No. 98-149(S), § 1, 11-17-98; AO No. 98-160, § 8, 12-8-98; AO No. 99-62, § 23, 5-11-99; AO No. 2001-80, § 7, 5-8-01; AO No. 2004-108(S), § 4, 10-26-04)

Section 26. Anchorage Municipal Code section 21.40.210 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.210 **I-2 heavy industrial district.**

*** *** ***

E. *Prohibited uses and structures.* The following uses and structures are prohibited:

*** *** ***

5. Hospitals and nursing facilities.

6. Adult care facilities.

7. Residential care facilities of any size.

*** *** ***

(GAAB 21.05.050.P; AO No. 77-355; AO No. 85-91, 10-1-85; AO No. 87-32; AO No. 91-184; AO No. 93-148, § 4, 11-16-93; AO No. 96-60, § 1, 8-6-96; AO No. 96-125, § 1, 11-12-96; AO No. 97-78, § 2, 6-3-97; AO No. 99-62, § 25, 5-11-99; AO No. 2001-80, § 9, 5-8-01)

Section 27. Anchorage Municipal Code section 21.40.220 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.220 **I-3 rural industrial district.**

*** *** ***

E. *Prohibited uses and structures.* Prohibited principal uses and structures are as follows:

*** *** ***

6. Hospitals and nursing facilities.

7. Adult care facilities.

8. Residential care facilities of any size.

*** *** ***

(GAAB 21.05.050.Q; AO No. 77-355; AO No. 85-91, 10-1-85; AO No. 87-32; AO No. 93-148, § 2, 11-16-93; AO No. 99-62, § 26, 5-11-99; AO No. 2001-80, § 10, 5-8-01)

Section 28. Anchorage Municipal Code section 21.40.240 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.40.240 **Transition district.**

*** *** ***

E. *Prohibited uses and structures.* Prohibited principal uses and structures are as follows:

*** *** ***

3. Hospitals and nursing facilities.

4. Adult care facilities.

5. Residential care facilities of any size.

*** *** ***

(GAAB 21.05.050.S; AO No. 77-355; AO No. 79-25; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 88-59(S); AO No. 88-171(S-1), 12-31-88; AO No. 98-160, § 10, 12-8-98; AO No. 99-62, § 28, 5-11-99)

Section 29. Anchorage Municipal Code section 21.45.080 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.45.080 **Off-street parking.**

*** *** ***

G. *Health care facilities, hospitals [AND] health services, residential care and adult care facilities.*

*** *** ***

5. Residential care and adult care facilities. For adult care facilities, one space is required for every 400 square feet of gross building area and one additional space, reserved for pickup and delivery of clients, for every 800 square feet of gross building area. The pickup and delivery area(s) shall be marked. Large residential care facilities shall meet the requirements of G.3., above. If located in a dwelling, the requirements of subsections 21.45.080B. and 21.45.080W.6. shall also apply to adult care facilities and large residential care facilities. The provisions of this paragraph do not apply to small residential care facilities. For small residential care facilities, the requirements of the dwelling unit shall apply **unless additional off-street parking is a condition associated with reasonable accommodation.**

*** *** ***

(GAAB 21.05.060.G; AO No. 77-355; AO No. 78-118; AO No. 81-106; AO No. 81-178(S); AO No. 82-69; AO No. 84-90; AO No. 84-117(S); AO No. 85-91, 10-1-85; AO No. 87-31, 7-18-87; AO No. 89-30; AO No. 90-152(S); AO No. 93-172, § 1, 11-16-93; AO No. 96-68, § 1, 5-28-96; AO No. 99-131, § 12, 10-26-99; AO. No. 2004-108(S), § 6, 10-26-04)

Editor's note: The last sentence of subsection A of this section was formerly codified in the 1977 Code as the last sentence of subsection 21.35.020B.69.

Cross references: Business licenses and regulations, title 10.

Section 30. Anchorage Municipal Code section 21.45.200 is hereby amended to read as follows *(the remainder of the section is not affected and therefore is not set out)*:

21.45.200 Transition and buffering standards.

A. *Purpose.* The purpose of this section is to mitigate the impacts of nonresidential land uses upon residential uses, and of more intense residential land uses upon less intense residential uses, including but not limited to visual, noise, traffic and environmental impacts. **This section shall not apply to small residential care facilities unless made a condition associated with reasonable accommodation.**

*** *** ***

(AO No. 85-20; AO No. 85-173, 3-17-86)

Section 31. Anchorage Municipal Code chapter 21.45, Supplementary District Regulations, is hereby amended by adding 3 new sections to read as follows *(the remainder of the chapter is not affected and therefore is not set out)*:

21.45.300 Adult care facilities with one through 8 persons.

A. *Intent.* Adult care facilities with occupancy of eight (8) persons or less are intended

to be minor commercial activities and are allowed pursuant to chapter 21.40. An adult care facility shall not detract from the principal allowed use in the district and shall not place an undue burden on any private or public infrastructure greater than anticipated from a permitted development.

B. *Location.* Adult care facilities shall be located only in a single-family dwelling, excluding detached condominium units and duplex or multi-family structures, when located in any R-1 through R-O, B-1A, or B-1B zoning district. These uses shall be prohibited if the only direct street access is from a private street.

C. This section shall not apply to any use continuing as a lawful conditional use at the time of adoption of this section.

21.45.310 Hospitals and nursing facilities, large residential care facilities, adult care facilities with 9 or more persons.

A. *Intent.* The standards in this section shall apply to health care facilities and related institutions, large residential care facilities, and adult care facilities where the facility serves, or is designed or proposed to serve, nine (9) or more persons.

B. *Traffic access.* The site shall provide for direct access from a street constructed to urban standards.

C. *Minimum lot size.*

1. Minimum lot size for a hospital or psychiatric institution. Unless otherwise authorized by the planning and zoning commission, the minimum lot size for a hospital or psychiatric institution shall be as follows:

a. Six to ten beds: One-half acre (21,780 square feet).

b. Eleven to 20 beds: One acre (43,560 square feet).

c. For each additional ten beds or fraction thereof: One-half acre.

2. Minimum lot size for nursing home, convalescent center, rest home, rehabilitation center or sanitarium. Unless otherwise authorized by the planning and zoning commission, the minimum lot size for a nursing home, convalescent center, rest home, rehabilitation center or sanitarium shall be as follows:

a. Six to ten beds: 15,000 square feet.

b. 11 or more beds: 20,000 square feet.

3. Minimum lot size for adult care facility or large residential care facility:

- a. Seventeen (17) or more persons in care at any give time: 20,000 square feet.
- D. *Maximum lot coverage.* The maximum lot coverage by all structures shall be in accordance with the zoning district in which the institution is established. However, regardless of the maximum underlying lot coverage, a minimum of fifteen percent (15%) of the lot shall remain as a planted open area, landscaped area, natural vegetation area or useable yard, to exclude buildings, driveways, parking areas, sidewalks, etc., unless the Planning Director determines that retention of less than fifteen percent (15%) of the lot as open area, etc., allows for sufficient buffering of adjacent uses.
- E. *Maximum height of structures.* The maximum height of structures shall be the same as permitted in the district in which the site is located.
- F. *Yard requirements.* The minimum yard requirements shall be those permitted in the district in which the site is located or as otherwise authorized by the planning and zoning commission so long as a use within a nonresidential district adjacent to a residential use or district shall provide a 15-foot yard between the two, planted with buffer landscaping as described in section 21.45.125, or as prescribed in section 21.45.200.
- G. *Illumination.* Illumination shall be provided in the manner prescribed in section 21.45.080W.4.e. Fixtures and lighting levels shall avoid trespass light, skyglow, or glare. Lighting fixtures with a mounting height greater than fifteen feet (15') shall incorporate full cut-off fixtures as defined by the Illumination Engineering Society of North America (IESNA), with flat lens fixtures. Exterior building lighting shall be designed and located to direct the light toward the ground.
- H. *Landscaping.* Landscaping shall be provided as follows:
1. All areas not occupied by buildings, structures, storage yards, drives, walks, off-street parking installations, or other authorized installations shall be planted with visual enhancement landscaping, as described in section 21.45.125;
 2. Buffer landscaping, as described in section 21.45.125C.2., shall be planted along the length of each lot line which abuts a lot within a residential district;
 3. Arterial landscaping, as described in section 21.45.125C.4., shall be planted along the length of each lot line which abuts a collector or arterial street, as designated in the official streets and highways plan; and
 4. The property owner shall maintain all landscaping in good condition.
- I. *Screening or buffering.* The planning and zoning commission may require:

1. Screening or buffering landscaping as described in section 21.45.125C.2. or C.3. along the length of a lot line.
 2. A bond for the installation of landscaping at the time of implementation of the Commission approval. This landscape bond, payable to the Municipality of Anchorage, shall be in the amount of a 120% itemized cost estimate prepared by a professional landscape architect of the planting material, topsoil, plus labor for installation. Further, the bond shall remain in effect for a two (2) year growing period to assure survivability of all trees and shrubs and replacement of dead or stunted landscape materials.
- J. *Loading areas.* Loading and unloading areas shall be provided on the site in accordance with section 21.45.090. Ambulance and delivery areas shall be screened from adjacent residential areas by a buffer landscaping, or a fence no less than six feet high.
- K. *Drainage facilities.* A site drainage plan and storm drainage facilities shall be constructed in accordance with the requirements of section 21.45.230.
- L. *Refuse collection.* Refuse containers and facilities shall be provided within the primary structure or within a free-standing enclosure on the site. Refuse containers and facilities located outside the primary structure must be enclosed by a fence on three sides in the manner provided by section 21.45.080W.4. Enclosures shall be durably constructed and use architectural design and screening materials to be consistent with the primary structure(s) on the property. The placement of refuse storage areas in the front yard setback is prohibited.
- M. *Parking.* Parking shall be provided on the lot in accordance with the requirements of section 21.45.080.
- N. ~~*On-site systems.* Every health care facility, large residential care facility, or adult care facility with nine (9) or more clients, supported by on-site well and wastewater disposal systems, shall conform to the requirements of chapter 15.65, pertaining to wastewater disposal regulations, and shall provide a one-time only health authority certificate. Large residential care facilities shall have an annual field inspection and verification of on-site septic.~~
- Ø N.** *Snow management.* Snow storage space adjacent to surface parking lots and pathways must be identified on the site plan. To facilitate snow removal, in residential districts snow storage areas equal to at least fifteen percent (15%) of the total area of the site used for parking, access drives, walkways and other surfaces that need to be kept clear of snow, shall be designated on the site plan. Such areas designated for snow storage shall be landscaped only with grasses and flowers and shall have flat or concave ground surface with positive drainage away from structures and pavements. Storage of snow is not allowed in front setbacks **for sites where adult care is being provided in structures other than a single-family**

dwelling or duplex structures. Storage of snow may be allowed in fifty percent (50%) of the side and rear setbacks, if trees and other vegetation designated for preservation will not be damaged. If snow is to be hauled off-site, it shall be to an approved snow storage site, and temporary snow storage areas shall be shown on the site plan.

P Q. *Pedestrian circulation.* Paved walkways for residents must be provided from parking areas, and from abutting public street and trail frontages, to individual units or to common building entries.

Q P. This section shall not apply to any use continuing as a lawful conditional use at the time of adoption of this section.

R Q. The use shall meet the requirements of title 23 for construction and life safety issues.

21.45.320 **Small residential care facilities.**

A. The use shall meet the requirements of title 23 for construction and life safety issues.

Section 32. Anchorage Municipal Code section 21.50.030 is hereby amended to read as follows
(the remainder of the section is not affected and therefore is not set out):

21.50.030 **Conditional use standards - Health care facilities and related institutions, large residential care facilities, adult care facilities, [HOSPITALS, REHABILITATION CENTERS] correctional facilities and similar institutions.**

The following standards shall apply to health care facilities and related institutions, large residential care facilities, adult care facilities, correctional facilities [HOSPITALS, SANITARIUMS, CONVALESCENT CENTERS, NURSING OR REST HOMES, REHABILITATION CENTERS, CORRECTIONAL FACILITIES, PSYCHIATRIC INSTITUTIONS] and similar institutions:

A. Any use shall meet the standards of the supplementary district regulations, in addition to any requirements imposed by the conditional use. Additional restrictions as to the size of the use, hours of operation or other use restrictions may be required to meet the conditional use standards to ensure compatibility with the neighborhood. [TRAFFIC ACCESS. A SITE MORE THAN ONE-HALF ACRE IN SIZE SHALL PROVIDE FOR DIRECT ACCESS FROM A STREET OF COLLECTOR OR GREATER CAPACITY, AS DEFINED IN THE OFFICIAL STREETS AND HIGHWAYS PLAN.]

B. Maximum lot coverage. The maximum lot coverage by all structures shall be in accordance with the zoning district in which the institution is established, except a

minimum of twenty-five percent (25%) of the lot shall remain as open area, to include landscaping, natural vegetation, or useable yard. The open area calculation shall not include buildings, driveways, parking areas, sidewalks, or similar structures, unless the planning and zoning commission determines retention of less than twenty-five percent (25%) of the lot as open area allows for sufficient buffering of adjacent uses.

[MINIMUM LOT SIZE FOR HOSPITAL, CORRECTIONAL FACILITY OR PSYCHIATRIC INSTITUTION. UNLESS OTHERWISE AUTHORIZED BY THE PLANNING AND ZONING COMMISSION, THE MINIMUM LOT SIZE FOR A HOSPITAL, CORRECTIONAL FACILITY OR PSYCHIATRIC INSTITUTION SHALL BE AS FOLLOWS:

ONE TO TEN BEDS: ONE-HALF ACRE (21,780 SQUARE FEET).
ELEVEN TO 20 BEDS: ONE ACRE (43,560 SQUARE FEET).
FOR EACH ADDITIONAL TEN BEDS OR FRACTION THEREOF:
ONE-HALF ACRE.]

- C. *Yard requirements.* The planning and zoning commission may alter the minimum yards required by the underlying zoning district, except a use within a nonresidential district adjacent to a residential use or district shall provide a fifteen (15) foot yard between the two, planted with buffer landscaping meeting the standards in section 21.45.125.

[MINIMUM LOT SIZE FOR NURSING HOME, CONVALESCENT CENTER, REST HOME, REHABILITATION CENTER OR SANITARIUM. UNLESS OTHERWISE AUTHORIZED BY THE PLANNING AND ZONING COMMISSION, THE MINIMUM LOT SIZE FOR A NURSING HOME, CONVALESCENT CENTER, REST HOME, REHABILITATION CENTER OR SANITARIUM SHALL BE AS FOLLOWS:

LESS THAN FIVE BEDS: 6,000 SQUARE FEET.
FIVE TO TEN BEDS: 15,000 SQUARE FEET.
MORE THAN 11 BEDS: 20,000 SQUARE FEET.]

- D. **In reviewing conditional use applications for residential care facilities when reasonable accommodation is requested in support of the application, the planning and zoning commission shall consider factors relevant to the request for reasonable accommodation, including but not limited to, the following:**

1. **For conditional use to increase small residential care facility occupancy limits in R-1, R-1A, R-2A and R-2D districts, and for conditional use for large residential care facilities, the extent to which the accommodation and the assisted living provider seek to protect and preserve the primarily residential character of the district. Factors may include traffic patterns, on-street parking patterns, the control**

exercised by the assisted living provider to mitigate environmental disturbance associated with ingress and egress of facility staff workers at shift change, and any other measures taken by the assisted living provider to ensure ~~[that]~~ commercial aspects of the large residential care facility do not detract from its residential purpose and the primarily residential character of the district. An example of a commercial aspect is ~~[would be]~~ if residential trash containers are ~~[were]~~ standard in the neighborhood and the assisted living provider used one or more dumpsters due to volume. An example of a mitigation measure ~~[which could be taken]~~ by the assisted living provider for this aspect is ~~[would be]~~ to screen the dumpster ~~[to mitigate this aspect]~~.

2. ~~Economic hardship on the intended occupants if the conditional use is denied. Cost and availability of other housing alternatives, including whether ~~[there exists]~~ a shortage of residential care facilities exists, may be addressed in preparation and review of the application.~~

3. ~~Whether the requested accommodation and the assisted living provider are implementing accident prevention and safety measures specific to the needs of the residents, including but not limited to safety measures in state law and regulation, and in municipal fire code adopted under title 23.~~

4. ~~Whether ~~[The extent to which]~~ the conditional use ~~[would]~~ advances housing opportunities for disabled individuals in a residential community without jeopardizing residential aspects of the neighborhood with commercial aspects of operation.~~

5. ~~Whether ~~[The extent to which the applicant has demonstrated that]~~ the proposed size of the facility is ~~[would be]~~ necessary for the financial viability of a residential care facility.~~

6. ~~External characteristics and impacts of the proposed facility, including without limitation appearance, projected contribution to traffic volumes and on-street parking within the neighborhood, available street lighting and sidewalks.~~

7. ~~Quantifiable risks to the health, safety, and quality of life of area residents and users.~~

8. ~~Administrative and economic burden on the municipality, in either approval or denial of the conditional use.~~

9. ~~Other factors deemed relevant to the applicant or the planning and zoning commission in review of the application.~~

E[~~D~~]. ~~Authority to impose different conditions. Except as specifically limited in this~~

section, different conditions may be imposed by the planning and zoning commission, if necessary, to properly develop the site and mitigate impacts.

[*MAXIMUM LOT COVERAGE.* THE MAXIMUM LOT COVERAGE SHALL BE IN ACCORDANCE WITH THE ZONING DISTRICT IN WHICH THE INSTITUTION IS ESTABLISHED.]

F[E]. Required submittals. The following shall be provided with an application:

1. A copy of the application submitted for State licensing.
2. Building elevations.
3. Landscaping.
4. Floor plans.
5. Site plan and/or as-built survey.
6. Description of the program, including the services offered and the professional certification or licenses required to operate.
7. If the conditional use applicant ~~[tion]~~ presents a request for reasonable accommodation in the provision of housing to persons with disabilities, the application shall include support for the accommodation, addressing relevant factors ~~[relevant to such a request]~~ including, without limitation, the factors listed in subsection D above ~~[of this section]~~.

8[7]. Submittals as required under section 21.15.030C. may also be required.

[*MAXIMUM HEIGHT OF STRUCTURES.* THE MAXIMUM HEIGHT OF STRUCTURES SHALL BE THAT WHICH IS PERMITTED IN THE DISTRICT IN WHICH THE SITE IS LOCATED.]

[F. YARD REQUIREMENTS. THE MINIMUM YARD REQUIREMENTS SHALL BE THOSE WHICH ARE PERMITTED IN THE DISTRICT IN WHICH THE SITE IS LOCATED OR AS OTHERWISE AUTHORIZED BY THE PLANNING AND ZONING COMMISSION SO LONG AS A USE WITHIN A NONRESIDENTIAL DISTRICT WHICH IS ADJACENT TO A RESIDENTIAL USE OR DISTRICT SHALL PROVIDE A 15-FOOT YARD BETWEEN THE TWO AND PLANT IT WITH BUFFER LANDSCAPING AS DESCRIBED IN SECTION 21.45.125.

G. ILLUMINATION. ILLUMINATION SHALL BE PROVIDED IN THE MANNER PRESCRIBED IN SECTION 21.45.080W.4.

H. LANDSCAPING. LANDSCAPING SHALL BE PROVIDED AS FOLLOWS:

1. ALL AREAS NOT OCCUPIED BY BUILDINGS, STRUCTURES, STORAGE YARDS, DRIVES, WALKS, OFF-STREET PARKING INSTALLATIONS OR OTHER AUTHORIZED INSTALLATIONS SHALL BE PLANTED WITH VISUAL ENHANCEMENT LANDSCAPING, AS DESCRIBED IN SECTION 21.45.125;
2. BUFFER LANDSCAPING, AS DESCRIBED IN SECTION 21.45.125C.2., SHALL BE PLANTED ALONG THE LENGTH OF EACH LOT LINE

- 1 WHICH ABUTS A LOT WITHIN A RESIDENTIAL DISTRICT;
2 3. ARTERIAL LANDSCAPING, AS DESCRIBED IN SECTION
3 21.45.125C.4., SHALL BE PLANTED ALONG THE LENGTH OF EACH
4 LOT LINE WHICH ABUTS A COLLECTOR OR ARTERIAL STREET,
5 AS DESIGNATED IN THE OFFICIAL STREETS AND HIGHWAYS
6 PLAN; AND
7 4. THE PROPERTY OWNER SHALL MAINTAIN ALL LANDSCAPING
8 IN GOOD CONDITION.
9 I. SCREENING OR BUFFERING. THE PLANNING AND ZONING
10 COMMISSION MAY REQUIRE:
11 1. ENCLOSURE OF THE ENTIRE SITE BY A FENCE, OR SCREENING
12 LANDSCAPING AS DESCRIBED IN SECTION 21.45.125C.3., OR
13 BOTH, IN ORDER TO PREVENT CASUAL ACCESS TO AND FROM
14 THE SITE.
15 2. SCREENING OR BUFFERING LANDSCAPING AS DESCRIBED IN
16 SECTION 21.45.125C.3. ALONG THE LENGTH OF A LOT LINE.
17 J. LOADING AREAS. LOADING AND UNLOADING AREAS SHALL BE
18 PROVIDED ON THE SITE IN ACCORDANCE WITH SECTION 21.45.090.
19 AMBULANCE AND DELIVERY AREAS SHALL BE SCREENED FROM
20 ADJACENT RESIDENTIAL AREAS BY A FENCE OR BUFFER
21 LANDSCAPING NO LESS THAN SIX FEET HIGH.
22 K. DRAINAGE FACILITIES. A SITE DRAINAGE PLAN AND STORM
23 DRAINAGE FACILITIES SHALL BE CONSTRUCTED IN ACCORDANCE
24 WITH THE REQUIREMENTS OF SECTION 21.45.230.
25 L. REFUSE COLLECTION. REFUSE CONTAINERS AND FACILITIES SHALL
26 BE ENCLOSED BY A FENCE ON AT LEAST THREE SIDES IN THE
27 MANNER PROVIDED BY SECTION 21.45.080W.4.
28 M. PARKING. PARKING SHALL BE PROVIDED ON THE LOT IN
29 ACCORDANCE WITH THE REQUIREMENTS OF SECTION 21.45.080.
30 N. ADDITIONAL REQUIREMENTS. A QUASI-INSTITUTIONAL USE SHALL
31 CONFORM TO THE REQUIREMENTS OF CHAPTER 16.80.
32 O. AUTHORITY TO IMPOSE DIFFERENT CONDITIONS. DIFFERENT
33 CONDITIONS MAY BE IMPOSED BY THE PLANNING AND ZONING
34 COMMISSION, IF NECESSARY, TO PROPERLY DEVELOP THE SITE AND
35 MITIGATE IMPACTS.]

36
37 (GAAB 21.05.060.M; AO No. 85-91, 10-1-85; AO No. 88-6)

38
39 **Section 33.** Anchorage Municipal Code section 14.60.030 is hereby amended by adding the
40 following (*the remainder of the section is not affected and therefore is not set out*):

41
42 **14.60.030** **Fine schedule.**

43
44 The fine schedule under this chapter is as follows:

45
46

<u>Code Section</u>	<u>Offense</u>	<u>Penalty/Fine</u>
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*** **

21.45.300 or 21.45.310

Adult care facilities

and large residential care facilities

violation (identify specific violation) \$350.00

*** **

(AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-118, § 3, 9-1-95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-195(S-1), 1-1-96; AO No. 96-51(S-1), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97; AO No. 96-126(S), § 3, 10-1-96; AO No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3, 6-3-97; AO No. 97-107, § 3, 11-17-97; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-27(S-1), § 2, 11-11-97; AO No. 98-160, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO No. 99-91(S), § 4, 7-13-99; AO No. 2000-64, § 1, 4-18-00; AO No. 2000-116(S), § 4, 7-18-00; AO No. 2000-127(S), § 2, 10-14-00; AO No. 2000-129(S), § 26, 11-21-00; AO No. 2001-48, § 1, 3-13-01; AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 2-6-01; AO No. 2001-145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO No. 2003-97, § 4, 9-30-03; AO No. 2003-117, § 2, 1-28-03; AO No. 2003-130, § 8, 10-7-03; AO No. 2003-152S, § 10, 1-1-04; AO No. 2004-1, § 2, 1-1-03; AO No. 2004-99, § 2, 6-22-04; AO No. 2004-100(S-1), § 6, 1-1-05)

Section 34. This ordinance shall be effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 18th day of Apr., 2006.

Anna L. Fairclough
Chair

ATTEST:

Andrea S. Dwyer
Municipal Clerk



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 658 -2005

Meeting Date: September 13, 2005

1 **From:** MAYOR

2
3 **Subject:** AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE
4 CHAPTERS 21.35, 21.40, 21.45 AND 21.50 REGARDING ADMINISTRATIVE
5 PROCEDURES, DEFINITIONS FOR VARIOUS CARE, SERVICE AND
6 LIVING FACILITIES, AMENDING ZONING DISTRICTS, AMENDING
7 SUPPLEMENTARY DISTRICT STANDARDS, CONDITIONAL USES AND
8 SITE PLANS, AND AMENDING SECTION 14.60.030 TO ADD CARE
9 FACILITIES VIOLATIONS.
10

11 Over the past four years, there has been an increased interest in developing new, and
12 predominately smaller residential care facilities due to demand and various State programs.
13 Residential care facilities are commonly referred to as "assisted living" facilities, which
14 generally provide a home and assistance with living to persons with physical or mental
15 disabilities who need additional daily assistance. The Planning Department has identified over
16 200 such facilities in the Municipality. These facilities are generally located in single-family
17 residences throughout the community. There has been a rise in the number of complaints
18 regarding some of these facilities in residential areas. This draft ordinance recognizes these
19 smaller facilities, and brings the land use code up to date with changes in State and Federal
20 regulations for fair housing and other residentially-based health care facilities.
21

22 In 2001, a task force was appointed by the Municipality to respond to the land use issues
23 surrounding residential care (assisted living) facilities. Staff from the Departments of Planning,
24 Development Services, Health and Human Services, the Municipal Attorney's Office,
25 representatives from the State Department of Health and Social Services met with to review
26 areas of current concern. The objective was and to work toward a consensus on changes to
27 Municipal Code regarding this land use. The departments and the assisted living providers
28 worked together to produce this draft ordinance. The Planning Department has consulted with
29 DHHS, the Fire Department, Building Safety, the Department of Law, State officials, assisted
30 living providers and other interested parties regarding both this ordinance and assisted living
31 issues in general.
32

33 There was considerable concern regarding residential care and whether or not the proposed
34 ordinance impacted groups currently considered "families" such as Oxford House, and other
35 families as defined by the Fair Housing Act. There was extensive discussion concerning related
36 code definitions, the number of beds in a residential care facility that would be allowed as a by-

1 right and conditional uses in residential districts, and the requirement for biennial permits and
2 related fire/building inspections for by-right uses.

3
4 The main objections raised by user groups in relation to federal law are that the current definition
5 of “quasi-institutional house” does not adequately describe the many different facilities existing
6 in the Municipality; the provisions regarding locations for group homes are too restrictive; the
7 conditional use process creates unnecessary hurdles; and there is no procedure for reasonable
8 accommodation.

9
10 The Fair Housing Act, 42 U.S.C. 3601 et seq., prohibits discrimination by direct providers of
11 housing, such as landlords and real estate companies as well as other entities, such as
12 municipalities, banks or other lending institutions and homeowner’s insurance companies whose
13 discriminatory practices make housing unavailable to persons because of race or color, religion,
14 sex national origin, familial status, or disability. Under the Fair Housing Act, individuals who
15 believe they are victims of an illegal housing practice may file a lawsuit in federal or state court.

16
17 The Fair Housing Act prohibits discrimination on the basis of disability. The terms “handicap”
18 and “disability” have the same legal meaning under federal law. The law defines persons with a
19 disability as those individuals with mental or physical impairments that substantially limit one or
20 more major life activities. The term “mental or physical impairment” may include conditions
21 such as blindness, hearing impairment, mobility impairment, HIV infection, mental retardation,
22 alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness.
23 The term “major life activity” may include seeing, hearing, walking, breathing, performing
24 manual tasks, caring for one’s self, learning, speaking, or working. The Fair Housing Act also
25 protects persons with a record of an impairment, or persons regarded as having an impairment.

26
27 The draft ordinance directly incorporates the federal definition of disability, by referencing the
28 Americans with Disabilities Act, the statute where this definition originated.

29
30 Current users of illegal controlled substances, persons convicted for illegal manufacture or
31 distribution of a controlled substance, sex offenders, and juvenile offenders are not considered
32 disabled under the Fair Housing Act, by virtue of that status. Also, the Fair Housing Act affords
33 no protection to individuals presenting a direct threat to the person or property of others, even if
34 they have a disabling mental or physical condition. Determining whether someone poses a direct
35 threat is made on an individualized basis, however, not based on general assumptions or
36 speculation about the nature of a disability.

37
38 Some individuals with disabilities may live together in congregate living arrangements, often
39 referred to as “group homes.” The Fair Housing Act prohibits municipalities and other local
40 government entities from zoning or land use decisions or implementation of land use policies
41 excluding or otherwise discriminating against persons with disabilities. This applies to group
42 homes for disabled persons, as well as individuals.

43
44
45 Under the Fair Housing Act, it is unlawful:
46

- 1 • To utilize land use policies treating groups of persons with disabilities less favorably than
2 groups of non-disabled persons. An ordinance may be struck down if it has a
3 discriminatory effect, even if there is no language in the ordinance suggesting an intent to
4 discriminate against disabled persons.
5
- 6 • To take action against, or deny a permit, for a home due to the disability of individuals
7 living or wanting to live there. An example is denying a building permit for a home
8 because it provides housing for persons with mental retardation.
9
- 10 • To refuse to make reasonable accommodations in land use and zoning policies and
11 procedures, where accommodations may be necessary to afford persons or groups of
12 persons with disabilities and equal opportunity to use and enjoy housing. Determination
13 of reasonable accommodation is made on a case-by-case basis. Not all modifications of
14 rules or policies are reasonable. If a proposed modification imposes an undue financial
15 or administrative burden on a local government, or if a modification creates a
16 fundamental alteration in a local government's land use and zoning scheme, it is not a
17 "reasonable" accommodation.
18

19 Section 21.15.013 in the draft ordinance creates a procedure for "reasonable accommodation,"
20 by allowing administrative variances from occupancy limits.
21

22 Also, the entire process of drafting the ordinance was a reasonable accommodation. That is, the
23 ordinance was developed by conferring with persons operating group homes, and discussing
24 whether adopted changes are acceptable. By seeking input and comment for the ordinance from
25 the various user groups, the Municipality addressed concerns and reduced the likelihood of a
26 lawsuit over some objection to the proposed code amendments.
27

28 The ordinance has undergone intensive scrutiny and collaboration, and is now structured to
29 ensure the Municipality will be able to effectively meet the needs of the various providers and
30 also be in compliance with the Fair Housing Act, while providing protections for residents of the
31 facilities and for neighborhoods where facilities may be located. Other changes to the ordinance
32 include amended definitions, and new definitions which will help clarify existing conflicts in the
33 code and provide new definitions where needed to bring the code up to date.
34

35 Additionally, in response to the transitional living facilities providers, which are very similar to
36 purely residential uses, the ordinance has been amended to allow these facilities in the R-3, R-4,
37 R-O, B-2A, B-2B, B-2C and B-3 zoning districts by-right.
38

39 The Planning and Zoning Commission supported the ordinance, and suggested some
40 amendments which are included in this draft ordinance. These amendments were requested by
41 the Planning Department regarding: parking requirements; an amendment to remove the
42 minimum lot size for residential care facilities with 9-16 persons; to require an annual field
43 inspection and verification of on-site septic for large residential care facilities; and to allow large
44 residential care facilities as a conditional use in the R-6 and R-7 zoning districts.
45

The Planning and Zoning Commission reviewed this ordinance as a larger ordinance, including amendments to child care and satellite dish standards. The larger ordinance has been divided into three ordinances, in order to address each issue separately to avoid confusion. This ordinance only makes changes for residential care facilities and related health care facilities.

THE ADMINISTRATION RECOMMENDS APPROVAL OF THE PROPOSED ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 21.35, 21.40, 21.45 AND 21.50, AS APPROVED BY THE PLANNING AND ZONING COMMISSION.

Prepared by:	Jerry T. Weaver Jr., Zoning Administrator, Planning Department
Concur:	Tom Nelson, Director, Planning Department
Concur:	Mary Jane Michaels, Executive Director, Office of Economic and Community Development
Concur:	Denis C. LeBlanc, Municipal Manager
Respectfully submitted,	Mark Begich, Mayor



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
NO. AM 72-2006

Meeting Date: February 28, 2006

From: Vice Chair Dan Coffey
Subject: **AO 2005-124(S) — Various Care, Service and Living Facilities**
(Reasonable Accommodation regarding Assisted
Living for Persons with Disabilities)

The Fair Housing Act Amendments of 1988 prohibit a broad range of practices that discriminate against individuals with disabilities. The Fair Housing Act Amendments require a municipality to make reasonable accommodation in land use and zoning policies and procedures, to persons with disabilities. What constitutes a reasonable accommodation is a case-by-case determination under federal law.

As outlined in AM 658-2005 dated September 13, 2005, Anchorage has experienced an increased interest in "assisted living" facilities. Assisted living facilities generally provide housing and ancillary care services to persons with physical or mental disabilities, for compensation on a monthly or other periodic basis. Often, but not always, the provider is paid under the Medicaid program (for qualified low income or indigent beneficiaries) or the Medicare program (for elderly beneficiaries). Depending on the level of care and qualification of the beneficiary for federally assisted programs, compensation to the provider may range generally between \$2,000 and \$5,000 per month, per resident. Double occupancy in rooms is permitted, dependent upon meeting minimum square footage requirements. There is no requirement that the provider be a non-profit entity. Unless exempt under state regulation, assisted living homes serving three or more adults who are not related to the owner by blood or marriage must be licensed by the State (AS 47.32.020); homes with less than three residents are required to be licensed by the State to qualify for state or federal payment for services (e.g. payments under Medicaid and Medicare).

Anchorage zoning and land use laws recognize persons living as a single housekeeping unit to be a "family", as distinguished from groups of persons sharing a dwelling where rooms are available for compensation on a monthly or other periodic basis and meal service is available only to tenants and their guests. The definitions of "family" and "roominghouse" in AMC 21.35.020 illustrate this historical distinction, dating back to pre- and post-World War II eras when rooming houses were a viable alternative for longer term, working, single occupants. *Vis-à-vis* historical Anchorage land use, rooming houses are not a "by right" use in R-1, R-1A, R-2A and R-2D districts.

1 AO 2005-124(S) is intended to add clarity in the formal recognition of residential care
2 facilities within the context of Anchorage zoning and land use law. Changes reflected in
3 AO 2005-124(S) include rewording to clarify 1) that the intent is to provide reasonable
4 accommodation to persons with disabilities when access to decent, safe, accessible, and
5 affordable housing with assisted living would not be available absent a reasonable
6 accommodation; and 2) that the municipality is implementing reasonable accommodation in
7 three ways: (i) by clarifying the definitions of "residential care facility" and "rooming house",
8 so that in R-1 and R-1A single-family residential districts, and in R-2A and R-2D two-family
9 residential districts, small residential care facilities with up to 6 assisted living clients will be
10 deemed a single housekeeping unit and a permitted use; in other districts, small residential
11 facilities with up to 8 assisted living residents will be a permitted use; (ii) by creating an
12 administrative process with standards, notice and opportunity to provide written comment to
13 allow for the addition of up to two more residents, and to allow minor variance (without
14 notice and comment) in dimensional and setback requirements; (iii) by providing conditional
15 use standards when reasonable accommodation is requested in a conditional use
16 application.

17
18 The expanded administrative variance process, with notice, opportunity for written
19 comment, and standards is set out in Section 2 of the ordinance, beginning at the bottom of
20 page 1 and continuing through page 4. Conditional use standards for residential care
21 facilities when reasonable accommodation is requested are included under Section 32 of
22 the ordinance, at page 31—32, and referenced under required submittals in subsection 7.
23 The standards reflect federal case law and comments received during public hearing.

24
25 Additional differences in AO 2005-124(S) include adding a definition for *assisted*
26 *living provider*; clarifying the definitions for *adult care facility*, and *assisted living* to better
27 reflect the applicable state law references; adding a provision to clarify that an
28 administrative waiver for reasonable accommodation does not waive application of fire code
29 requirements; and limiting appeal of the administrative variance to those with standing
30 under the Fair Housing Act. A list of the numbered sections of the ordinance with changes
31 reflected in AO 2005-124(S) is attached.

32
33 Respectfully submitted:

Prepared by:

34
35
36 Dan Coffey, Assembly Vice Chair

Julia Tucker, Assembly Counsel



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 277 -2006

Meeting Date: April 18, 2006

1 **From:** MAYOR

2
3 **Subject:** AO 2005-124 (S-2): AN ORDINANCE AMENDING ANCHORAGE
4 MUNICIPAL CODE CHAPTERS 21.35, 21.40, 21.45 AND 21.50
5 REGARDING ADMINISTRATIVE PROCEDURES, DEFINITIONS FOR
6 VARIOUS CARE, SERVICE AND LIVING FACILITIES, AMENDING
7 ZONING DISTRICTS, AMENDING SUPPLEMENTARY DISTRICT
8 STANDARDS, CONDITIONAL USES AND SITE PLANS, AND
9 AMENDING SECTION 14.60.030 TO ADD CARE FACILITIES
10 VIOLATIONS.
11
12

13 Assembly Vice Chair Coffey proposed Anchorage Ordinance 2005-124 (S) at the February 28,
14 2006 Assembly meeting to replace the original Planning and Zoning Commission's "Assisted
15 Living Ordinance", AO 2005-124. The S-version has been replaced with a revised AO 2005-124
16 (S-1). Staff believes some of the revisions created in the Assembly S- and S-1 versions are better
17 than the original ordinance, as it allows for a less cumbersome administrative procedure before
18 requiring a conditional use for residential care facilities. Staff and the recommendation from the
19 Planning & Zoning Commission do not concur, however, with the "by right" numbers in the S-
20 or S-1 versions.
21

22 The administration's AO 2005-124 (S-2) retains the well thought out administrative procedure of
23 the S- and S-1 versions but, as in the previous Planning and Zoning Commission's
24 recommendation, the "by right" number of individuals is increased from 6 to 8, and the
25 administrative variance procedure is available for facilities seeking to house 9 or 10 individuals.
26 In addition, the administration's S-2 version revises language in two of the criteria - at pages 3
27 and 32 - because the former language placed an unreasonable obligation upon the applicant to
28 show the accommodation advanced housing opportunities; if the showing wasn't made, it
29 appeared the application had to be denied.
30

31 After working with the providers and agencies responsible for oversight in numerous meetings,
32 staff believes the S-2 version meets the needs of the community without placing the Municipality
33 in dire conflict with applicable federal regulations.
34

35 The Department of Law also supports the S-2 version over the S- and S-1 versions. The
36 Department believes the increase in the "by right" number from 6 to 8 makes it less likely there

1 will be an organized legal challenge to the ordinance. While some courts around the country
2 have sustained numerical limits as low as 5, other courts have found unlawful numbers even
3 greater than 8. It is not possible to predict how the courts in Alaska will resolve the issue, but the
4 Department does believe the larger the number, the higher the chance the court will not
5 invalidate the ordinance, especially given the other procedural and substantive provisions of the
6 S, S-1 and S-2 versions of the ordinance.

7
8
9 **THE ADMINISTRATION RECOMMENDS APPROVAL OF ANCHORAGE ORDINANCE**
10 **2005-124 (S-2), AMENDING AMC CHAPTERS 21.35, 21.40, 21.45 AND 21.50 REGARDING**
11 **ADMINISTRATIVE PROCEDURES, DEFINITIONS FOR VARIOUS CARE, SERVICE AND**
12 **LIVING FACILITIES, AMENDING ZONING DISTRICTS, AMENDING SUPPLEMENTARY**
13 **DISTRICT STANDARDS, CONDITIONAL USES AND SITE PLANS, AND AMENDING**
14 **SECTION 14.60.030 TO ADD CARE FACILITIES VIOLATIONS, AKA FOR ASSISTED**
15 **LIVING AND CARE FACILITIES.**

16
17 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department
18 Concur: Tom Nelson, Director, Planning Department
19 Concur: Mary Jane Michaels, Executive Director
20 Office of Economic and Community Development
21 Concur: Frederick H. Boness, Municipal Attorney
22 Concur: Denis C. LeBlanc, Municipal Manager
23 Respectfully submitted, Mark Begich, Mayor
24

Content ID: 007365**Type:** Ordinance - AO

Title: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.40.130B.10., CORRECTING AN OMISSION IN AO 2005-124(S-1A), RELATING TO ADULT CARE USE IN THE R-O (RESIDENTIAL-OFFICE) DISTRICT.

Author: maglaquijp**Initiating Dept:** Planning

Description: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.40.130B.10., CORRECTING AN OMISSION IN AO 2005-124(S-1A), RELATING TO ADULT CARE USE IN THE R-O (RESIDENTIAL-OFFICE) DISTRICT.

Date Prepared: 1/28/09 8:34 AM**Director Name:** Tom Nelson

Assembly Meeting Date: 2/24/09

Public Hearing Date: 3/24/09

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	2/9/09 9:44 AM	Exit	Heather Handyside	Public	007365
MuniMgrCoord_SubWorkflow	2/9/09 9:44 AM	Approve	Heather Handyside	Public	007365
MuniManager_SubWorkflow	2/9/09 9:29 AM	Approve	Michael Abbott	Public	007365
MuniManager_SubWorkflow	1/30/09 3:30 PM	Checkin	Joy Maglaqui	Public	007365
Legal_SubWorkflow	1/30/09 11:40 AM	Approve	Dean Gates	Public	007365
Finance_SubWorkflow	1/30/09 10:53 AM	Approve	Nina Pruitt	Public	007365
OMB_SubWorkflow	1/29/09 12:21 PM	Approve	Wanda Phillips	Public	007365
ECD_SubWorkflow	1/28/09 12:47 PM	Approve	Tawny Klebesadel	Public	007365
Planning_SubWorkflow	1/28/09 12:31 PM	Approve	Tom Nelson	Public	007365
AllOrdinanceWorkflow	1/28/09 8:36 AM	Checkin	Jerry Weaver Jr.	Public	007365