


Municipality of Anchorage

MEMORANDUM

DATE: March 1, 2021

TO: Planning and Zoning Commission

THRU:  Michelle J. McNulty, AICP, Planning Director

FROM: Francis McLaughlin, Senior Planner

SUBJECT: Case 2021-0025, Text Amendment to Allow Homeless and Transient Shelters in the B-3 District and Add Use-specific Standards

The Planning Department is proposing amendments to Anchorage Municipal Code (AMC) Title 21 to allow homeless and transient shelters in the B-3, general business district, as a conditional use and to add use-specific standards for all homeless shelters. Currently, homeless shelters are only allowed in the PLI, public lands and institutions district. Adding the B-3 district would give the community more flexibility on where to place new homeless shelters.

Homelessness is a community-wide problem. The unintended consequence of only allowing homeless shelters in the PLI zoning district severely limits where new homeless shelters may be located to meet the supply shortage of beds for the number of homeless people. The zoning map for the Anchorage Bowl shows the PLI district is often not near necessary services for homeless individuals, such as public transportation. In addition, many of the PLI zoned areas are unavailable because they are already occupied by parks and major institutions, including Providence Medical Center, University of Alaska Anchorage, and Alaska Pacific University.

The definition of Homeless and Transient Shelters is found in AMC 21.05.040.C.5., *Community Service – Homeless and Transient Shelters*, which states:

a. Definition: A facility designed to provide minimum necessities of life, including overnight accommodation, on a limited, short-term basis for individuals and families during periods of dislocation or emergency pending formulation of longer-term planning. Facility elements may include providing the physical care required, including shelter, food, and necessary medical and clothing needs, directly or by referral to appropriate agency; and planning for more permanent housing and employment, including contact with community resources.

The definition of a homeless and transient shelter remains the same under this ordinance. This ordinance changes the Table of Allowed Uses to make homeless and transient shelters a conditional use in the B-3 district, bringing the B-3 district into parity with the PLI district for the use of homeless and transient shelters. The B-3 district is located along major street corridors with good access to public transit. The B-3 district also has access to services for homeless individuals that may directly or indirectly assist them in eventually obtaining stable housing. A survey of other similar

cities found that shelters are customarily allowed in commercial zoning districts and sometimes in residential and industrial districts as well.

This ordinance also creates new use-specific standards for homeless and transient shelters, which would apply to both the PLI and B-3 districts. There are currently no use-specific standards in AMC Title 21 for homeless and transient shelters. The first use-specific standard requires homeless shelters to be separated by 500-feet to limit the concentration of homeless shelters on one block. The second use-specific standard requires homeless shelters to be located within a quarter mile of non-commuter public transit routes unless alternate transport is provided. This requirement is important because public busses are the primary mode of transportation for homeless individuals. The third use-specific standard requires homeless shelters to provide adequate storage space for the personal belongings of shelter guests. This requirement will give homeless residents a temporary place to store items. Some items may be necessary for steps to obtain stable housing, such as legal documents and job interview clothing. Storage space for some items at the shelter will also eliminate or reduce time, money, and attention from homeless persons given to safeguarding basic necessities or sentimental items. In addition, storage space will also prevent the stowage of personal items in public spaces.

These changes were developed in consultation with organizations and individual members of the public. Planning Department staff met with staff at all homeless shelters currently in operation within the Municipality of Anchorage. Planning Department staff also met with the Federation of Community Councils and with individual community councils that requested presentations. A webpage devoted to the proposed changes was posted online that included contact information for comments. Planning staff recorded comments in order to reference them while amending the proposed changes. In addition, Planning staff researched studies and the code of other cities to compare zoning and requirements for homeless shelters.

DEPARTMENTAL COMMENTS

The comments from State and Municipal reviewing agencies are attached. None of the reviewing agencies object to the proposed amendments.

COMMUNITY COMMENTS

Planning staff met with several members of the community explain the proposed Title 21 homeless shelter changes. Comments were documented so they could be easily referenced by Planning staff.

Planning staff met with homeless shelter providers, including Catholic Social Services, Anchorage Gospel Rescue Mission, Brother Francis Homeless Shelter, and the Hope Downtown Center. Planning staff also met with the Homelessness Leadership Council (HLC) Housing Incentives Workgroup, the Housing, Homeless and Neighborhood Development (HHAND) Commission, and the Anchorage Chamber of Commerce. In addition, Planning staff also created a project website that had contact information for questions/comments, a copy of the draft Assembly Ordinance, and a copy of a PowerPoint presentation shared at community meetings.

Planning staff gave a presentation on the proposed homeless shelter zoning changes at the November 18, 2020 meeting of the Federation of Community Councils (FCC). Individual community councils were invited to request an additional presentation from Planning staff if they wanted one. Approximately 60% of the community councils with any land area zoned B-3 requested an additional presentation. Planning staff gave a presentation and answered questions at regular meetings of 12 community councils within the Anchorage Bowl. Planning staff answered questions at one additional community council meeting. These community council included: Airport Heights, Bayshore-Klatt, Campbell Park, Downtown, Fairview, Mountain View, Russian Jack, Sand Lake, Spenard, Taku/Campbell, Tudor Area, and University Area. The Turnagain Community Council submitted a comment of support for the changes and recognized that limiting homeless and transient shelters to one zoning district has provided challenges in providing additional needed shelter beds. The Planning Department had communication with the Tudor Area Community Council on a possible resolution of opposition, but had not received a formal comment or notification on the resolution status prior to writing the staff report.

Two individuals submitted written public comments for this case. Their comments are attached to this memorandum. One person supported the proposed zoning changes, stating she wanted the community to provide better services for those experiencing homelessness. The second comment said not to make these changes or to add additional safeguards. The Planning Department received one phone call for this case asking about public testimony and concern for Midtown businesses.

ANCHORAGE MUNICIPAL CODE APPROVAL CRITERIA

AMC 21.03.210 Title 21 - Text Amendments

C. Approval Criteria

Text amendments may be approved if the assembly finds that all of the following approval criteria have been met:

- 1. The proposed amendment will promote the public health, safety, and general welfare;**

Homeless and transient shelters are a necessity to provide temporary emergency shelters to homeless persons. They also help connect homeless persons to services that directly or indirectly assist them in finding stable housing. There is a greater demand for homeless shelter beds than are currently available. This amendment requires homeless shelters to obtain a conditional use permit in order to be located in the B-3 district. At present, the only zoning district that allows homeless shelters is the PLI district, much of which is not near necessary services for homeless individuals, such as public transportation, or already occupied with parks and institutions. This amendment promotes the general welfare by allowing homeless shelters to be located in one additional zoning district and by adding three use-specific standards that will enhance all homeless shelters.

- 2. The proposed amendment is consistent with the comprehensive plan and the stated purposes of this title; and**

This change is consistent with goals and policies of the *Anchorage 2020 Comprehensive Plan*:

- *General Land Use Policy 7 - Avoid incompatible uses adjoining one another.*

Homeless shelters need convenient access to community resources, such as public transportation, employment, and other social services. The B-3 district is primarily located in areas with those resources. The purpose statement of the B-3 district includes access to community uses, which includes homeless shelters. AMC 21.04.030D., B-3: *General Business District*, states:

The B-3 district is intended primarily for general commercial uses in commercial centers and areas exposed to heavy traffic. These commercial uses are intended to be located on arterials, or within commercial centers of town, and to be provided with adequate public services and facilities. They are subject to the public view and should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. Environmental impacts should be minimized. Abutting residential areas should be protected from potentially negative impacts associated with commercial activity. While B-3 district areas shall continue to meet the need for auto-related and other auto-oriented uses, it is the municipality's intent that the B-3 district also shall provide for safe and convenient personal mobility in other forms. Planning and design shall accommodate pedestrians and bicyclists. In addition to a wide range of commercial office, retail and commercial services, other use categories such as residential and community uses, and mixed-use projects, are allowed.

- *Housing Policy 61 – Promote the availability of supportive housing opportunities for the homeless and persons with special needs.*

This policy promotes the availability of supportive housing such as homeless shelters. Like commercial, industrial, and governmental uses, homeless shelters are an important residential component to a community. Though often neglected, the lack of supportive housing is a potential violation of Title VIII of the Civil Rights Act of 1968.

- *Housing Policy 62. Distribute throughout the Municipality residential facilities that are supported by government agencies and operated for health, social services and for persons with special needs.*

This policy speaks to the need to distribute supportive housing such as homeless shelters throughout the community. The zoning regulations are overly restrictive because they currently only allow homeless shelters in the PLI district. Allowing this use-type in the B-3

district as a conditional use implements this policy for equitable distribution of these facilities in the community. In addition, the use-specific requirement for a separation distance of 500-feet between shelters will prevent them from locating in one area.

This amendment is consistent with the goals and policies of the *Anchorage 2040 Land Use Plan*:

- *Goal 4. Anchorage's neighborhoods provide a range of places to live, meeting the housing needs of residents at all income levels, household sizes, interests, ages, abilities, and races and ethnicities.*

Policy 4.5. Consider actions that will affirmatively further fair housing and avoid having the effect of housing discrimination in decisions regarding land use, allocation of housing opportunities, and zoning map or land use regulation amendments.

This action directly addresses barriers to fair housing by broadening the location for homeless shelters allowed by the zoning code to a second zoning district. While this is a small step, it will allow for more flexibility in siting homeless shelters.

3. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

This ordinance changes the regulations governing homeless and transient shelters to allow them in the B-3 district and to add use-specific standards for homeless shelters in all districts. This amendment is necessary because there is currently a shortage of shelter beds and there is expected to be a shortage of shelter beds into the future.

DEPARTMENT RECOMMENDATION

The Planning Department recommends approval of the amendments to AMC Title 21 for homeless and transient shelters. Attached is a draft Assembly ordinance.

ATTACHMENTS

1. Draft Public Hearing Assembly Ordinance
2. Annotated Draft Public Hearing Assembly Ordinance
3. Map
4. Public Outreach
5. Departmental and Public Comments

Draft Public Hearing Assembly Ordinance

Submitted by: Chair of the Assembly
at the Request of the
Mayor

Prepared by: Planning Department
For reading:

ANCHORAGE, ALASKA
AO NO. 2021–

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TABLE 21.05.010E., *TABLE OF ALLOWED USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS*, AND 21.05.040C.5., *USE-SPECIFIC STANDARDS*, TO ALLOW THE USE-TYPE “HOMELESS AND TRANSIENT SHELTER” IN THE B-3 (GENERAL BUSINESS) DISTRICT, AS A CONDITIONAL USE AND TO CREATE USE SPECIFIC STANDARDS.

(Planning and Zoning Commission Case 2021-0025)

WHEREAS, these amendments provide more flexibility to the community for where homeless shelters are allowed and implement *Anchorage 2020* Housing Policies 61 and 62, which promote supportive housing for the homeless; and

WHEREAS, this ordinance amends Anchorage Municipal Code (AMC) 21.05.010E, *Table of Allowed Uses – Residential, Commercial, Industrial, and Other Districts* to allow the use-type “Homeless and Transient Shelter” in the B-3 (general business) district, as a conditional use; and

WHEREAS, AMC Title 21 currently prohibits homeless shelters in all zoning districts, except for the PLI (public lands and institutions) district, much of which is already occupied by parks and major institutions; and

WHEREAS, the B-3 (general business) district is located along major street corridors with access to public transportation and services for homeless persons to assist them in obtaining stable housing; and

WHEREAS, a conditional use requires conformance with the nine approval criteria after public notification and a public hearing before the Planning and Zoning Commission; and

WHEREAS, current and long-term social and economic conditions have contributed to a greater population of homeless persons in need of shelter beds than currently are available within the Anchorage Municipality; and

WHEREAS, AMC Title 21 has no use-specific standards for homeless shelters and this ordinance creates three use-specific standards for homeless shelters that apply to all zoning districts where homeless shelters are allowed; and

WHEREAS, the first use-specific standard requires homeless shelters under different conditional use permits to be separated by a minimum of 500 feet so as to prevent the concentration of homeless shelters on one block; and

WHEREAS, the second use-specific standard requires homeless shelters to be located within one-quarter mile of a non-commuter public transit route, unless alternative transportation is provided, so as to provide shelter accessibility to homeless persons; and

WHEREAS, the third use-specific standard requires secure storage of personal belongings, including bicycles, for the residents of homeless shelters so as to provide orderly space for items, some of which may be necessary for homeless persons to eventually achieve a stable living space, and to prevent the storage of items in public spaces; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. AMC 21.05.010E., *Table of Allowed Uses – Residential, Commercial, Industrial, and Other Districts*, is hereby amended, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

E. TABLE OF ALLOWED USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS.

TABLE 21.05.1: TABLE OF ALLOWED USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS																															
P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review T = Special Land Use Permit for Marijuana																															
For uses allowed in the A, TA, and TR districts, see section 21.04.050.																															
All other uses not shown are prohibited.																															
	RESIDENTIAL															COMMERCIAL					INDUST.			OTHER							
Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-3A	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2 ¹	MI	AF	DR	PR	PLI	W	Definitions and Use-Specific Standards	
	Crematorium																		P			P	P					C		21.05.040C.3	
	Government administration and civic facility																P/ S/ M	P/ S/ M	P/ S/ M	P/ S/ M	P/ S/ M	C		P/ S/ M			M	P/ S/ M		21.05.040C.4	
	Homeless and transient shelter																			C									C		21.05.040C.5
	Neighborhood recreation center	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P									S		21.05.040C.6
	Religious assembly	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P		P	P						P		21.05.040C.7
	Social service facility						C	C	C	C							C	P	P	C									P		21.05.040C.8

*** *** ***

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2013-139, 01-28-14; AO 2014-58, 5-20-14; 2015-133(S), 2-23-16; AO 2015-142(S-1), 6-21-16; AO 2016-3(S), 2-23-16; AO 2016-131, 11-15-16; AO 2016-136, 11-15-16; AO 2016-156, 12-20-16; AO 2017-10, 1-24-17; AO 2017-57, 4-11-17; AO 2017-74, 5-23-17; AO 2017-176, 1-9-18; AO 2017-175(S), 2-13-2018; AO 2020-38, 4-28-20; AO 2020-56, 6-23-20)

Section 2. AMC Table 21.05.040C.5., *Homeless and Transient Shelter*, is hereby amended, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

5. Homeless and Transient Shelter

a. Definition

A facility designed to provide minimum necessities of life, including overnight accommodation, on a limited, short-term basis for individuals and families during periods of dislocation or emergency pending formulation of longer-term planning. Facility elements may include providing the physical care required, including shelter, food, and necessary medical and clothing needs, directly or by referral to appropriate agency; and planning for more permanent housing and employment, including contact with community resources.

b. Use-Specific Standards

i. Homeless and transient shelters shall be located more than 500 feet from other homeless and transient shelters.

ii. Homeless and transient shelters shall be located within one-quarter mile of a public transit route or have a plan to provide transportation to guests. Commuter routes shall not be counted as public transit routes for this standard.

iii. Secure storage for both personal belongings and bicycles shall be provided on-site for guests.

*** *** ***

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2015-142(S-1), 6-21-16; AO 2018-59, 7-31-2018; 2019-11, 2-12-19)

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

PASSED AND APPROVED by the Anchorage Assembly this ____ day of _____, 2021.

Chair

ATTEST:

Municipal Clerk

Annotated
Draft Public Hearing
Assembly Ordinance

Proposed Text Amendment Language

This document presents the public hearing draft of the *Homeless and Transient Shelters Text Amendments*. The amendments in this document are arranged in the order they appear in Anchorage’s Title 21 Zoning Ordinance:

Location of Change by Zoning Code Section	Pages
21.05.010E. Table 21.05-1: Table of Allowed Uses – Allows <i>Homeless and Transient Shelter</i> in the B-3 district by conditional use	1
21.05.040C.5. – Creates new use-specific standards for <i>Homeless and Transient Shelter</i>	2

How to Read this Document

Amended code language appears on the right-hand pages (numbered pages), and annotation on left-hand pages. The annotation explains how to interpret or apply the draft amendment language. Sometimes the annotation also describes the issue being addressed or the intent of the proposed code change.

Annotation on the left-hand facing page is in Segoe UI font. Zoning code language (right-hand page) is in Arial font and has line numbering in its left margin.

Proposed changes to zoning code language (called “amendments”) appear as “tracked changes” text:

- Added code language is underlined.
- Deleted language is in [ALL CAPS IN BRACKETS].
- Text without underlines, caps/brackets, or highlights is current code language not being changed.

Each page of tracked-changes code language begins with a header showing the chapter and major section that contains the proposed changes. In order to show only those subsections being changed, a set of three asterisks (* * *) indicates that all intervening parts of the chapter are unchanged between the section header above the asterisks and the language shown below the asterisks.

Section 21.05.010E. Table of Allowed Uses

Table 21.05-1 establishes which land uses – residential, community, commercial, and industrial – are allowed in each zoning district. Also, the table identifies the type of review procedure for each use, whether it is allowed by-right, through a site plan review, or by the conditional use process.

The *Homeless and Transient Shelter* use-type is currently prohibited in all districts, except the PLI, public lands and institutions district. The text amendment proposes to allow *Homeless and Transient Shelter* in the B-3, general business district, by conditional use, which is the same as the PLI district.

CODE LANGUAGE to be added is underlined. Language to be deleted is in [ALL CAPS IN BRACKETS].

Section 21.05.010E., Table 21.05-1: Table of Allowed Uses

* * *

TABLE 21.05.1: TABLE OF ALLOWED USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS																														
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All other uses not shown are prohibited.																														
	RESIDENTIAL															COMMERCIAL					INDUST.			OTHER					Definitions and Use-Specific Standards	
Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-3A	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2'	MI	AF	DR	PR	PLI		W
	Crematorium																			P			P	P					C	21.05.040C.3.
	Government administration and civic facility																	P/ S/ M	P/ S/ M	P/ S/ M	P/ S/ M	P/ S/ M	C		P/ S/ M			M	P/ S/ M	21.05.040C.4
	Homeless and transient shelter																				C								C	21.05.040C.5
	Neighborhood recreation center	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	P	P								S	21.05.040C.6
	Religious assembly	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P		P	P					P	21.05.040C.7.
	Social service facility						C	C	C	C								C	P	P	C								P	21.05.040C.8.

Section 21.05.040C.5. Use-specific Standards for *Homeless and Transient Shelter*

Currently, there are no use-specific standards for the use-type *Homeless and Transient Shelter*. The proposed amendment would create use-specific standards for this use-type. The use-specific standards would apply in every district where the use is allowed, which is currently the PLI district and proposed to also include the B-3 district.

The first use-specific standard requires *Homeless and Transient Shelters* under different conditional use permits to be separated by a minimum of 500 feet. This requirement would not prohibit a conditional use permit for a homeless shelter to be amended. An amendment must be approved through the conditional use process which is specified in Title 21. If approved, an amendment may allow a homeless shelter to expand on-site or to the neighboring property.

The second use-specific standard requires a *Homeless and Transient Shelter* to be located within one-quarter mile of a public transit route, unless alternative transportation is provided. PeopleMover has two commuter bus routes that provide point to point bus service and are not considered for this standard because they do not make frequent stops. They are Route 91 (Downtown to Eagle River) and Route 92 (Dimond to Huffman).

The third use-specific standard requires secure storage space for guests. This includes storage of personal belongings and bicycles.

1 **Section 21.05.040C.5., *Use-specific Standards***

2 * * *

3 **5. Homeless and Transient Shelter**

4 **a. *Definition***

5 A facility designed to provide minimum necessities of life, including
6 overnight accommodation, on a limited, short-term basis for individuals and
7 families during periods of dislocation or emergency pending formulation of
8 longer-term planning. Facility elements may include providing the physical
9 care required, including shelter, food, and necessary medical and clothing
10 needs, directly or by referral to appropriate agency; and planning for more
11 permanent housing and employment, including contact with community
12 resources.

13 **b. *Use-Specific Standards***

14 **i.** Homeless and transient shelters shall be located more than 500
15 feet from other homeless and transient shelters.

16 **ii.** Homeless and transient shelters shall be located within one-quarter
17 mile of a public transit route or have a plan to provide transportation
18 to guests. Commuter routes shall not be counted as public transit
19 routes for this standard.

20 **iii.** Secure storage for both personal belongings and bicycles shall be
21 provided on-site for guests.



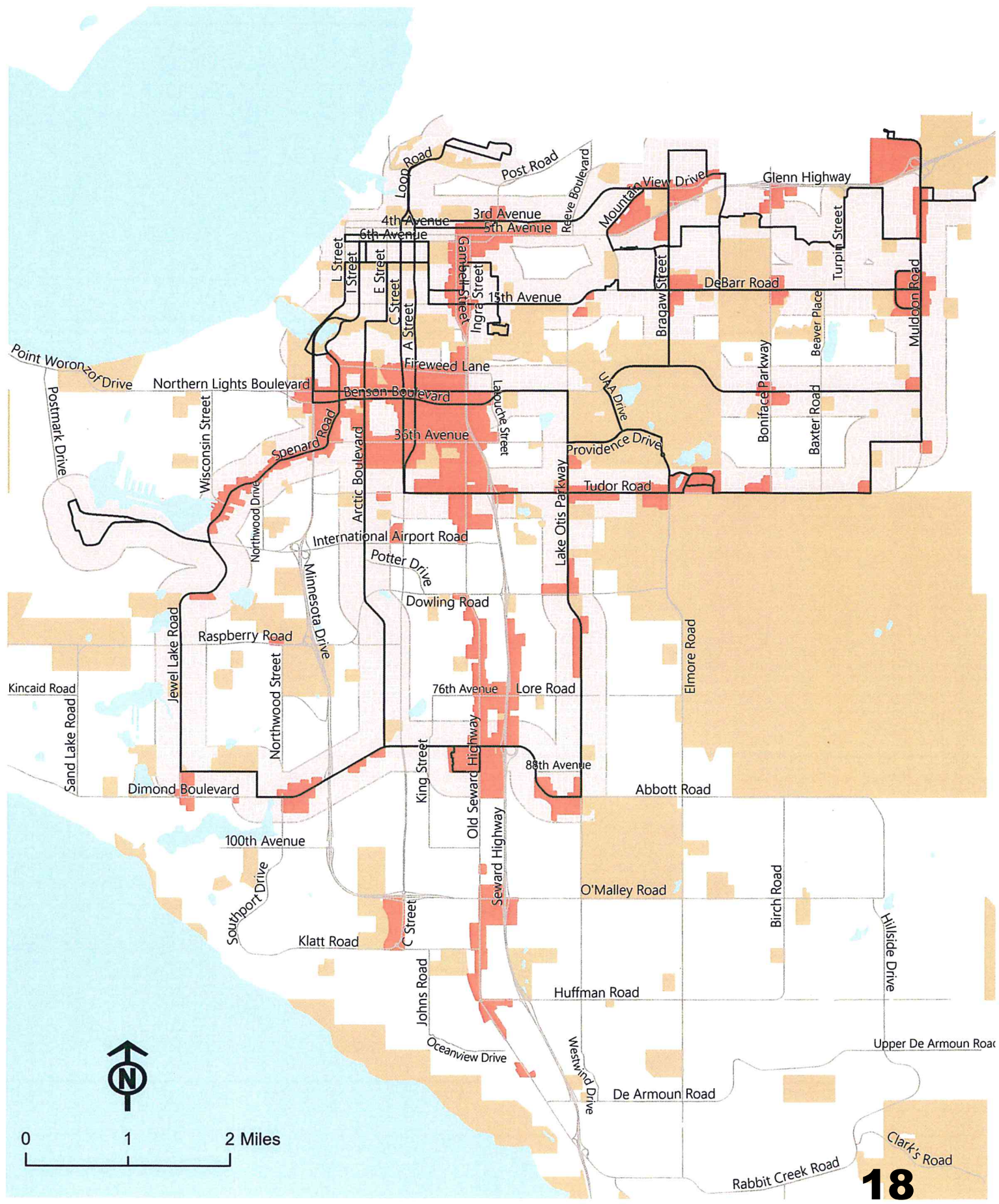
Planning Department
Current Planning Division
PO Box 196650
Anchorage, Alaska 99519-6650

www.muni.org/Planning

Map

Areas Zoned PLI and B-3 with Bus Route Buffers

- B-3 Zoning Districts
- PLI Zoning Districts
- Bus Routes



Public Outreach

FCC Alert

McLaughlin, Francis D.

From: Community Councils Center <info@communitycouncils.org>
Sent: Tuesday, November 24, 2020 3:01 PM
To: McLaughlin, Francis D.
Subject: FCC Alert - MOA - Community Discussion Draft Ordinance: Title 21 Proposed Changes for homeless and transient shelters



FCC Informational Alert

Community Discussion Draft Ordinance: Title 21 Proposed Changes

The Planning Department has prepared a community discussion draft of changes amending Anchorage Municipal Code Title 21 - Land Use Planning for homeless and transient shelters.

More information about the proposed change is provided on the [project page](#).

The proposed text amendments and explanation are [here](#).

The slide show presented to the FCC in November is available as a [pdf](#).

Questions?

Email: francis.mclaughlin@anchorageak.gov
Phone: 343-8003

This communication is being sent out by the Federation of Community Councils, Inc. on behalf of the Municipality of Anchorage. The contents of the communication are the responsibility of the Municipality of Anchorage, not of the Federation of Community Councils, Inc.

Community Councils Center
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Homeless and Transient Shelters: Title 21 Proposed Changes

How Can We Help You?

Most Popular

How Do I...?

Municipal Departments

November 19, 2020

The Municipality of Anchorage, Planning Department, has prepared a community discussion draft of changes amending Anchorage Municipal Code Title 21 - Land Use Planning for homeless and transient shelters. Homeless shelters are facilities designed to provide minimum necessities of life, including overnight accommodation, on a limited, short-term basis for individuals and families during periods of dislocation or emergency pending formulation of longer-term planning.

Conditional Use in the PLI and B-3 Zones

Under current Anchorage Municipal Code, homeless and transient shelters are only allowed within the Public Lands and Institutions (PLI) Zoning District as a conditional use. The limitation to one Zoning District makes it difficult to provide additional beds. In addition, much of the PLI land is designated for parks and institutions or is not located near public transit and other necessary services. The proposed Title 21 amendments would also allow homeless and transient shelters within the General Business (B-3) Zoning District as a conditional use. Conditional uses must meet criteria to obtain a permit prior to operating. The criteria for conditional uses include compatibility with uses on adjacent properties and mitigation for potential impacts of the use.

Use-Specific Standards

In addition, the amendment proposes new use-specific standards for all homeless and transient shelters to protect shelter guests. These use-specific standards are to be 500 feet from other homeless shelters, to provide storage space for personal belongings and bicycles, and to either be located within a quarter mile of a transit route or to provide an alternative mode of transportation.

Community Discussion Draft Ordinance

Below is a link to a pdf document showing proposed Title 21 Code amendments with annotation explaining the changes. After community discussion, the amendments will go before Commissions for a recommendation and then to the Assembly as an ordinance up for adoption.

[Community Discussion Draft Annotated Assembly Ordinance](#)

Slideshow Presentation

Planning Staff gave a presentation of the proposed amendments to the Federation of Community Councils (FCC) on November 18, 2020. The link below is a pdf copy of that presentation.

[Presentation to Federation of Community Councils, November 18, 2020](#)

Contact:

Francis McLaughlin
Current Planning Division
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francis.mclaughlin@anchorageak.gov

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Powerpoint Presentation

Homeless and Transient Shelters in B-3

AMENDING ANCHORAGE MUNICIPAL CODE TO ALLOW HOMELESS
AND TRANSIENT SHELTERS IN THE B-3 ZONING DISTRICT

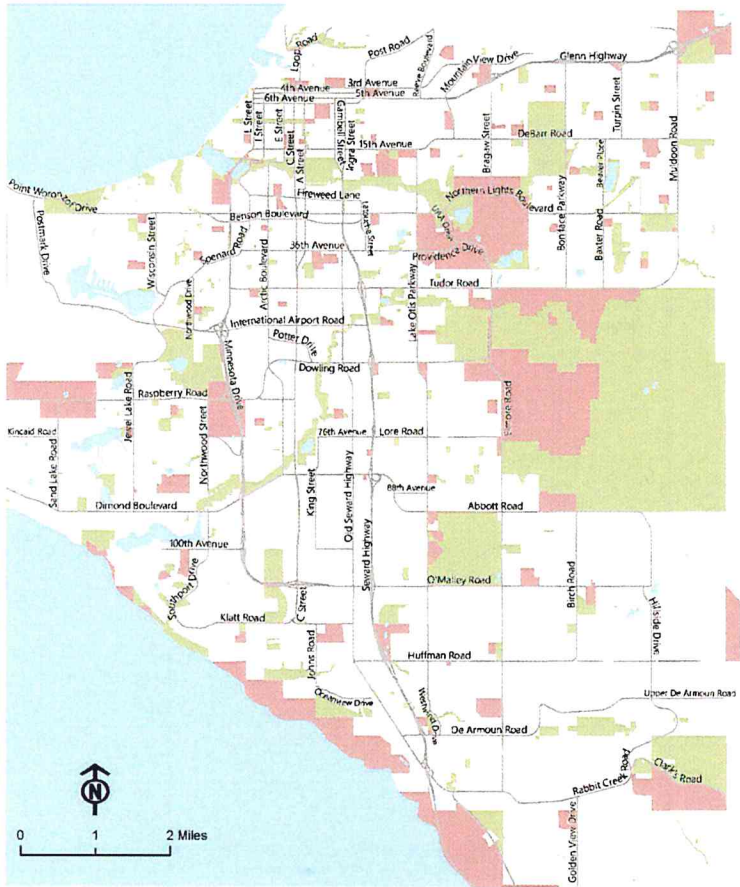
21.05.040.C.5: Homeless and Transient Shelter



A facility designed to provide minimum necessities of life, including overnight accommodation, on a limited, short-term basis for individuals and families during periods of dislocation or emergency pending formulation of longer-term planning.

Facility elements may include providing the physical care required, including shelter, food, and necessary medical and clothing needs, directly or by referral to appropriate agency; and planning for more permanent housing and employment, including contact with community resources.

 PLI Zoning Districts
 **Park Land**



- Homeless shelters currently are limited to one single zoning district (PLI), which makes it hard to provide additional beds.
 - Most PLI zoned land is dedicated or designated parkland or is developed with large institutions.
 - Most PLI zoned land is not located near necessary services such as transit.
- Allowing shelters in some business zoning districts is more compatible than residential or industrial zoning districts.
- Other communities across the country already allow or have expanded homeless shelters in business districts.

- Homeless shelters currently are limited to one single zoning district (PLI), which makes it hard to provide additional beds.
 - Most PLI zoned land is dedicated or designated parkland or is developed with large institutions.
 - Most PLI zoned land is not located near necessary services such as transit.
- Allowing shelters in some business zoning districts is more compatible than residential or industrial zoning districts.
- Other communities across the country already allow or have expanded homeless shelters in business districts.

Draft Text Amendment

WHAT THE DRAFT
TEXT AMENDMENT
LOOKS LIKE
TO MODIFY
HOMELESS AND
TRANSIENT SHELTERS
STANDARDS

Amend AMC 21.05.010, Table of Allowed Uses

Chapter 21.05: Use Regulations
Sec.21.05.010 Table of Allowed Uses

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS
P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review T = Special Land Use Permit for Marijuana
For uses allowed in the A, TA, and TR districts, see section 21.04.050.
All other uses not shown are prohibited.

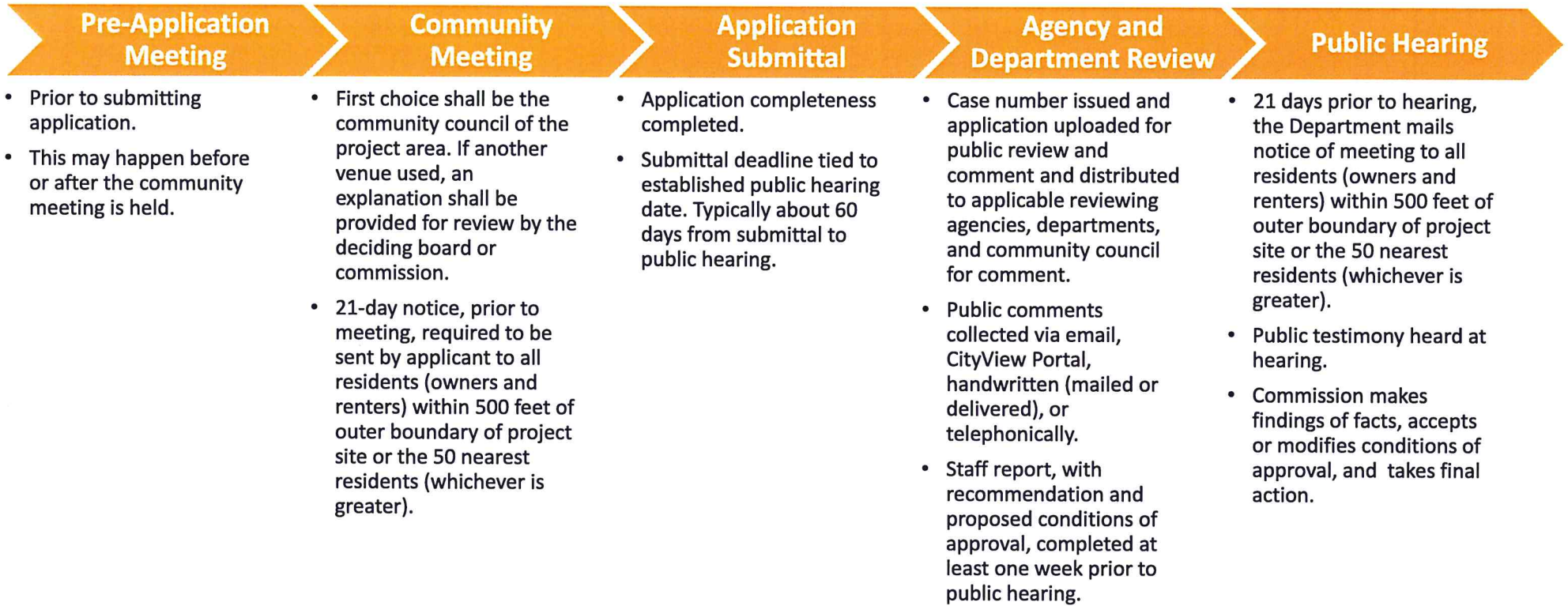
		RESIDENTIAL														COMMERCIAL					INDUST.			OTHER						
Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-3A	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	B-3C	MC	I-1	I-2'	MI	AF	DR	PR	PLI	W	Definitions and Use-Specific Standards
	Crematorium																		P			P	P					C		21.05.040C.3.
	Government administration and civic facility																P/ S/ M	P/ S/ M	P/ S/ M	P/ S/ M	P/ S/ M	C		P/ S/ M			M	P/ S/ M		21.05.040C.4
	Homeless and transient shelter																		IC									C		21.05.040C.5.
	Neighborhood recreation center	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P								S		21.05.040C.6.
	Religious assembly	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P		P	P				P		21.05.040C.7.
	Social service center						C	C	C	C								C	P	P	C								P	

Conditional Use Permit Approval Criteria

AMC 21.03.080D

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

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



Conditional Use Permit approval process

AMC 21.03.080

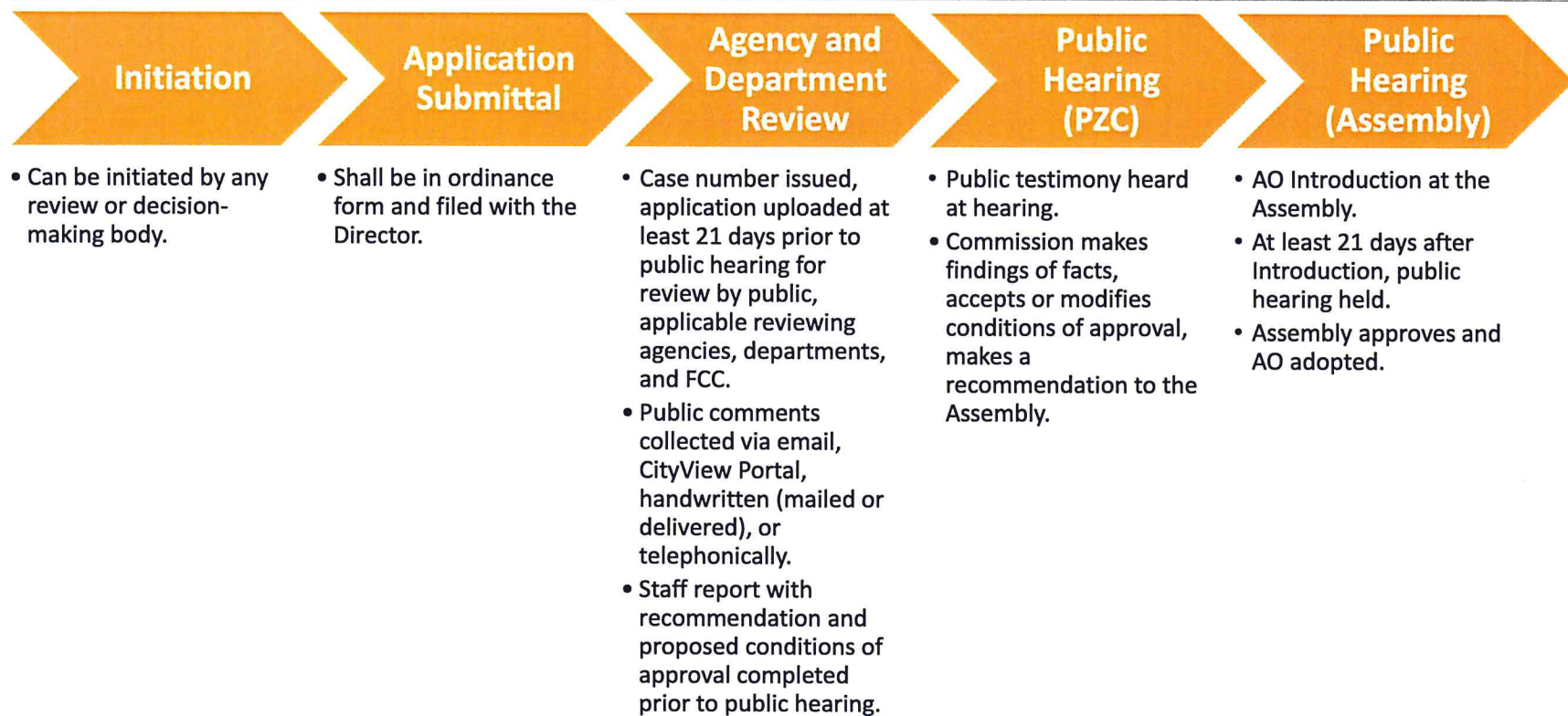
Amend 21.050.040, Community Uses: Definitions and Standards

- This text amendment would add use-specific standards requirement for homeless and transient shelters located in both the B-3 *and* PLI Districts.
- Proposed Use-Specific Standards: **support and protect users**
 - Maintain a 500-foot separation distance from other homeless and transient shelters;
 - Shall be located within 1/4 mile of a transit route unless an alternative mode of transportation for clients is provided. Commuter routes shall not be counted as public transit routes for this standard; and
 - Secure storage facilities for both personal belongings and bicycles shall be provided on-site for guests;

FOR HOMELESS
AND TRANSIENT
SHELTERS IN THE
B-3 DISTRICT AND
AMENDING USE
SPECIFIC
STANDARDS

The Title 21 Text Amendment Process

Title 21 – Text Amendments process





Next Steps

Project Schedule

Public Outreach – November 2020 through January 2021

- Kick-Off Meetings:
 - Downtown Community Council
 - Federation of Community Councils
 - Housing, Homelessness, and Neighborhood Development Commission
 - Housing Leadership Council
- Community Discussion Draft AO – available mid-November
- Attend any community council and business/community group requesting presentation
- Public Hearing Draft AO – January 2021

Planning and Zoning Commission Public Hearing – March 2021

- PZC makes recommendation to the Assembly

Assembly Public Hearing May/June 2021

- Assembly is final approving body



Contact Information

MOA Planning Department

Francis McLaughlin, Senior Planner

Francis.mclaughlin@anchorageak.gov

343-8003

Departmental and Public Comments



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Transportation and
Public Facilities

DIVISION of PROGRAM DEVELOPMENT and STATEWIDE PLANNING
Anchorage Field Office

4111 Aviation Avenue
P.O. Box 196900
Anchorage, AK 99519-6900
Main: 907.269.0520
Fax: 907.269.0521
dot.alaska.gov

February 10, 2021

RECEIVED

FEB 10 2021

David Whitfield, Current Planning Manager
MOA, Community Development Department
Planning Division
P.O. Box 196650
Anchorage, Alaska 99519-6650

RE: MOA Zoning Review

Dear Mr. Whitfield:

The Alaska Department of Transportation and Public Facilities (DOT&PF), Central Region Planning Field Office has no comments on the following zoning cases:

- **2021-0025: Text Amendments to AMC 21.05.010E, Table of Allowed Uses-Residential, Commercial, Industrial, and other Districts, and to AMC 21.05.040C.5 . . .**

The Alaska Department of Transportation and Public Facilities (DOT&PF), Central Region Planning Field Office has comments on the following zoning cases:

- **2021-0023: Request for Design Variance from AMC 21.10.050F.1 to allow natural resource extraction from the CE-R-10 (Low-Density Residential, Alpine/Slope) District in Areas where the slope is greater than ten percent (10%).**
 - No objections to the variance or the internal access road
 - Maintain existing stormwater drainage patterns

Comments that apply to all applications accessing DOT facilities:

*These comments may or may not be specifically listed in a comment for an application, but each still apply.

All properties accessing ADOT&PF roads must apply to Right-of-Way for a driveway permit, subject to provisions listed in 17 AAC 10.020. Any previously issued driveway permits become invalid once the property undergoes a platting action and must be reissued.

We recommend the petitioner verify all ADOT&PF road rights-of-way adjacent to their property and dedicate them. If there is an existing right-of-way, the petitioner is unable to develop that portion of the property yet continues to pay property taxes on it; dedicating will remove that cost to the petitioner.

If there are any questions regarding these comments, please feel free to contact me at (907) 269 – 0522 or shawn.gardner@alaska.gov.

Sincerely,

Shawn Gardner
Anchorage Area Planner, DOT&PF

Cc: Tucker Hurn, Right of Way Agent, Right of Way, DOT&PF
Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety and Utilities, DOT&PF
Jim Amundsen, P.E., Highway Design Group Chief, DOT&PF

"Keep Alaska Moving through service and infrastructure."

Blake, Lori A.

From: TCC President <tccpresident@yahoo.com>
Sent: Monday, February 8, 2021 5:00 PM
To: Kimmel, Corliss A.; Blake, Lori A.
Cc: Stewart, Gloria I.; Cathy Gleason; Pam Wright; Jackie Armstrong; Perez-Verdia, Kameron; Pat Redmond; Sanford Rabinowitch; Brawley, Anna; Sara Haley; Jon and Marnie Isaacs; Jonathan Galin; Melisa Babb; dan.gleason@hotmail.com; Mayor Quinn-Davidson
Subject: P&ZC Case No: 202109925-Code Amendments to B-3 RE: Homeless & Transient Shelter

2021-0025

[EXTERNAL EMAIL]

Ms. Kimmel and Ms. Blake,

Thank you for the opportunity to provide comments on the proposal to amend:

- **Municipality of Anchorage Code 21.05.010E (Table of Allowed Uses), and**
- **AMC 21.05.040C.5 Use-Specific Standards**, to allow the use-type "Homeless and Transient Shelter" in the B-3 (General Business) District, as a Conditional Use and to create Use Specific Standards.

Members of the Turnagain Community Council (TCC) Land Use Committee as well as the TCC Board have reviewed the above referenced AMC amendments and submits the following comments (these comments will be on the TCC March 4th general membership meeting agenda for ratification consideration):

TCC recognizes that currently limiting Homeless and Transient Shelters to PLI-Zoned properties has provided challenges in finding additional locations within the Municipality to serve an increasing number of people in need of shelter beds.

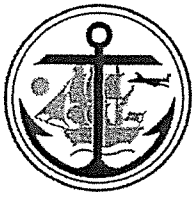
Therefore, TCC supports the proposed Title 21 Code changes referenced above that would allow homeless and transient shelters to be allowed — with a Conditional Use Permit — in the B-3 Zoning District.

It is important that a Conditional Use Permit is required for any homeless or transient shelter proposal in B-3-Zoned property, so that community councils receive notice of a Planning & Zoning Commission public hearing and can provide comments and recommendations on the proposal before approved. This important step allows for a Conditional Use Permit to include requirements to address things like facility hours of operation, access, security, buffering, parking, trash, or other potential impacts resulting from the facility location/operations.

Please don't hesitate to contact me if you have any questions or need clarification of the above comments.

Sincerely,

Cathy L Gleason
Turnagain Community Council Acting President
248-0442
tccpresident@yahoo.com
cathy.gleasantcc@yahoo.com



MEMORANDUM

RECEIVED

DATE: January 26, 2021

TO: Current Planning Division Supervisor.
Planning Department

THRU: Kristen A. Langley, Traffic Safety Section Supervisor,
Traffic Engineering Department

FROM: Randy Ribble, Assistant Traffic Engineer

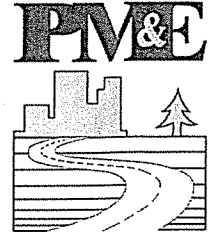
SUBJECT: 2021-0025 Text Amendment to AMC 21.05.010 E. Allow Homeless and Transient Shelters as conditional use in B-3 District.

FEB 02 2021

Traffic Engineering has no comments or objections on this proposed text amendment to AMC Title 21. Amendment does not impact parking or access requirements for this use.



Municipality of Anchorage
Project Management and Engineering
MEMORANDUM



DATE: February 1, 2021

RECEIVED

To: Dave Whitfield

FEB 01 2021

FROM: Kyle Cunningham

SUBJECT: Cases 2021-0025: Comments from Watershed Management Services.

Watershed Management Services (WMS) has the following comments for the March 1st, 2021 Planning and Zoning Commission hearing:

- 2021-0025 – Text Amendments to AMC 21.05.010E., Table of Allowed Uses- Residential, Commercial, Industrial, and other Districts, and to AMC 21.05.040C.5., Use-Specific Standards, to allow the use-type “Homeless and Transient Shelter” in the B-3 (General Business) District, as a Conditional Use and to create Use Specific Standards.
 - WMS has no comments on or objections to this request.

Kimmel, Corliss A.

From: Wilson, Karleen K.
Sent: Wednesday, January 27, 2021 3:00 PM
To: Kimmel, Corliss A.; Blake, Lori A.
Subject: FW: 2021-0025 Request for Reviewing Agency Comments
Attachments: 2021-0025 Routing Cover Sheet.pdf

No comments from Addressing.

Regards,

Karleen Wilson
Addressing Official
907.343.8168 (desk)
907.343.8466 (shared Addressing)
[Official Address Map](#)

From: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>
Sent: Tuesday, January 19, 2021 4:11 PM
Cc: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>; McLaughlin, Francis D. <francis.mclaughlin@anchorageak.gov>
Subject: 2021-0025 Request for Reviewing Agency Comments

Hello All. Attached please find our Routing Cover Sheet for the above referenced Text Amendment (2021-0025 Homeless & Transient Shelter) scheduled as a Public Hearing before the Planning and Zoning Commission on 03/01/2021. You can view the routing material by clicking on the link below, scrolling to bottom page and selecting 2021-0025 Reviewing Agency Routing. **PLEASE REMIT COMMENTS EITHER BY MAIL OR EMAIL AS FOLLOWS:** by email to Corliss Kimmel & Lori Blake (corliss.kimmel@anchorageak.gov & lori.blake@anchorageak.gov) or by USPS to the address listed in the upper right hand corner of the Routing Cover Sheet.

<http://www.muni.org/CityViewPortal/Planning/Status?planningId=17303>

Gloria Stewart
Sr. Planning Technician
Current Planning Section
Municipality of Anchorage
Phone: 343-7934 Fax: 343-7927
gloria.stewart@anchorageak.gov

MEMORANDUM

DATE: January 21, 2021

TO: Dave Whitfield, Planning Manager, Planning Section, Planning Division

FROM: Paul Hatcher, Engineering Technician III, Planning Section, AWWU

RE: Zoning Case Comments

Hearing date: March 1, 2021

Agency Comments due: February 1, 2021

RECEIVED

JAN 22 2021

AWWU has reviewed the materials and has the following comments.

2021-0025 TITLE 21, Text Amendments to AMC 21.05.010E., Table of Allowed Uses- Residential, Commercial, Industrial, and other Districts, and to AMC 21.05.040C.5., Use Specific Standards, to allow the use-type "Homeless and Transient Shelter" in the B-3 (General Business) District, as a Conditional Use and to create Use Specific Standards, Grid N/A

1. AWWU has no objection to this AMC amendment.

If you have any questions pertaining to public water or sewer, please call 564-2721 or send an e-mail to paul.hatcher@awwu.biz



Kimmel, Corliss A.

From: McGee, Lynn M.
Sent: Wednesday, January 20, 2021 7:36 AM
To: Stewart, Gloria I.; Blake, Lori A.; Kimmel, Corliss A.
Cc: McLaughlin, Francis D.
Subject: RE: 2021-0025 Request for Reviewing Agency Comments

RECEIVED

Gloria:

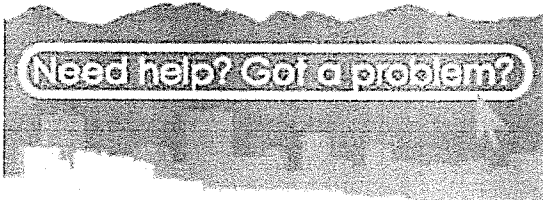
JAN 20 2021

ROW has no comments on this proposed action.

Regards,

Lynn McGee
Senior Plan Reviewer
Right of Way Section
lynn.mcgee@anchorageak.gov
Office: 343-8226
Fax: 249-7340

#ANCWORKS!
An online tool for Anchorage



From: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>
Sent: Tuesday, January 19, 2021 4:11 PM
Cc: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>; McLaughlin, Francis D. <francis.mclaughlin@anchorageak.gov>
Subject: 2021-0025 Request for Reviewing Agency Comments

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<http://www.muni.org/CityViewPortal/Planning/Status?planningId=17303>

Gloria Stewart
Sr. Planning Technician
Current Planning Section
Municipality of Anchorage
Phone: 343-7934 Fax: 343-7927
gloria.stewart@anchorageak.gov

Kimmel, Corliss A.

From: Fisher, Timothy W (DPS) <timothy.fisher@alaska.gov>
Sent: Wednesday, January 20, 2021 11:11 AM
To: Kimmel, Corliss A.
Cc: Blake, Lori A.
Subject: FW: 2021-0025 Request for Reviewing Agency Comments
Attachments: 2021-0025 Routing Cover Sheet.pdf

RECEIVED

[EXTERNAL EMAIL]

JAN 20 2021

Hello Corliss and Lori;

The Alaska State Fire Marshals Office, Plan Review Bureau thank you for allowing comment.

We don't have any issues with this item.

Let me know if you have any questions.

Take care;

Tim

Plans Examiner II
www.akburny.com ,
Plan Review Bureau
SOA, DPS, DFLS

From: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>
Sent: Tuesday, January 19, 2021 4:11 PM
Cc: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>; McLaughlin, Francis D. <francis.mclaughlin@anchorageak.gov>
Subject: 2021-0025 Request for Reviewing Agency Comments

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Gloria Stewart
Sr. Planning Technician
Current Planning Section
Municipality of Anchorage
Phone: 343-7934 Fax: 343-7927
gloria.stewart@anchorageak.gov

Blake, Lori A.

From: TCC President <tccpresident@yahoo.com>
Sent: Monday, February 8, 2021 5:00 PM
To: Kimmel, Corliss A.; Blake, Lori A.
Cc: Stewart, Gloria I.; Cathy Gleason; Pam Wright; Jackie Armstrong; Perez-Verdia, Kameron; Pat Redmond; Sanford Rabinowitch; Brawley, Anna; Sara Haley; Jon and Marnie Isaacs; Jonathan Galin; Melisa Babb; dan.gleason@hotmail.com; Mayor Quinn-Davidson
Subject: P&ZC Case No: 202109925-Code Amendments to B-3 RE: Homeless & Transient Shelter

2021-0025

[EXTERNAL EMAIL]

Ms. Kimmel and Ms. Blake,

Thank you for the opportunity to provide comments on the proposal to amend:

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- **AMC 21.05.040C.5 Use-Specific Standards**, to allow the use-type "Homeless and Transient Shelter" in the B-3 (General Business) District, as a Conditional Use and to create Use Specific Standards.

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Please don't hesitate to contact me if you have any questions or need clarification of the above comments.

Sincerely,

Cathy L Gleason
Turnagain Community Council Acting President
248-0442
tccpresident@yahoo.com
cathy.gleasontcc@yahoo.com

Appleby, Elizabeth I.

From: Olivia Cohn <olivia.cohn@gmail.com>
Sent: Monday, February 1, 2021 4:13 PM
To: Appleby, Elizabeth I.
Subject: Support for Proposed Title 21 Changes

[EXTERNAL EMAIL]

Dear Liz:

I would like to voice my support for the proposed Title 21 amendments to: allow homeless and transient shelters within the General Business (B-3) Zoning District as a conditional use and to provide the additional protections for people experiencing homelessness in Anchorage.

I would like to see the community provide better services for those experiencing homelessness in our community with compassion and with care. Thank you for the work that you are doing.

Sincerely,
Olivia Cohn

--
Olivia M. Cohn
E: olivia.cohn@gmail.com

Kimmel, Corliss A.

From: Ron Alleva <ronalleva@yahoo.com>
Sent: Friday, January 22, 2021 4:39 PM
To: Kimmel, Corliss A.
Subject: Zoning change homeless shelter

[EXTERNAL EMAIL]

Don't do it! Without safeguards