AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
ANCHORAGE MUNICIPAL CODE TABLE 21.05-1: TABLE OF ALLOWED USES,
TO ALLOW HOMELESS AND TRANSIENT SHELTERS IN THE B3 ZONING
DISTRICT BY CONDITIONAL USE; AND WAIVING PLANNING AND ZONING
COMMISSION REVIEW.

WHEREAS, Anchorage has for many years had insufficient overnight and daytime
facilities for the number of homeless residents causing overloading at the existing
facilities and leading to a large number of campers in our parks and other public
spaces;

WHEREAS, the current public health protections required in response to the
COVID-19 emergency highlighted Anchorage’s gross deficiency in its ability to
provide mass shelter; and

WHEREAS, the emergency shelters opened at the Sullivan and Boeke Arenas to
fill an immediate need during the COVID-19 emergency must be closed soon to
allow the buildings to return to their intended purposes;

WHEREAS, the need to find a replacement for the Sullivan arena overflow shelter
is immediate and warrants expedited actions to secure additional locations for
homeless and transient shelter;

WHEREAS, current Anchorage Municipal Code only allows for Homeless and
Transient Shelter Facilities in the Public Lands and Institution (PLI) zoning district,
subject to a conditional use permit;

WHEREAS, as the availability of PLI zoned property is limited within the Anchorage
Bowl more options are necessary for siting Homeless and Transient Shelter
Facilities in the Municipality;

WHEREAS, changes to Title 21 typically begin at the Planning and Zoning
Commission and then go to the Assembly, a schedule that would significantly
delay or disrupt the establishment of a new shelter intended to remain in operation
beyond the time period of the present COVID-19 emergency;

WHEREAS, this adjustment to the text is necessary in light of changed conditions,
changes in public policy, and is necessary to advance the general welfare of the
municipality;

WHEREAS, this ordinance would allow Homeless and Transient Shelters in more
than one zoning district; now, therefore,
THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code subsection 21.05.010E, Table 21.05-1, Table of Allowed Uses - Residential, Commercial, Industrial, and Other Districts, is hereby amended to read as follows (the remainder of the table is not affected and therefore not set out):

21.05.010 Table of Allowed Uses

Table 21.05-1
Table of Allowed Uses – Residential, Commercial, Industrial, and Other Districts

<table>
<thead>
<tr>
<th>Use Category</th>
<th>*** *** ***</th>
<th>COMMERCIAL</th>
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</thead>
<tbody>
<tr>
<td>Use Type</td>
<td>B-1A</td>
<td>B-1B</td>
</tr>
<tr>
<td>B3</td>
<td>RO</td>
<td>MC</td>
</tr>
<tr>
<td>Community Uses</td>
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<td></td>
</tr>
<tr>
<td>Cemetery or mausoleum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Center</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Crematorium</td>
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<td>P</td>
</tr>
<tr>
<td>Government administration</td>
<td>P/S/M</td>
<td>P/S/M</td>
</tr>
<tr>
<td>and civic facility</td>
<td>P/S/M</td>
<td>P/S/M</td>
</tr>
<tr>
<td>Homeless and transient shelter</td>
<td>C</td>
<td></td>
</tr>
</tbody>
</table>

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2013-139, § 1, 1-28-14; AO No. 2014-58, § 2(Att. A), 5-20-14; AO No. 2015-133(S), § 3(Exh. A), 2-23-16; AO No. 2015-142(S-1), § 3(Exh. B), 6-21-16; AO No. 2016-3(S), §§ 6, 7, 2-23-16; AO No. 2016-131, § 1, 11-15-16; AO No. 2016-136am, § 2, 11-15-16; AO No. 2016-156, § 1, 12-20-16; AO No. 2017-10, § 1, 1-24-17; AO No. 2017-57, § 1, 4-11-17; AO No. 2017-74, § 1, 5-23-17; AO No. 2017-176, § 4, 1-9-18; AO No. 2017-175(S), § 3(Exh. A), 2-13-18)

Section 2. Notwithstanding Anchorage Municipal Code 21.03.210B.4.a., this ordinance shall not require review by the Planning and Zoning Commission.

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

PASSED AND APPROVED by the Anchorage Assembly this _______ day of ______________, 2020.
ATTEST:

Chair

Municipal Clerk
MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
No. AM 315-2020

Meeting Date: June 2, 2020

From: ASSEMBLY MEMBERS WEDDLETON AND ZALETEL; MAYOR

Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TABLE 21.05-1: TABLE OF ALLOWED USES, TO ALLOW HOMELESS AND TRANSIENT SHELTERS IN THE B3 ZONING DISTRICT BY CONDITIONAL USE; AND WAIVING PLANNING AND ZONING COMMISSION REVIEW.

This ordinance would amend the allowed uses in Anchorage Municipal Code Title 21 to allow homeless and transient shelter facilities in the B-3 zoning district by conditional use permit.

Currently, Homeless and Transient Shelter Facilities are allowed only in the Public Lands and Institution (PLI) zoning district subject to approval of a conditional use permit. However, the availability of PLI zoned property is limited within the Anchorage Bowl and continues to shrink as other necessary public facilities are developed. The majority of the PLI zoned properties in Anchorage are owned by public entities; very few are owned by private or non-profit entities. This creates an issue as the community pursues planning for smaller shelters and engagement centers in several locations throughout Anchorage to serve this population. Additionally, as most PLI zoned properties are undeveloped or developed with public institutions, there is virtually no opportunity to take advantage of existing infrastructure that could be renovated to accommodate homeless or transient facilities.

Many other cities allow shelter facilities in various zoning districts including residential, business, and industrial zoning districts, and very few, if any restrict this use to only one zoning district. Most, if not all jurisdictions, require that specific design and/or operation requirements be met or approval of a land use entitlement such as our conditional use permit.

In Anchorage, industrial uses are limited to industrial zoned land and we work hard to protect and preserve industrial zoned lands for true industrial uses. Equally, we have a residential unit shortage and need to protect residential zoned lands for permanent residential uses. The B-3 zoning district is the most flexible zoning and allows a variety of uses, making it ideal for inclusion as a zoning district where homeless and transient shelters could be located by conditional use permit.

In addition, the current COVID-19 situation has highlighted how grossly deficient
Anchorage is in its capability to provide mass shelter and has permanently altered the landscape for homeless sheltering. Now, more than ever, it is imperative that we Anchorage provide more options for locating these critical social services, which can only happen by allowing Homeless and Transient Shelters in more than one zoning district.

This ordinance has no private sector economic effects and local government effects are less than $30,000. Pursuant to AMC 2.30.053B.1., a summary of economic effects is not required.

The Administration supports approval, and we request your support.

Prepared by: Department of Law

Respectfully submitted: John Weddleton, Assembly Member
District 6, South Anchorage

Meg Zaletel, Assembly Member
District 4, Midtown