

Submitted by: Assembly Chair Flynn
Assembly Member Coffey
Prepared by: Regulations and Education
Group, subset of
Homelessness Leadership
Team Work Groups
For reading: January 12, 2010

Anchorage, Alaska
AO 2010-3

**AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS
21.35 AND 21.40 TO ALLOW SEVERE ALCOHOL DEPENDENT HOUSING,
AMENDING 21.45.080 TO ADD PARKING REQUIREMENTS FOR SEVERE
ALCOHOL DEPENDENT HOUSING, AND ADDING A NEW SECTION 21.50.510
PROVIDING CONDITIONAL USE STANDARDS FOR SEVERE ALCOHOL
DEPENDENT HOUSING.**

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 21.35.020B. is hereby amended to read as follows (*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:

*** *** ***

Severe alcohol dependent housing means a facility that provides housing twenty-four (24) hours per day, other than on a temporary basis, to persons who are severely alcohol dependent. Persons under the jurisdiction of the courts may reside in an severe alcohol dependent housing facility. It does not include any facility which is a correctional community residential center, residential care facility, or habilitative care facility. The facility may provide services accessory to the housing such as an on-site resident manager responsible for safety monitoring, property maintenance and monitoring, and house rules management, as well as residential support staff tasked to provide assistance with daily/independent living skills training and to provide referrals for services such as mental health, rehabilitation, medical, and other similar services. Food service, laundry,

community recreation room, and other such residential-related services and facilities may be provided on-site to residents of the facility only. Group rehabilitation may not be provided within the facility as a primary use, but may be provided on an occasional basis, only to residents of the facility, if it is not a requirement of residing in the facility. Case management may occur on an individual basis in a community room or private dwelling unit or sleeping room.

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(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; AO No. 2005-9, § 1, 3-1-05; AO No. 2005-150(S-1), § 1, 2-28-06; AO No. 2005-185(S), § 1, 2-28-06; AO No. 2005-124(S-1A), § 4, 4-18-06; AO No. 2006-121, § 1, 9-26-06; AO No. 2006-64(S-1), § 1, 12-12-06; AO No. 2007-62, § 1, 5-15-07; AO No. 2008-80, § 1, 9-16-08)

Section 2. 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.**

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

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23. **Severe alcohol dependent housing.**

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1 (GAAB 21.05.050.A; AO No. 77-355; AO No. 79-25; AO No. 81-67(S); AO No. 81-
 2 178(S); AO No. 82-24; AO No. 83-78; AO No. 84-34; AO No. 85-18; AO No. 85-28;
 3 AO No. 85-78; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 86-19; AO No. 86-90;
 4 AO No. 88-7(S), 7-4-88; AO No. 90-152(S); AO No. 92-93; AO No. 93-148, § 3, 11-
 5 16-93; AO No. 95-68(S-1), § 4, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No.
 6 99-62, § 3, 5-11-99; AO No. 99-131, § 6, 10-26-99; AO No. 99-149, § 1, 12-14-99;
 7 AO No. 2002-109, § 3, 9-12-02; AO No. 2003-132, § 2, 10-7-03; AO No. 2005-9, §
 8 2, 3-1-05; AO No. 2005-42(S), § 1, 5-31-05; AO No. 2005-150(S-1), § 2, 2-28-06;
 9 AO No. 2005-185(S), § 2, 2-28-06; AO No. 2005-124(S-1A), § 5, 4-18-06; AO No.
 10 2006-64(S-1), §§ 2, 3, 12-12-06; AO No. 2007-141(S), § 1, 12-11-07; AO No. 2008-
 11 80, § 2, 9-16-08; AO No. 2009-22, § 2, 4-14-09)

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 13 **Section 3.** Anchorage Municipal Code section 21.40.130 is hereby amended to
 14 read as follows (*the remainder of the section is not affected and therefore is not set*
 15 *out*):

16
 17 **21.40.130 R-O Residential-office district.**

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

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25 **11. Severe alcohol dependent housing.**

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28 (GAAB 21.05.050.I; AO No. 77-219; AO No. 77-355; AO No. 78-199; AO No. 80-57;
 29 AO No. 81-67(S); AO No. 83-226; AO No. 85-18; AO No. 85-23; AO No. 85-69; AO
 30 No. 85-91, 10-1-85; AO No. 86-90; AO No. 86-171; AO No. 88-171(S-1), 12-31-88;
 31 AO No. 88-147(S-2); AO No. 91-97; AO No. 92-114; AO No. 96-131(S), § 3, 10-22-
 32 96; AO No. 99-62, § 16, 5-11-99; AO No. 2003-124(S), § 3, 1-20-04; AO No. 2005-
 33 175, § 13, 1-10-06; AO No. 2005-178, § 14, 1-24-06; AO No. 2005-185(S), § 15, 2-
 34 28-06; AO No. 2005-124(S-1A), § 18, 4-18-06; AO No. 2006-64(S-1), §§ 2, 3, 12-
 35 12-06; AO No. 2007-121(S-1), § 2, 10-23-07; AO No. 2009-22, § 5, 4-14-09; AO No.
 36 2009-23, § 1, 4-14-09)

37
 38 **Section 4.** Anchorage Municipal Code section 21.40.150 is hereby amended to
 39 read as follows (*the remainder of the section is not affected and therefore is not set*
 40 *out*):

41
 42 **21.40.150 B-2A Central business district core.**

43
 44 *** **

1 D. Conditional uses. [SUBJECT TO THE REQUIREMENTS OF THE
 2 CONDITIONAL USE AND SITE PLAN STANDARDS AND
 3 PROCEDURES OF THIS TITLE, AND TO THE USE'S CONFORMITY
 4 TO THE CBD COMPREHENSIVE DEVELOPMENT PLAN, THE
 5 FOLLOWING USES MAY BE PERMITTED] Subject to the requirements
 6 of the conditional use standards and procedures of this title, the
 7 following uses may be permitted:

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 9 *** **

10 17. Severe alcohol dependent housing.

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 12 *** **

13 (GAAB 21.05.050.W; AO No. 77-20; AO No. 77-355; AO No. 80-57; AO No. 81-
 14 67(S); AO No. 81-72; AO No. 82-49; AO No. 85-173, 3-17-86; AO No. 85-91, 10-1-
 15 85; AO No. 86-90; AO No. 87-62; AO No. 87-148; AO No. 88-171(S-1), 12-31-88;
 16 AO No. 88-147(S-2); AO No. 90-124; AO No. 91-1; AO No. 91-39; AO No. 91-144;
 17 AO No. 92-57; AO No. 95-68(S-1), § 6, 8-8-95; AO No. 98-160, § 4, 12-8-98; AO
 18 No. 98-188, §§ 1--3, 1-12-99; AO No. 99-62, § 19, 5-11-99; AO No. 99-131, § 7, 10-
 19 26-99; AO No. 2001-80, § 3, 5-8-01; AO No. 2005-185(S), § 18, 2-28-06; AO No.
 20 2005-124(S-1A), § 21, 4-18-06; AO No. 2006-49, § 1, 5-16-06; AO No. 2006-64(S-
 21 1), §§ 2, 3, 12-12-06; AO No. 2007-121(S-1), § 5, 10-23-07; AO No. 2008-35(S), §
 22 1, 3-18-08)

23
 24 **Section 5.** Anchorage Municipal Code section 21.40.160 is hereby amended to
 25 read as follows *(the remainder of the section is not affected and therefore is not set*
 26 *out)*:

27
 28 **21.40.160 B-2B Central business district, intermediate.**

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31 D. Conditional uses. Subject to the requirements of the conditional use
 32 [AND SITE PLAN] standards and procedures of this title, the following
 33 uses may be permitted:

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 35 *** **

36 17. Severe alcohol dependent housing

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39 (GAAB 21.05.050.Y; AO No. 77-20; AO No. 77-355; AO No. 80-57; AO No. 81-
 40 67(S); AO No. 81-72; AO No. 82-49; AO No. 85-173, 3-17-86; AO No. 85-91, 10-1-
 41 85; AO No. 86-90; AO No. 87-62; AO No. 88-171(S-1), 12-31-88; AO No. 88-147(S-
 42 2); AO No. 90-124; AO No. 91-1; AO No. 91-39; AO No. 91-144; AO No. 92-57; AO
 43 No. 95-68(S-1), § 7, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 98-160, § 5,
 44 12-8-98; AO No. 98-188, §§ 4--6, 1-12-99; AO No. 99-62, § 20, 5-11-99; AO No. 99-
 45 131, § 8, 10-26-99; AO No. 99-149, § 2, 12-14-99; AO No. 2001-80, § 4, 5-8-01; AO

No. 2005-185(S), § 19, 2-28-06; AO No. 2005-124(S-1A), § 22, 4-18-06; AO No. 2006-49, § 2, 5-16-06; AO No. 2006-64(S-1), §§ 2, 3, 12-12-06; AO No. 2007-121(S-1), § 6, 10-23-07; AO No. 2008-35(S), § 2, 3-18-08; AO No. 2009-22, § 8, 4-14-09)

Section 6. 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.

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D. Conditional uses. Subject to the requirements of the conditional use [AND SITE PLAN] standards and procedures of this title, the following uses may be permitted:

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21. Severe alcohol dependent housing.

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(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; AO No. 2005-185(S), § 20, 2-28-06; AO No. 2005-124(S-1A), § 23, 4-18-06; AO No. 2006-49, § 3, 5-16-06; AO No. 2006-64(S-1), §§ 2, 3, 12-12-06; AO No. 2007-121(S-1), § 7, 10-23-07; AO No. 2008-35(S), § 3, 3-18-08; AO No. 2009-22, § 9, 4-14-09)

Section 7. 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.

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

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14. Severe alcohol dependent housing.

1 *** *** ***
 2 (GAAB 21.05.050.M; AO No. 77-355; AO No. 78-28; AO No. 80-57; AO No. 80-132;
 3 AO No. 81-67(S); AO No. 83-209; AO No. 85-18; AO No. 85-91, 10-1-85; AO No.
 4 85-173, 3-17-86; AO No. 86-90; AO No. 86-182; AO No. 87-32; AO No. 87-62; AO
 5 No. 88-171(S-1), 12-31-88; AO No. 88-147(S-2); AO No. 92-26; AO No. 92-114; AO
 6 No. 95-68(S-1), § 9, 8-8-95; AO No. 96-107, § 1, 7-30-96; AO No. 96-131(S), § 3,
 7 10-22-96; AO No. 98-160, § 7, 12-8-98; AO No. 99-62, § 22, 5-11-99; AO No. 2001-
 8 80, § 6, 5-8-01; AO. No. 2004-108(S), § 3, 10-26-04; AO No. 2005-185(S), § 21, 2-
 9 28-06; AO No. 2005-124(S-1A), § 24, 4-18-06; AO No. 2006-64(S-1), §§ 2, 3, 12-
 10 12-06; AO No. 2007-7, § 1, 5-1-07; AO No. 2007-121(S-1), § 7, 10-23-07; AO No.
 11 2007-156, § 1, 12-11-07; AO No. 2009-22, § 10, 4-14-09)

12
 13 **Section 8.** Anchorage Municipal Code section 21.40.200 is hereby amended to
 14 read as follows (*the remainder of the section is not affected and therefore is not set*
 15 *out*):

16
 17 **21.40.200 I-1 Light industrial district.**

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 19 *** *** ***
 20 D. Conditional uses. Subject to the requirements of the conditional use
 21 standards and procedures of this title, the following uses may be
 22 permitted:
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24 *** *** ***
 25 **17. Severe alcohol dependent housing.**

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 27 *** *** ***
 28 (GAAB 21.05.050.O; AO No. 77-355; AO No. 79-95; AO No. 81-67(S); AO No. 82-
 29 105; AO No. 84-57; AO No. 85-91, 10-1-85; AO No. 85-95; AO No. 86-50; AO No.
 30 86-90; AO No. 87-32; AO No. 88-147(S-2); AO No. 90-50(S); AO No. 92-114; AO
 31 No. 95-68(S-1), § 11, 8-8-95; AO No. 95-76, § 1, 4-4-95; AO No. 95-194, § 1, 1-2-
 32 96; AO No. 98-160, § 9, 12-8-98; AO No. 98-173, § 5, 11-3-98; AO No. 99-62, § 24,
 33 5-11-99; AO No. 2001-80, § 8, 5-8-01; AO No. 2004-5, § 1, 1-20-04; AO. No. 2004-
 34 108(S), § 5, 10-26-04; AO No. 2004-178(am), § 1, 1-25-05; AO No. 2005-9, § 3, 3-
 35 1-05; AO No. 2005-185(S), § 23, 2-28-06; AO No. 2006-64(S-1), §§ 2, 3, 12-12-06;
 36 AO No. 2007-121(S-1), § 10, 10-23-07))

37
 38 **Section 9.** Anchorage Municipal Code section 21.45.080 is hereby amended to
 39 read as follows (*the remainder of the section is not affected and therefore is not set*
 40 *out*):

41
 42 **21.45.080 Off-street parking requirements.**

43 *** *** ***
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1 BB. Severe alcohol dependent housing. One parking space is required for
 2 every four rooms. If no rooms are provided, one parking space shall
 3 be provided for every four beds.

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6 (GAAB 21.05.060.G; AO No. 77-355; AO No. 78-118; AO No. 81-106; AO No. 81-
 7 178(S); AO No. 82-69; AO No. 84-90; AO No. 84-117(S); AO No. 85-91, 10-1-85;
 8 AO No. 87-31, 7-18-87; AO No. 89-30; AO No. 90-152(S); AO No. 93-172, § 1, 11-
 9 16-93; AO No. 96-68, § 1, 5-28-96; AO No. 99-131, § 12, 10-26-99; AO. No. 2004-
 10 108(S), § 6, 10-26-04; AO No. 2005-9, § 4, 3-1-05; AO No. 2005-185(S), § 28, 2-28-
 11 06; AO No. 2005-124(S-1A), § 29, 4-18-06; AO No. 2006-87(S-1), § 1, 1-9-07; AO
 12 No. 2009-22, § 11, 4-14-09)

13
 14 **Section 10.** Anchorage Municipal Code chapter 21.50 is hereby amended to add a
 15 new section to read as follows:

16
 17 **21.50.510 Conditional use standards - Severe alcohol dependent**
 18 **housing.**

19
 20 A. Unless waived or reduced by the Planning and Zoning Commission, the
 21 lot line for a severe alcohol dependent housing use may not be located
 22 within 1,250 feet of the lot line of any other severe alcohol dependent
 23 housing use and from all of the following uses:

- 24 1. School
- 25 2. Public park

26
 27
 28 If the Commission waives or reduces the separation distance, it shall
 29 adopt findings of the facts upon which such reduction is based.

- 30
 31 B. On-site services shall be for residents of the facility only.
- 32
 33 C. To the extent practical, all new construction or additions to existing
 34 buildings shall be compatible with the scale and character of the
 35 surroundings, and exterior building materials shall be harmonious within
 36 other buildings in the neighborhood.
- 37
 38 D. If required by the Planning and Zoning Commission, an appropriate
 39 transition area between the use and adjacent property shall be provided
 40 by landscaping, screening, and other site improvements consistent with
 41 the character of the neighborhood.
- 42
 43 E. The operator shall submit a management plan for the facility and a floor
 44 plan showing all uses and services, including any sleeping areas/rooms
 45 and/or residential dwelling or units. Any group rehabilitation provided

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may only be for residents of the facility, and may not be a primary use of the facility, and may not be a requirement of residency in the facility. Such group rehabilitation must be described within the management plan for the facility.

F. The lot shall abut a street designated as a Class I Collector or greater on the *Official Streets and Highways Plan*.

Section 11. The Planning and Zoning Commission shall review this ordinance within eighteen months after approval.

Section 12. Anchorage Municipal Code section 21.10.015 notwithstanding, this ordinance shall not require Planning and Zoning Commission review.

Section 13. This ordinance shall be effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____ 2010.

Chair

ATTEST:

Municipal Clerk