

Turnagain Community Council Resolution Regarding Resolution on Amendments to Municipal Code Title 21, Group Living Uses

WHEREAS, the Municipality of Anchorage Departments of Law and Community Development have proposed to amend Anchorage Municipal Code Title 21, Land Use Planning to repeal the Group Living uses “Severe Alcohol Dependent Housing” and “Transitional Living Facility”; add a new group living use “Supportive Housing Facility”; amend the definitions of Group Living uses “Assisted Living Facility” and “Habilitative Care Facility”; amend tables of allowed uses; amend off-street parking requirements; and amend Anchorage Municipal Code Title 21, Land Use Planning, to repeal the uses “Severe Alcohol Dependent Housing” and “Transitional Living Facility”; add a new use “Supportive Housing Facility”; and amend other sections of code to effectuate the addition and deletion of uses; and

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WHEREAS, the Municipality has stated in its Revised Use Determination Letter (August 7, 2013) that, based on information provided by Anchorage Community Mental Health Services, the proposed Long House housing development at 4335 Wisconsin Street (adjacent to the Turnagain Community Council boundaries) would:

- “Consist of 54 units, 50 of which would be for tenants in need of supportive housing”;
- Provide “permanent supportive housing for persons who are disabled with a serious mental ~~WHEREAS, the Anchorage Assembly has proposed to amend Anchorage Municipal Code Title 21, Land Use Planning (new code—effective January 1, 2014), to repeal the Group Living uses “Severe Alcohol Dependent Housing” and “Transitional Living Facility”; add a new group living use “Supportive Housing Facility”; amend the definitions of Group Living uses “Assisted Living Facility” and “Habilitative Care Facility”; amend tables of allowed uses; amend off-street parking requirements; and amend Anchorage Municipal Code Title 21, Land Use Planning (old code—expires December 31, 2013), to repeal the uses “Severe Alcohol Dependent Housing” and “Transitional Living Facility”; add a new use “Supportive Housing Facility”; and amend other sections of code to effectuate the addition and deletion of uses; illness and who have a history of homelessness”; and~~
- Provide “on-site services,” for the tenants who would reside there, including voluntary “case management services” and “individualized community services,” including possible “crisis management or skill development”; and

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WHEREAS, the proposed amendments to Title 21 include the requirement for a Conditional Use Permit for a Supportive Housing Facility with 26+ residents; and ~~WHEREAS, TCC recognizes the need for adequate housing to serve the various needs of the Anchorage population~~ ~~WHEREAS, housing restrictions cannot discriminate against protected classes;~~

WHEREAS, the new ordinance does not spell out adequate specific limitations or requirements for any Group Housing uses;

WHEREAS, the Municipality has determined in a Revised Use Determination that the Long House Facility development would provide onsite services for the tenants who would reside there;

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WHEREAS, while TCC recognizes the need for adequate housing throughout our community to serve the various needs of the Anchorage population, Turnagain residents have voiced concerns regarding the lack of a formal public process, including a public hearing, and the lack of a conditional use permit requirement and conditional use standards and procedures (similar to the existing Code requirements for Severe Alcohol Dependent Housing) for the proposed Long House facility under current Municipal Code; and

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WHEREAS, the proposed language for Title 21 Group Housing uses does not provide adequate, specific conditional use standards and procedures for Group Housing uses (Assisted Living Facilities, Habilitative Care Facilities and Supportive Housing Facilities) to address expressed neighborhood concerns;

WHEREAS, Turnagain residents have voiced concerns regarding the lack of a required Management Plan (as is in the existing code for Severe Alcohol Dependent Housing use under current code) for the proposed Long House facility; NOW, THEREFORE, BE IT RESOLVED THAT the Turnagain Community Council; ~~Board and Long House Committee;~~

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- 1) Supports the proposed Title 21 Code requirement of a Conditional Use permit for all Group Living housing uses for 7 or more residents, which would include a formal public notice and public hearing before the Planning & Zoning Commission ~~under the new code;~~
- 2) Recommends inserting “or services” after “programs” in the proposed ordinance amending Title 21 Group Living uses in the following locations~~places~~:
 - a. Section 1.5.a. (Supportive Housing Facility Definition);
 - b. Section 1.5.b.ii. (Supportive Housing Use-Specific Use Standards) ~~section ii;~~
 - c. Section 7. (Supportive Housing Facility Definition); and
- 3) Recommends incorporation of a Section entitled “Conditional Use Standards and Procedures” with the following language (based on similar language included in existing Code for Severe Alcohol Dependent Housing) into the proposed ordinance amending Title 21 for any Group Living use housing above 7 or more residents; ~~including~~:
 - a. “An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening, and other site improvements consistent with the character of the neighborhood;
 - b. “The operator shall submit a management plan for the facility and a floor plan showing all uses and services, including any sleeping areas/rooms and/or residential dwelling or units. The management plan shall also include provisions regarding operations, on-site staffing, rules and regulations for tenants, methods to manage impacts on the adjacent neighborhoods, an outreach requirement to the surrounding area, provision of staff contact names and numbers to the local community council and surrounding neighbors, and other such items determined by the Planning and Zoning Commission to lessen the potential impacts on the adjacent residents and businesses. The management plan shall demonstrate that the local community councils have been provided the opportunity to review and comment on the management plan, before a hearing by the Commission. ~~On-site services shall Any group rehabilitation provided shall only~~ be for residents of the facility only, and shall

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not be a primary use of the facility. ~~Such group rehabilitat~~All on-site services shall be described within the management plan for the facility. Once accepted, the provisions of the management plan shall be deemed incorporated as continuing conditions of use, and;

- c. ~~“After the first year from the date of approval of the conditional use, and o~~On a three-~~year cycle subsequent to the first anniversary of from~~the date of approval of the~~conditional use, the operator shall schedule a non-public hearing before the Planning and Zoning Commission to allow for public and community council discussion and input on the effectiveness of management and the management plan in addressing public concerns and lessening potential and observed negative impacts on the neighbor-hood. If significant concerns are not being met, the Planning and Zoning Commission may require a public hearing.~~It is the responsibility of the operator to ensure that a non-public hearing is held with the Commission one year (12 months) after approval of the conditional use, and at least once every three years (36 months) subsequent to the first anniversary date during operation of the housing facility under the conditional use. The Planning and Zoning Commission has the authority to may require revisions to the management plan, with or without public hearing.”

PASSED AND APPROVED by Turnagain Community Council at its regularly scheduled meeting this 6th day of February 2014.

This resolution passed by a vote of _____ in favor, _____ opposed, and _____ abstentions.

Respectfully,

Bill Wortman, President
Turnagain Community Council

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