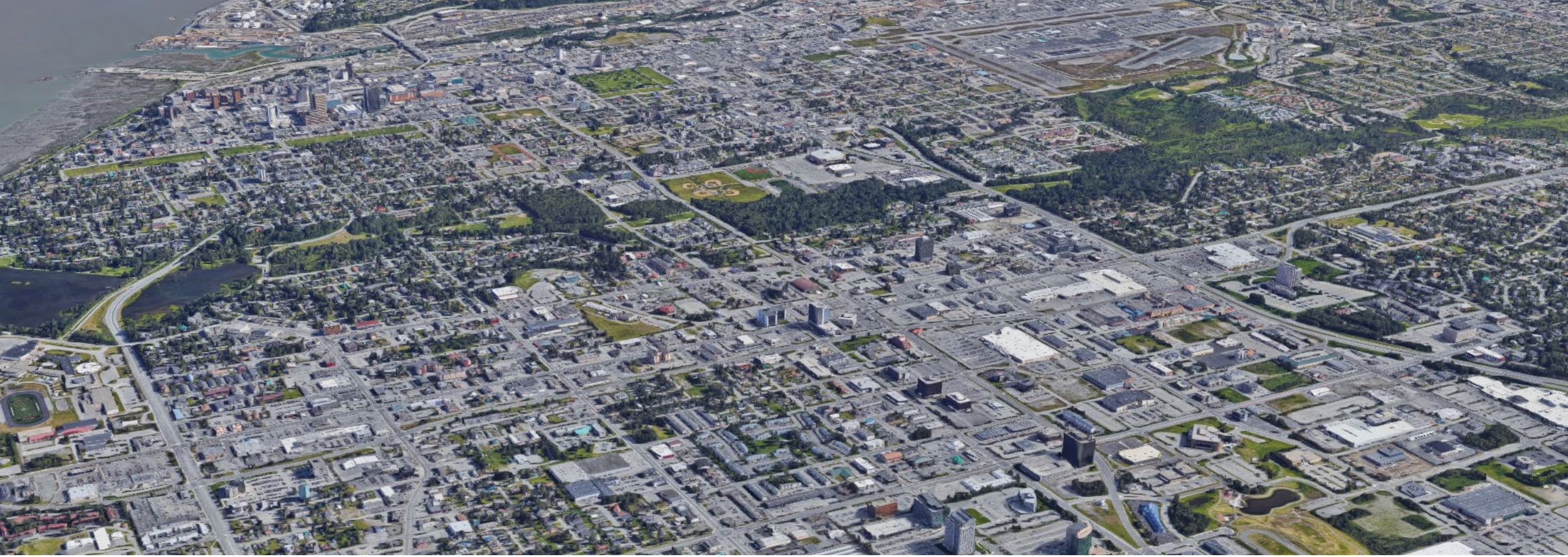
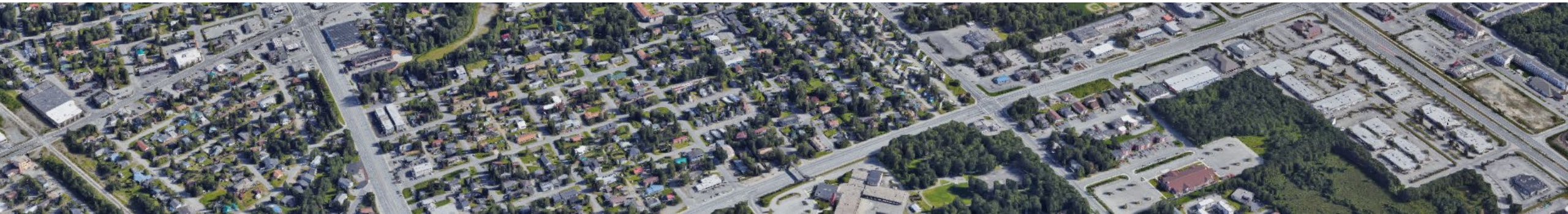


Accessory Dwelling Unit Code Update Project

December 16, 2022 Assembly Work Session



1. Proposal
2. Context
3. Muni Survey
4. Neighborworks Survey
5. Comments

Proposal

Proposal

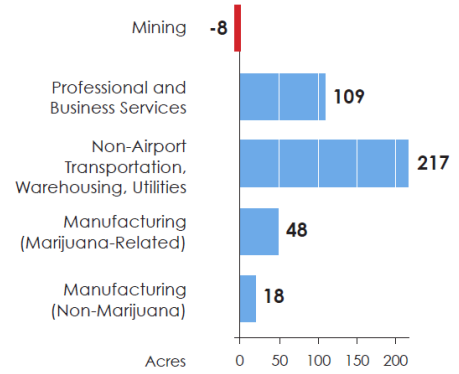
- No owner occupancy requirement
- ADUs can be added to a single unit or duplex
- ADUs can be up to 900 SF or 40% of the principal structure, whichever is larger (but smaller than the main unit)
- No vehicle storage required
- No distinction between class A and class B districts
- Setbacks: same as the rest of the zone
- Bedrooms: No restriction
- Height: same as the rest of the zone
- Flexibility for the Eagle River/Chugiak Zone

Process to Get to This Point:

- A working group convened five times between November 2021 and July 2022 composed of local developers, community members, and non-profit organizations.
- A survey sent to all community councils which collected over 330 responses between November and December 2021.
- Data from a research project completed by Lindsay Hajduk of Neighborworks America in Anchorage.
- A presentation at the March 10, 2022 Community and Economic Development Committee meeting.
- Fielding calls and emails about the project as necessary.
- A walking tour of compact housing in the South Addition neighborhood on May 5, 2022.
- Staff canvassed all community councils via presentation at the Federation of Community Councils to offer presentations to anyone interested in hearing about the project.
- Presentations to 17 community councils and the Federation of Community Councils throughout the project.

Context

Fig. 1-9. Anchorage Industrial Traded Sector Land Need to 2040



- Non-Metal Mineral Mining
- Air & Water Transportation
- Professional & Technical Services

The *2040 LUP* prioritizes these Traded Sectors and their site and land needs to preserve and grow fundamental industries in the local economy. Figure 1-9 illustrates that an estimated 384 acres of industrial land will be required by these types of businesses by 2040, representing approximately 60 percent of all industrial land demand in Anchorage.

Strategies are established in the *2040 LUP* to ensure adequate land capacity for these essential businesses to grow in the necessary locations, particularly in the Anchorage Bowl, and with the necessary infrastructure and utilities that they specifically require.

Growth Capacity of *2040 LUP*

The *2040 LUP* relieves the housing capacity shortfall for most but not all housing types, as Figure 1-10 shows. It does so by reclassifying some lands to allow more housing than under current zoning. It focuses more housing production in commercial mixed-use centers. It would also increase housing capacity by resulting in changes that would allow and encourage more compact infill housing development.

For example, the near-term implementation Actions include allowing and encouraging property owners to build accessory dwellings (aka., "grandmother apartments"). The *2040 LUP* housing capacity estimate for "Compact Housing Types" in Figure 1-10 includes 1,000 new accessory units in the Bowl by 2040. In general, Figure 1-10 also reflects an adjustment of single-family housing demand over time toward more compact housing and multifamily types, as single-family lots become more scarce.

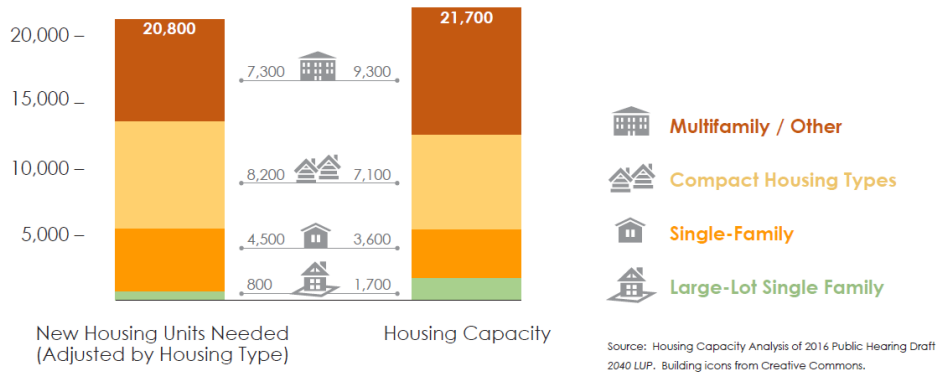
Redevelopable lands also play a larger role under the *2040 LUP* to alleviate part of the housing capacity shortfall. The *2040 LUP* would increase forecast redevelopment to nearly 9,100 housing units. This is a redevelopment rate of 40 percent of all new housing capacity shown in Figure 1-10.

More information regarding housing capacity and needs by housing type is provided in Appendix B.

2040 LUP Employment Capacity

The *2040 LUP* satisfies the commercial land demand by encouraging more efficient use of

Figure 1-10. Housing Need and Land Capacity for Housing under *2040 LUP*
By Housing Type. Anchorage Bowl, 2015-2040.

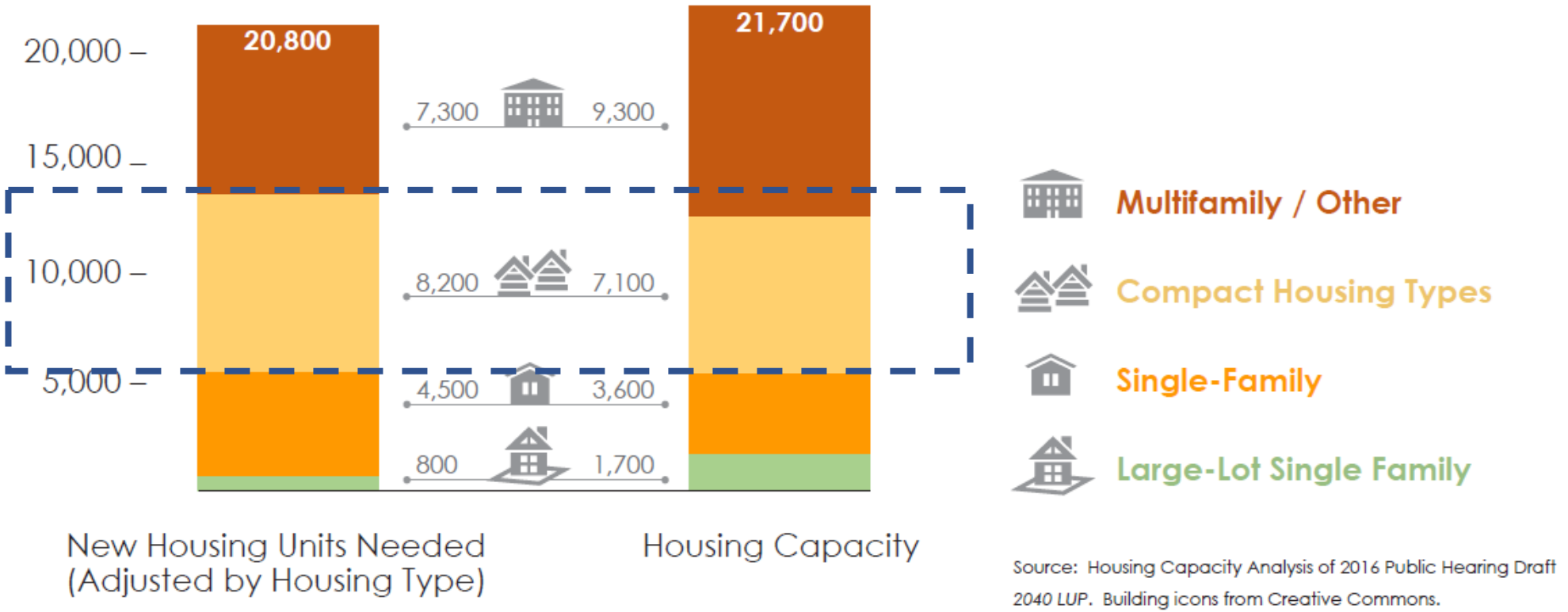


Source: Housing Capacity Analysis of 2016 Public Hearing Draft *2040 LUP*. Building icons from Creative Commons.

"The near-term implementation actions include allowing and encouraging property owners to build accessory dwellings (aka, "grandmother apartments"). The *2040 LUP* housing capacity estimate for "Compact Housing Types" in Figure 1-10 includes 1,000 new accessory units in the Bowl by 2040."

Figure 1-10. Housing Need and Land Capacity for Housing under *2040 LUP*

By Housing Type. Anchorage Bowl, 2015-2040.



Source: Housing Capacity Analysis of 2016 Public Hearing Draft *2040 LUP*. Building icons from Creative Commons.

Municipal Clerk's Office
Amended and Approved
Date: June 12, 2018

Submitted by: Chair of the Assembly at the Request of the Mayor
Prepared by: Planning Department
For reading: June 12, 2018

ANCHORAGE, ALASKA
AO No. 2018-43(S), As Amended

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SUBSECTIONS 21.05.070C.1.g., TABLE 21.05-3, TABLE OF ACCESSORY USES; 21.05.070D.1., DEFINITIONS AND USE-SPECIFIC STANDARDS FOR ALLOWED ACCESSORY USES AND STRUCTURES, ACCESSORY DWELLING UNIT (ADU); AND 21.06.020B., TABLE 21.06-1, TABLE OF DIMENSIONAL STANDARDS, TO ENCOURAGE DEVELOPMENT OF ACCESSORY DWELLING UNITS.

(Planning and Zoning Commission Case No. 2017-0095)

WHEREAS, Accessory Dwelling Units can expand the supply of residential rental units maximizing efficient use of land supply; and

WHEREAS, Accessory Dwelling Units can make homeownership easier to attain and sustain by providing homeowners with a source of rental income; and

WHEREAS, Accessory Dwelling Units foster multigenerational living and aging in place; and

WHEREAS, the current standards for Accessory Dwelling Units do little to encourage the development of this alternative housing type; and

WHEREAS, this amendment ensures that Accessory Dwelling Units are compatible with the desired character of Anchorage's residential neighborhoods; and

WHEREAS, amending development standards for Accessory Dwelling Units will allow more efficient use of residential property, development is compatible with existing neighborhoods, and more affordable housing alternatives; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code subsection 21.05.070C.1.g., Table 21.05-3 Table of Permitted Accessory Uses and Structures, is hereby amended to read as follows:

SEE EXHIBIT B: TABLE 21.05-3

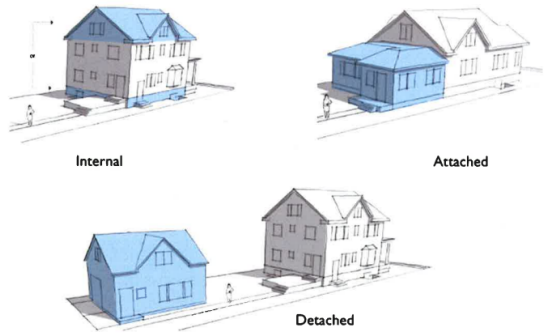
Section 2. Anchorage Municipal Code subsection 21.05.070D.1., Definitions and use-specific standards for allowed accessory uses an structures, is hereby amended to read as follows:

D. *Definitions and use-specific standards for allowed accessory uses and structures.* This section defines the accessory uses listed in Table 21.05-3 and also contains use-specific standards that apply to those uses.

MUNICIPALITY OF ANCHORAGE

Development Services Department

Policy AG.37
Guide to Accessory Dwelling Units



What is an accessory dwelling unit (ADU)?

An accessory dwelling unit (ADU) is defined in Anchorage Municipal Code (AMC) as:

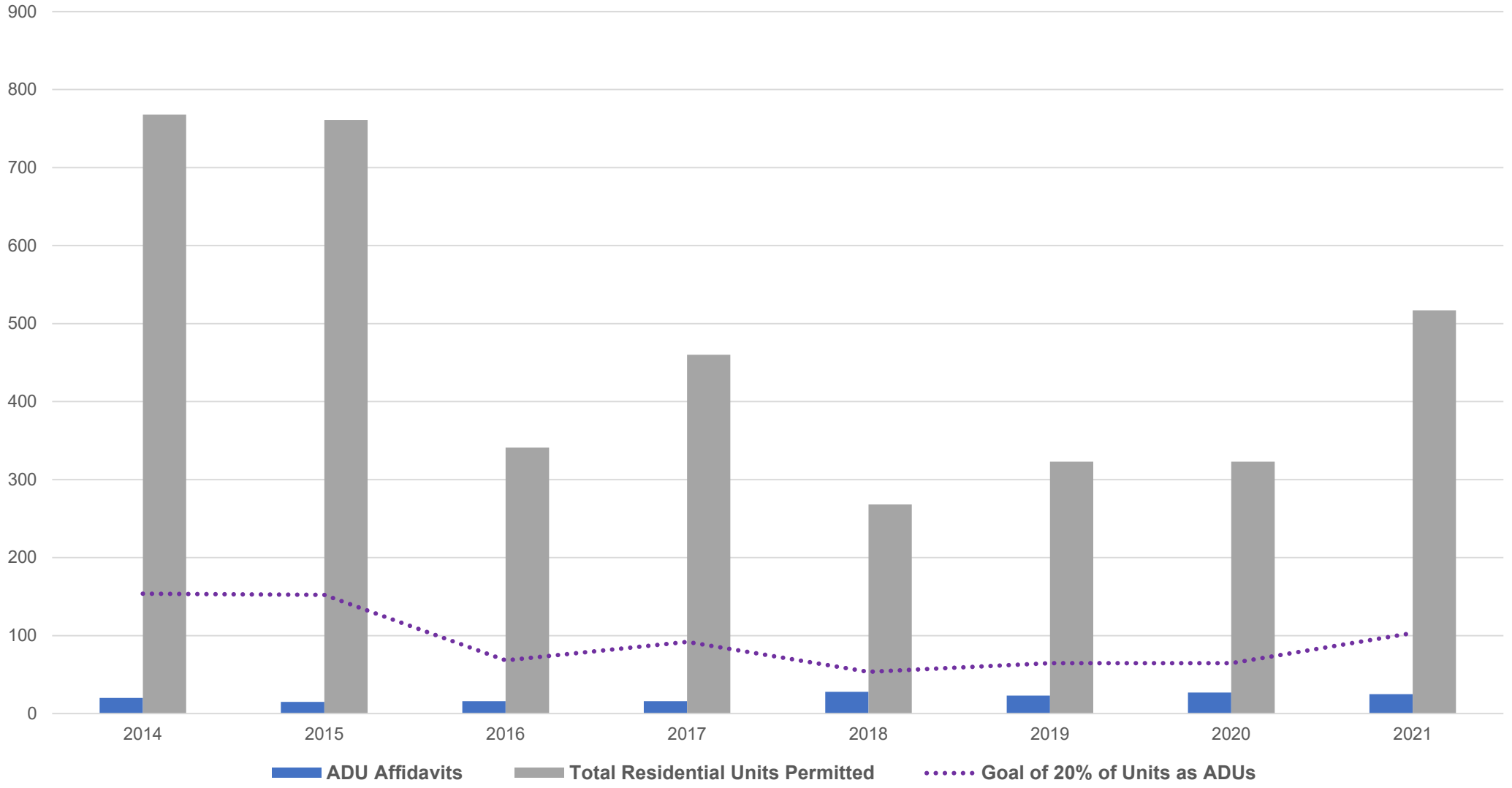
- "… a subordinate dwelling unit added to, created within, or detached from a single-family residence, which provides basic requirements for living, sleeping, cooking, and sanitation. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside." (AMC 21.05.070D.1.a)
- "… are compatible with the appearance and character of the principal residence, lot, and neighborhood;" (AMC 21.05.070D.1.b.iii.A.1)
- "… are smaller in size than the principal dwelling on the lot and preserve underlying lot coverage limits;" (AMC 21.05.070D.1.b.iii.A.2)

They are also known as 'mother-in-law apartments,' 'accessory apartments,' or 'second units.'

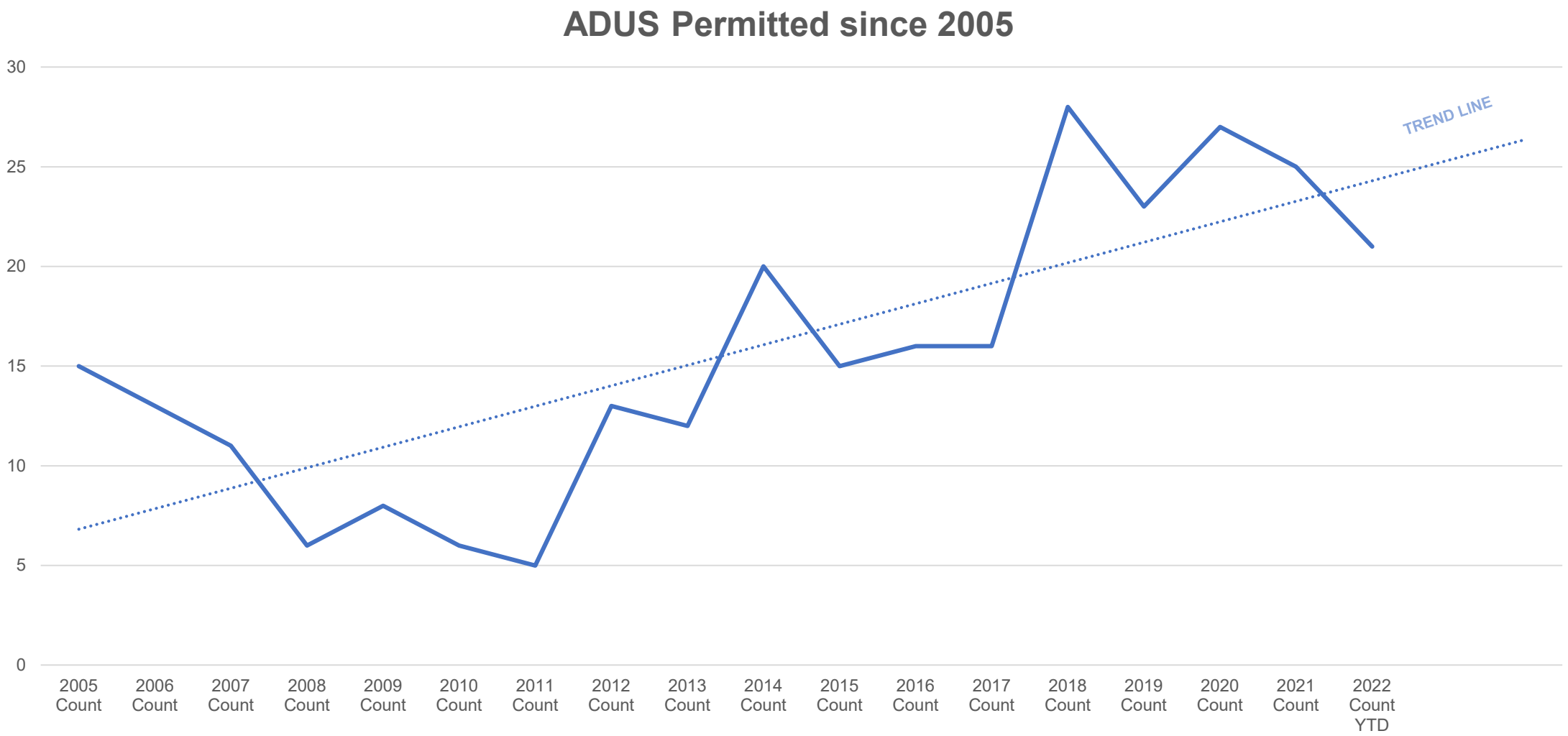
Mailing Address: P.O. Box 196650 • Anchorage, Alaska 99519-6650 • http://www.muni.org

1. Go to www.muni.org/bsd.
2. Click the *Permits & Inspections* tab and then click the *Forms* tab.
3. Complete the *Residential Worksheet* form.
4. Email the Residential Worksheet to permitcounter@anchorageak.gov.

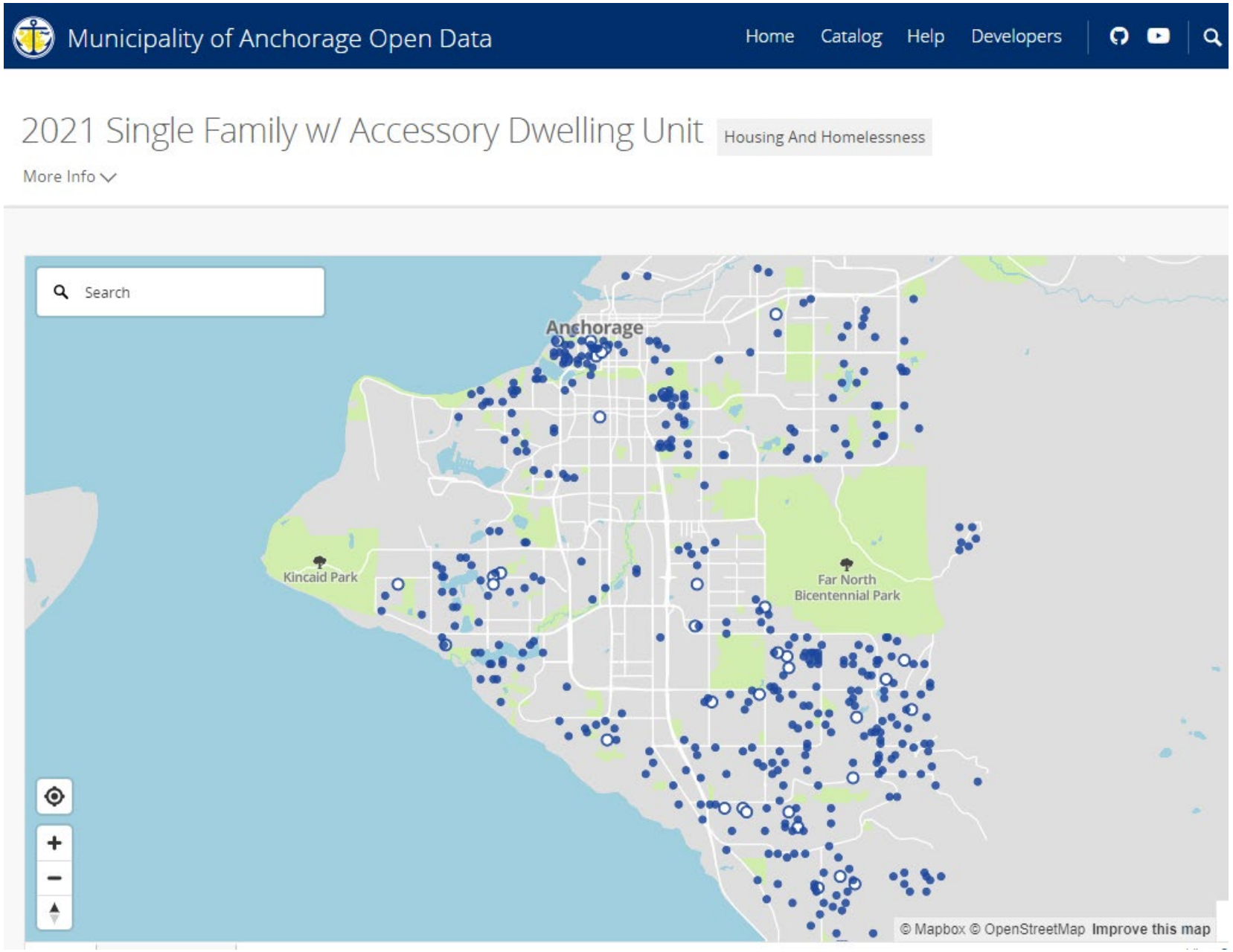
ADUs vs All Residential Permits With 20% Goal

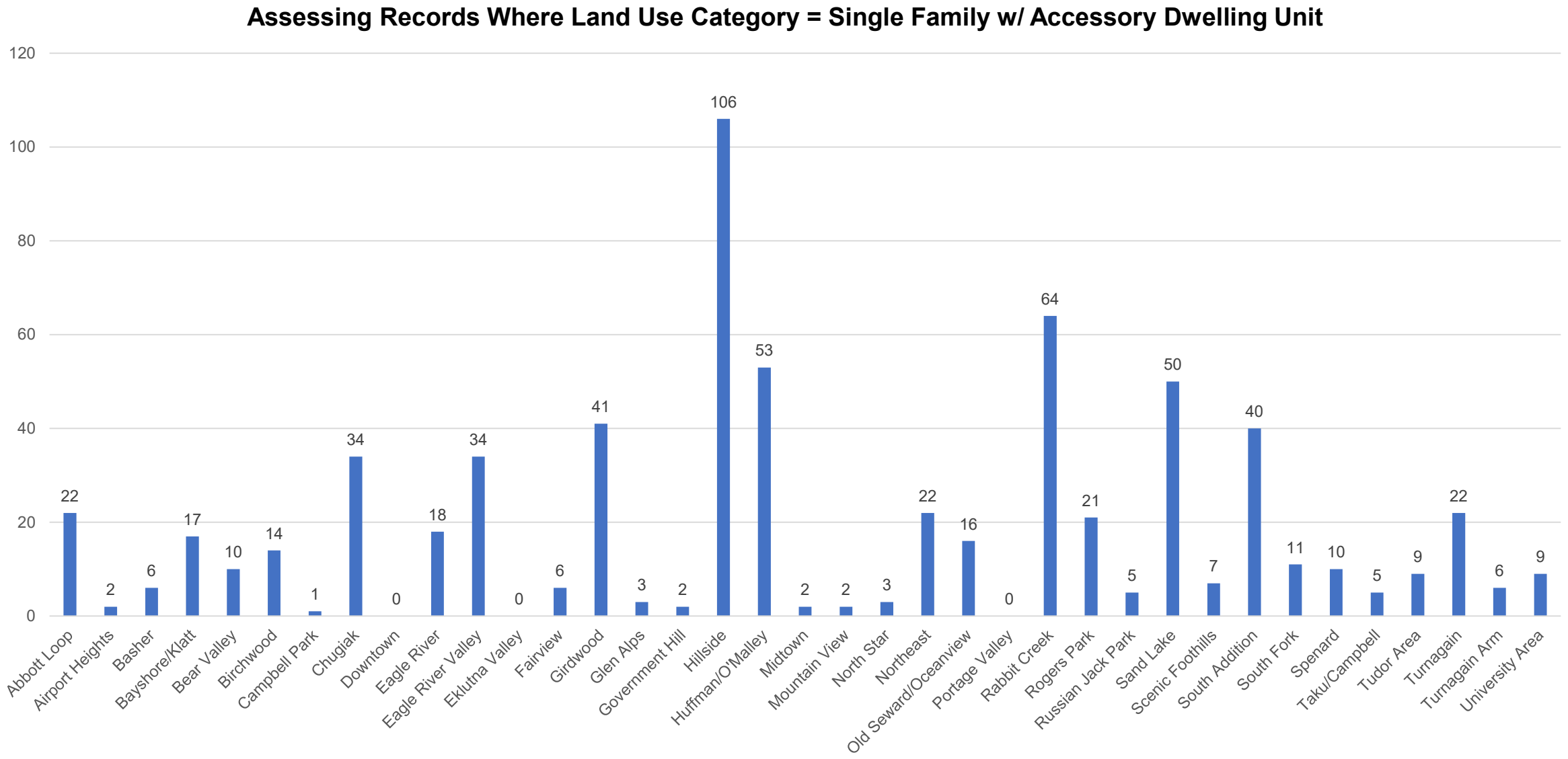


Data Source: MOA ADU Affidavit file, MOA Permitting data



Data Source: MOA ADU Affidavit file


Municipality of Anchorage Open Data
Home
Catalog
Help
Developers
2021 Single Family w/ Accessory Dwelling Unit
Housing And Homelessness
More Info
Search
Anchorage
Kincaid Park
Far North
Bicentennial Park
© Mapbox © OpenStreetMap Improve this map


Assessing Records Where Land Use Category = Single Family w/ Accessory Dwelling Unit
120
100
80
60
40
20
0
22
2
6
17
10
14
1
34
0
18
34
0
6
41
3
2
106
53
2
2
3
22
16
0
64
21
5
50
7
40
11
10
5
9
22
6
9
Abbott Loop
Airport Heights
Basher
Bayshore/Klatt
Bear Valley
Birchwood
Campbell Park
Chugiak
Downtown
Eagle River
Eagle River Valley
Eklutna Valley
Fairview
Girdwood
Glen Alps
Government Hill
Hillside
Huffman/O'Malley
Midtown
Mountain View
North Star
Northeast
Old Seward/Oceanview
Portage Valley
Rabbit Creek
Rogers Park
Russian Jack Park
Sand Lake
Scenic Foothills
South Addition
South Fork
Spenard
Taku/Campbell
Tudor Area
Turnagain
Turnagain Arm
University Area

November 2021 MOA Survey:

11/16 respondents in Rabbit Creek expressed interest in building ADUs

Timestamp	1. What is	2. What Community Counci	3. Do you	4. Have you considered adding, or already added an ADU to your pro	5. What ty	6. What b	7. If you c	8. If you a	9. If zonin	10
11/17/2021 15:32	61-70	Rabbit Creek	Architect	No	Not interes	Not Applic	Constructi	Did not wa	Zoning wa	UF
11/17/2021 15:39	61-70	Rabbit Creek	No	Yes, I have considered adding an ADU, but have not added one yet	A new unit	House fam	Future tax	Not Applic	Compliance c	
11/17/2021 15:54	71-80	Rabbit Creek	No	Yes, I have already added an ADU to my property	Convert pa	Add more	Parking	Constructi	Minimum p	No
11/17/2021 15:57	61-70	Rabbit Creek	No	No	A new unit	House fam	Future tax	Not Applic	Compliance	Ca
11/17/2021 16:20	51-60	Rabbit Creek	No	No	I don't wan	Not Applic	I like my p	Not Applic	Not Applicabl	
11/17/2021 16:30	51-60	Rabbit Creek	No	Yes, I have considered adding an ADU, but have not added one yet	A new unit	House my	Constructi	Not Applic	Not Applicabl	
11/17/2021 16:34	61-70	Rabbit Creek	No	Yes, I have already added an ADU to my property	Convert pa	House my	Not Applic	Constructi	Not Applicabl	
11/17/2021 19:27	71-80	Rabbit Creek		Yes, I have already added an ADU to my property	Convert pa	Generate i	Not Applic	Not Applic	Not Applicabl	
11/17/2021 19:57	61-70	Rabbit Creek	No	No	Not Applic	Not Applic	Not Applic	Not Applic	Not Applicabl	
11/17/2021 20:27	71-80	Rabbit Creek	No	Yes, I have considered adding an ADU, but have not added one yet	A new unit	House my	Constructi	Not Applic	ADU size res	
11/17/2021 23:07	61-70	Rabbit Creek	No	Yes, I have considered adding an ADU, but have not added one yet	A new unit	House fam	Constructi	Not Applic	Compliance c	
11/18/2021 9:11	41-50	Rabbit Creek	No	Yes, I have considered adding an ADU, but have not added one yet	A new unit	House my	Constructi	Not Applic	Owner occup	
11/18/2021 12:52	71-80	Rabbit Creek	No	Yes, I have considered adding an ADU, but have not added one yet	A new unit	House my	Constructi	Not Applic	ADU size res	
11/20/2021 12:58	61-70	Rabbit Creek	No	Yes, I have already added an ADU to my property	A new unit	House my	Limitations	Limitations	ADU size	No
12/2/2021 8:51	41-50	Rabbit Creek	Yes	Yes, I have considered adding an ADU, but have not added one yet	A new unit	Add more	Constructi	Not Applic	Compliance c	
12/9/2021 13:54	61-70	Rabbit Creek	No	No	Not Applic	Not Applic	Did not wa	Not Applic	Not Applic	no

November 2021 MOA Survey:

5/11 respondents in Hillside expressed interest in building ADUs

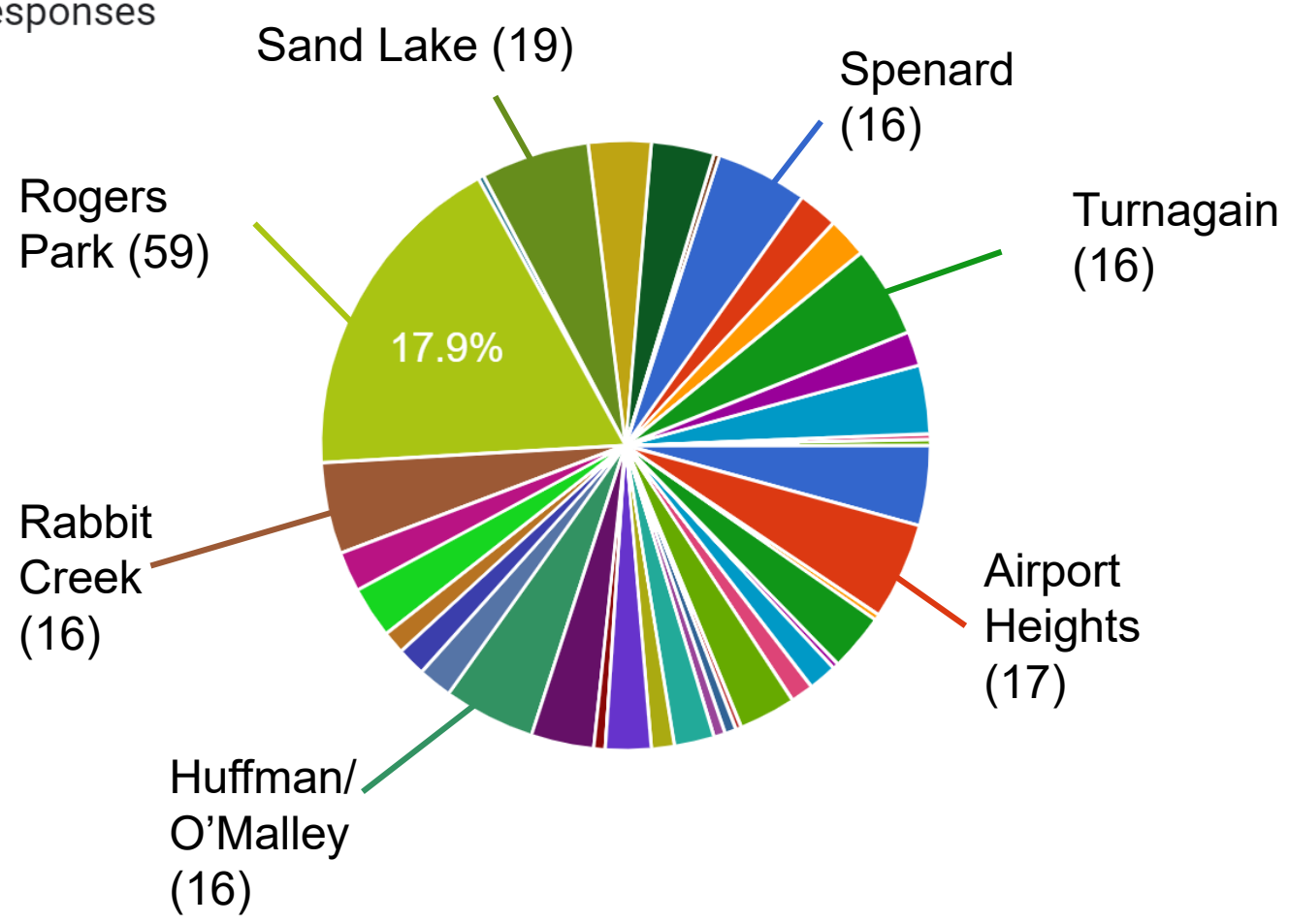
11/17/2021 15:15	31-40	Hillside	Yes	No	Not Applic	Not Applic	Not Applic	Not Applic	Too many uni	
11/17/2021 15:29	31-40	Hillside	Yes	No	A new unit	House fam	Not Applic	Not Applic	Not Applicabl	
11/17/2021 16:21	61-70	Hillside	No	Yes, I have considered adding an ADU, but have not added one yet	A new unit	House fam	Future tax	Not Applic	ADU size res	
11/17/2021 17:03	61-70	Hillside	No	No	Convert an	House my	Constructi	Construction costs/M	pr	
11/17/2021 17:48	51-60	Hillside	No	No	Not Applic	Not Applic	Well and s	Not Applic	Not Applic	W
11/17/2021 21:34	41-50	Hillside	No	No	None	Not Applic	Decrease	Not Applic	Not Applicabl	
11/17/2021 22:13	31-40	Hillside	Yes	No	A new unit	House fam	Not sure h	Not Applic	Not Applicabl	
11/18/2021 6:20	61-70	Hillside	Yes	Yes, I have considered adding an ADU, but have not added one yet	A new unit	House fam	Property re	Property re	Complianc	Ho
11/18/2021 9:35	51-60	Hillside	No	Yes, I have considered adding an ADU, but have not added one yet	A new unit	Add more	Permitting	Not Applic	Maximum	M
11/18/2021 15:35	61-70	Hillside	Yes	Yes, I have considered adding an ADU, but have not added one yet	Convert pa	Add more	Future tax	Not Applic	Complianc	Co
11/29/2021 8:17	51-60	Hillside	Yes	Yes, I have considered adding an ADU, but have not added one yet	A new unit	House my	Constructi	Not Applic	Not Applic	no

Please note: some of these may not be ADUs, but rather second units allowed by zoning.

Muni Survey

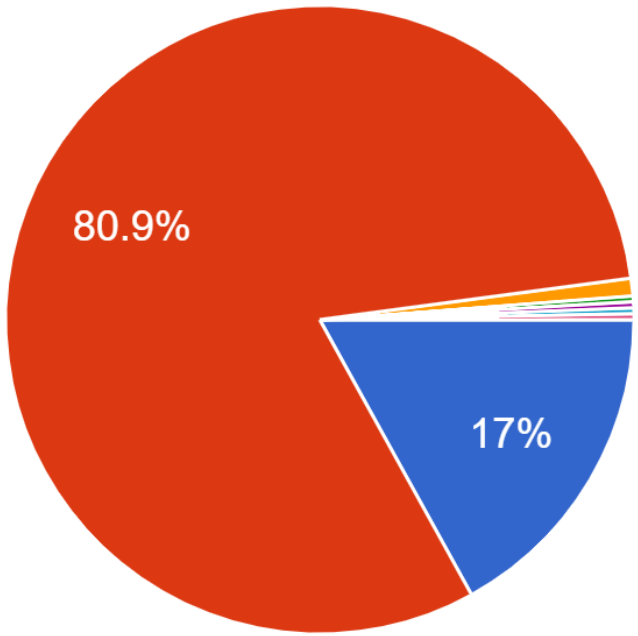
2. What Community Council area do you live in? (Map available here: http://www.communitycouncils.org/servlet/viewfolder?id=4280)

330 responses



3. Do you work in, or are you involved in any industry related to property development, management, or sales?

330 responses

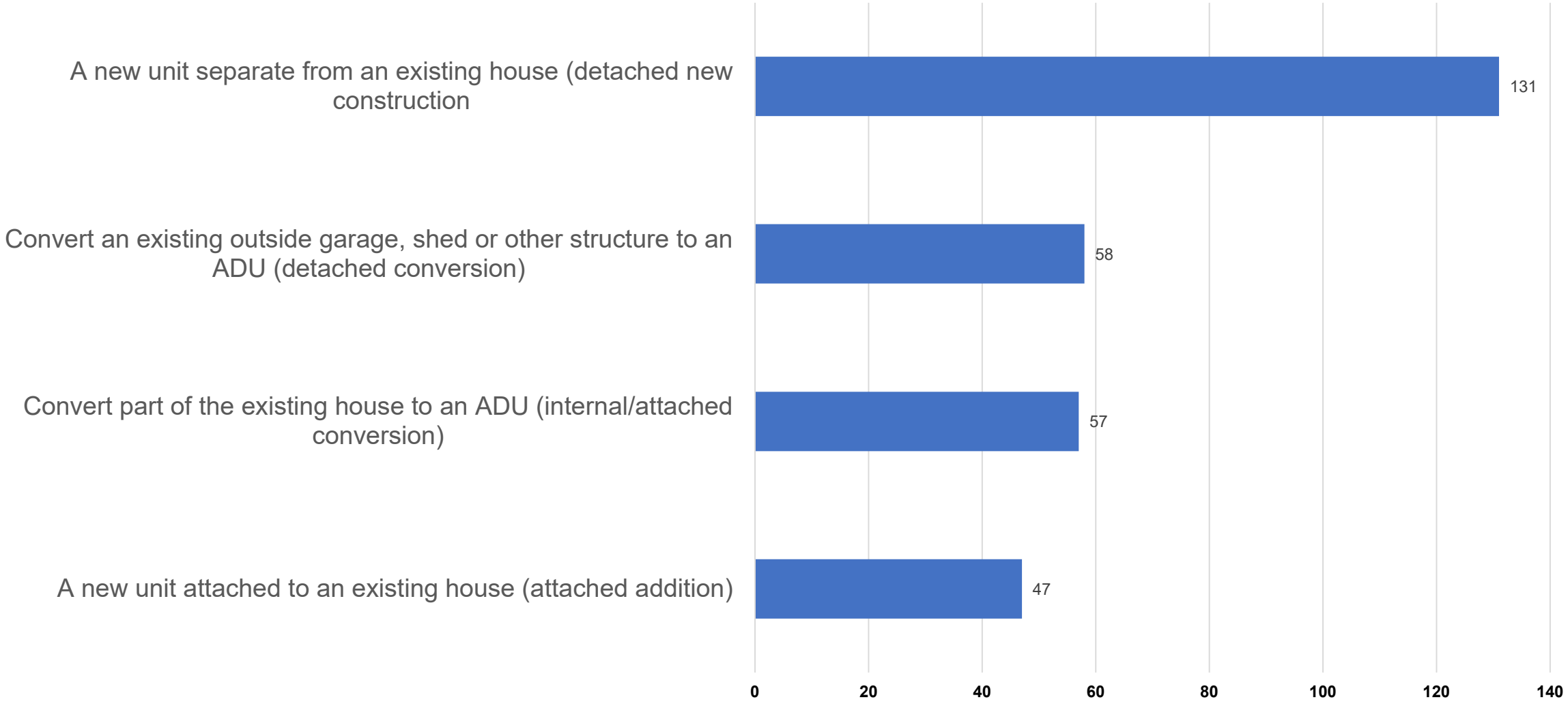


- Yes
- No
- Prefer not to answer
- We own 2 rental properties in Anchorage
- I work to maintain smaller trailer units that really need to be replaced with park model minin houses for safety, mainte…
- Architect
- Retired

4. Have you considered adding, or already added an ADU to your property?

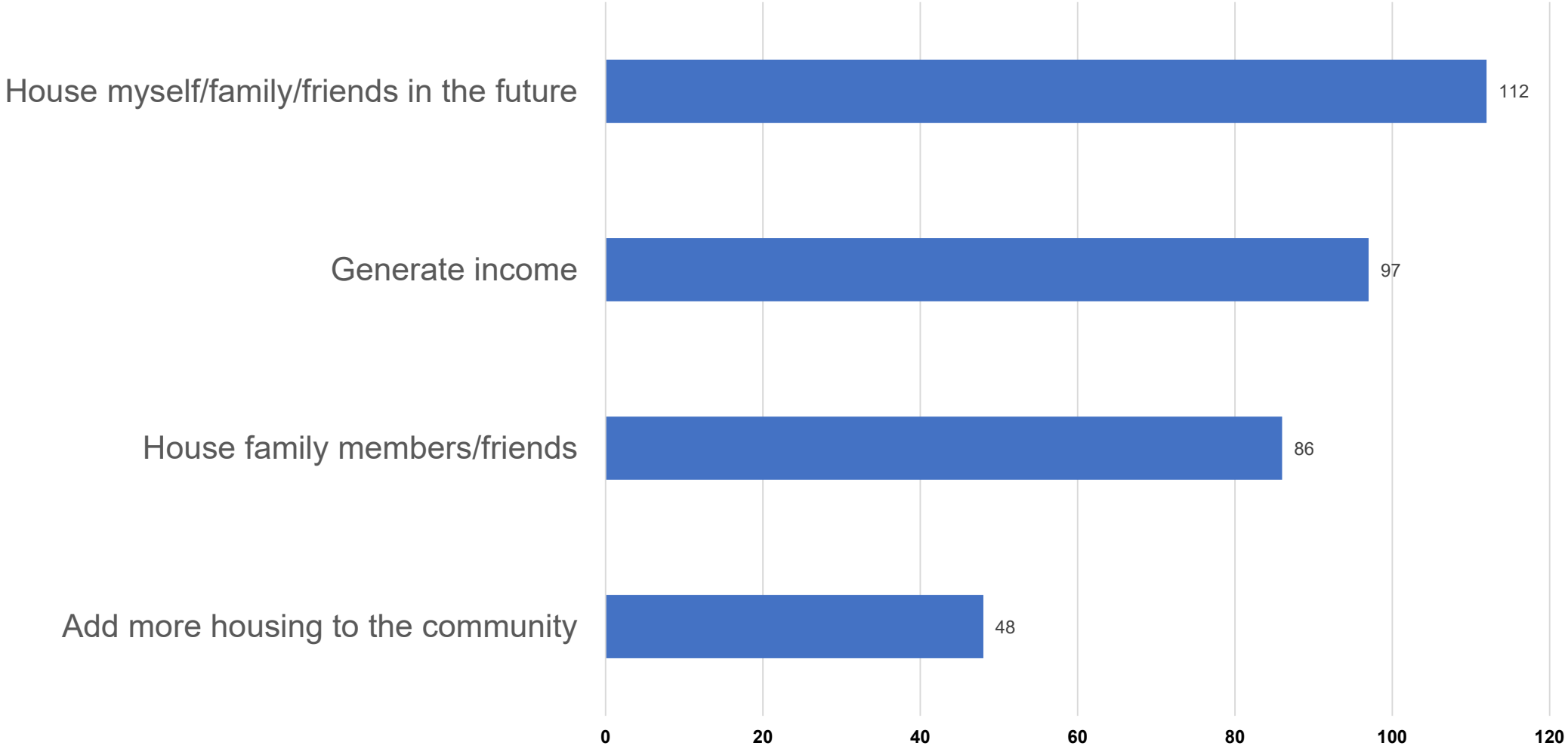
330 responses

5. What type of ADU would you be interested in building (or have you built)?



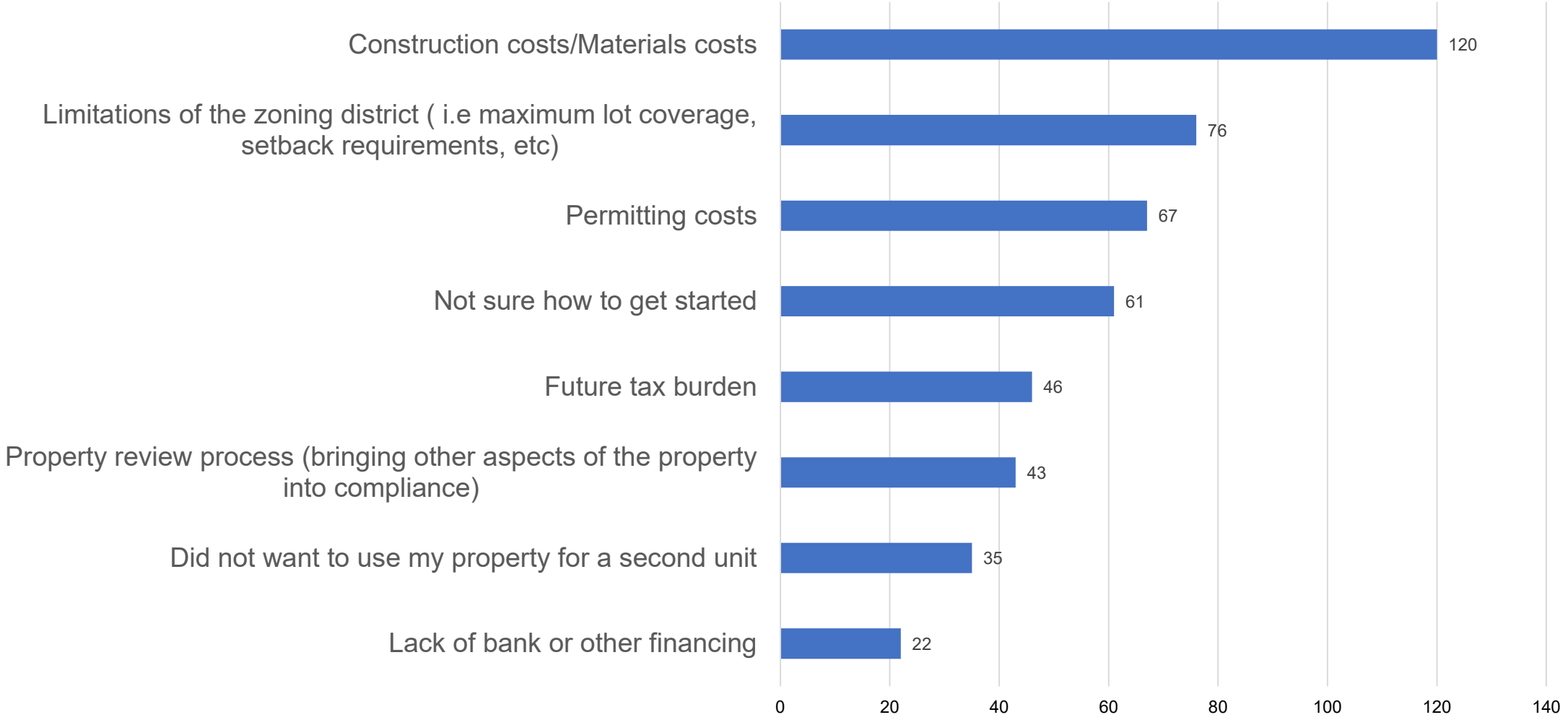
Single-instance answers and responses indicating “not applicable” are not shown on this chart.
See full data set for details.

6. What best describes your primary reason for adding an ADU to your property?



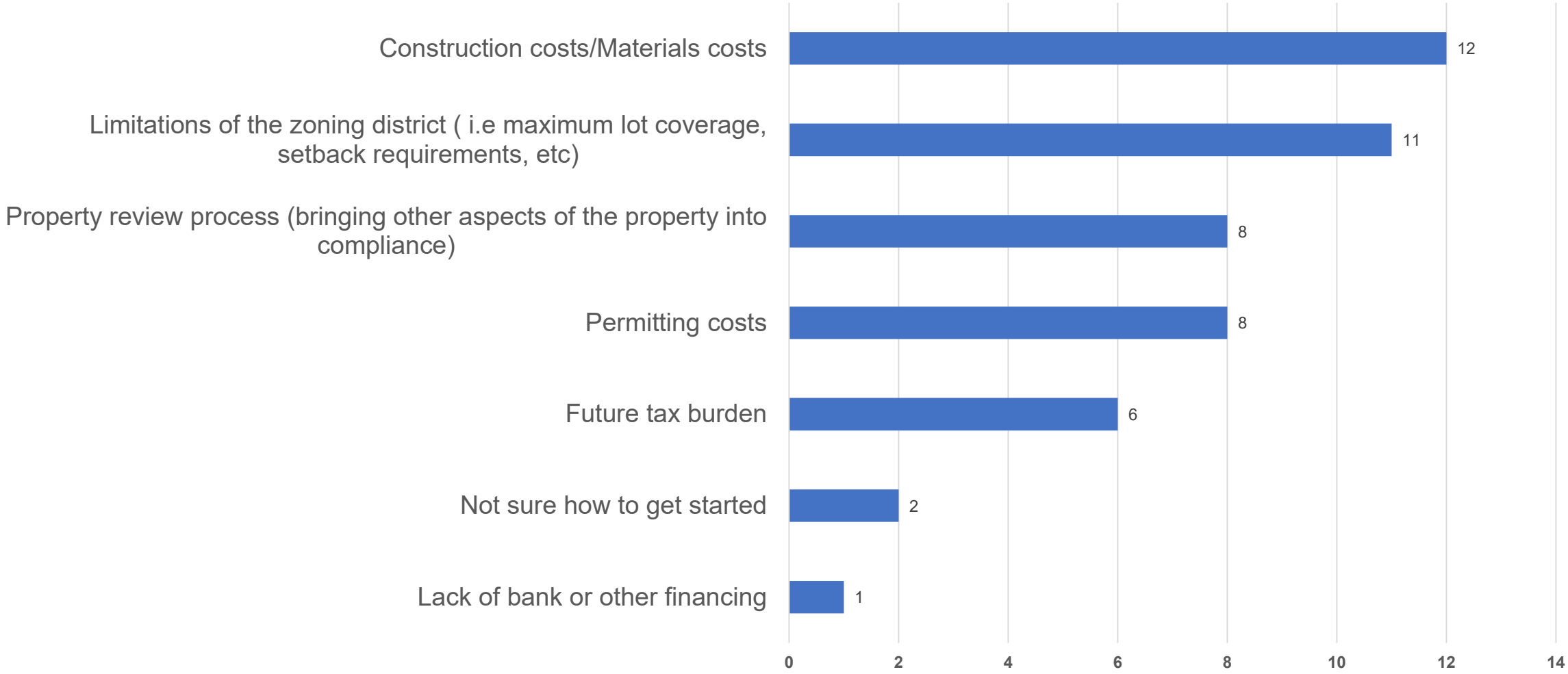
Single-instance answers and responses indicating “not applicable” are not shown on this chart.
See full data set for details.

7. If you considered adding an ADU but haven't yet, what factors contributed most to your decision NOT to build?



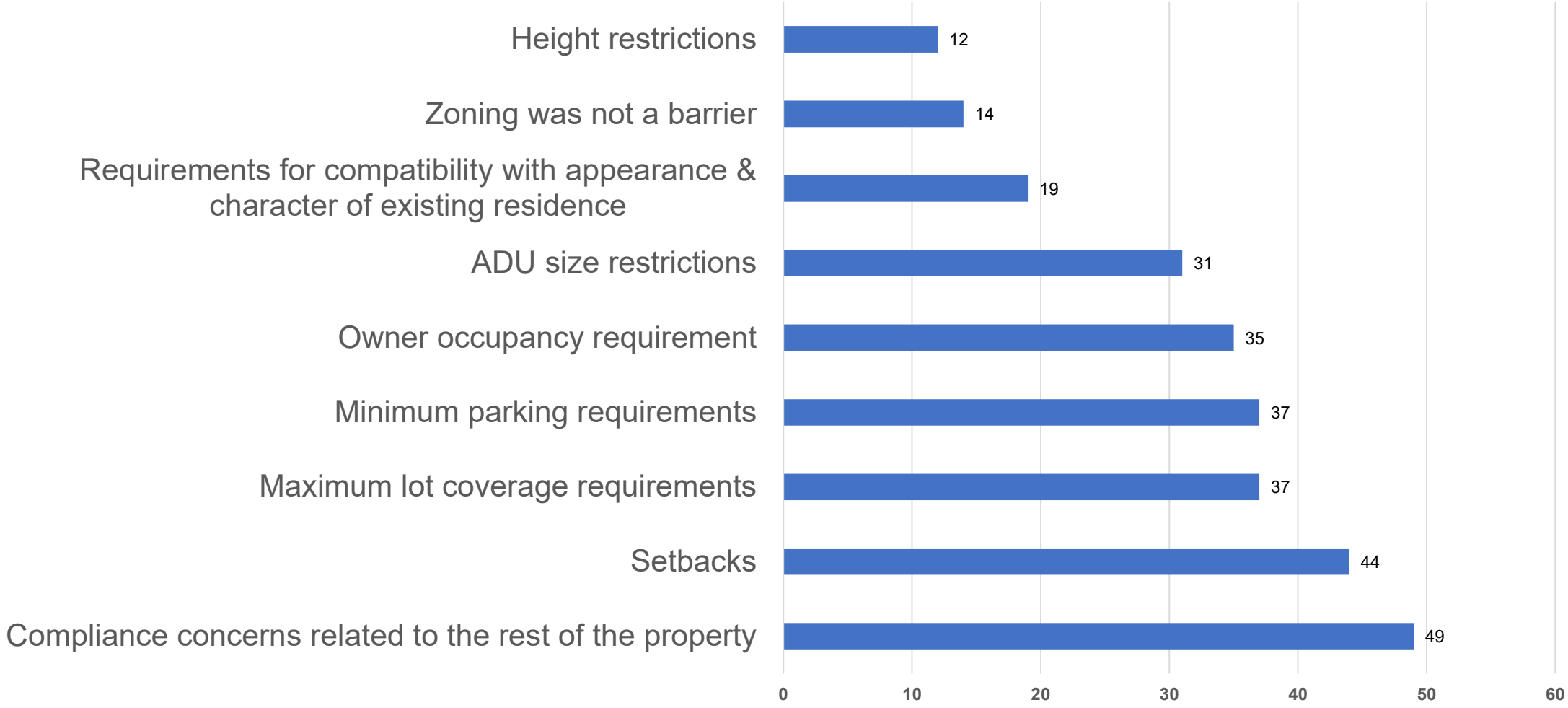
Single-instance answers and responses indicating “not applicable” are not shown on this chart. See full data set for details.

8. If you already added an ADU to your property, what factors were the biggest obstacles throughout the process?)



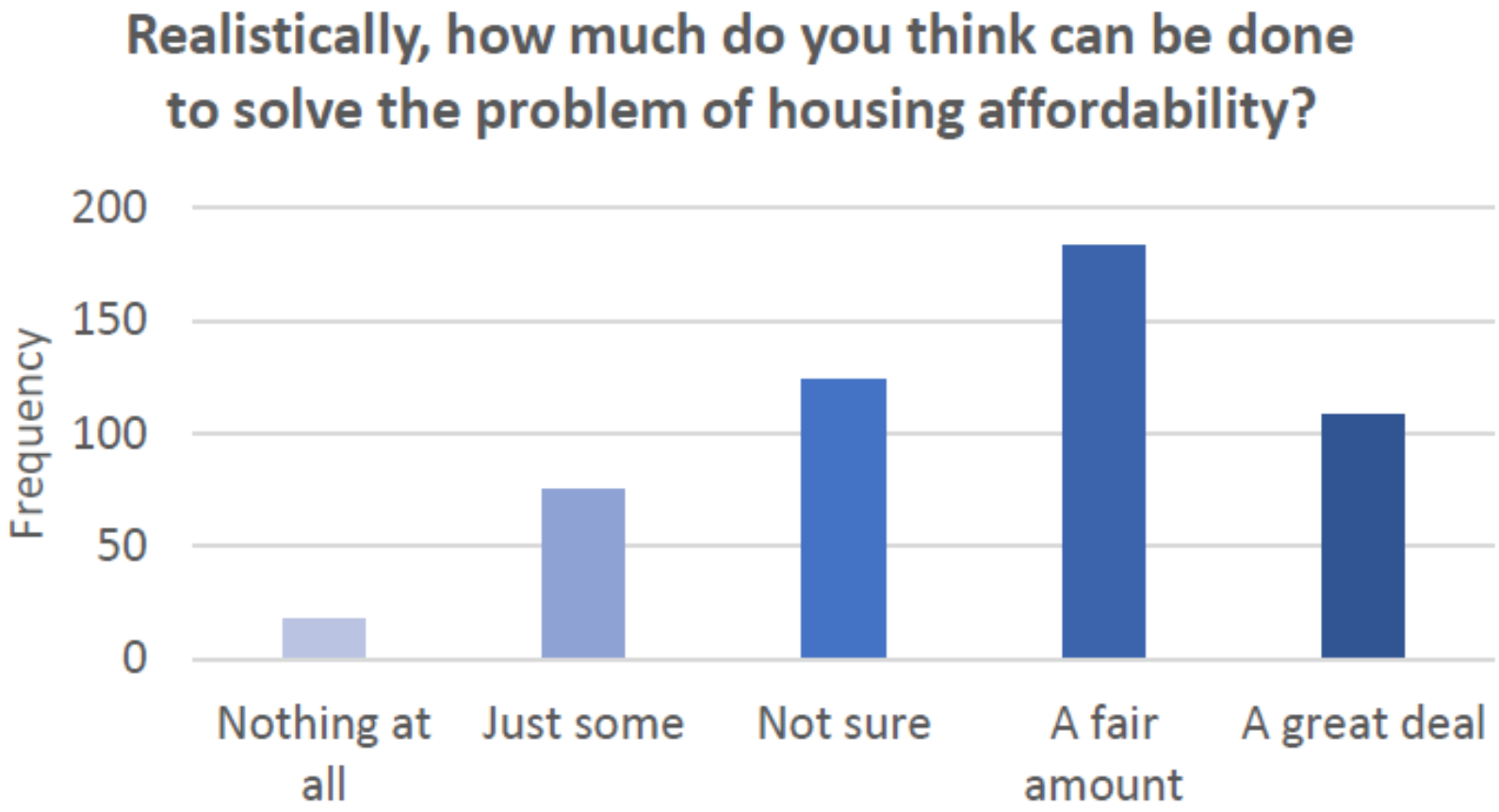
Single-instance answers and responses indicating “not applicable” are not shown on this chart. See full data set for details.

9. If zoning standards were a contributing factor in your decision to NOT construct an ADU, which of the following were the greatest barrier?



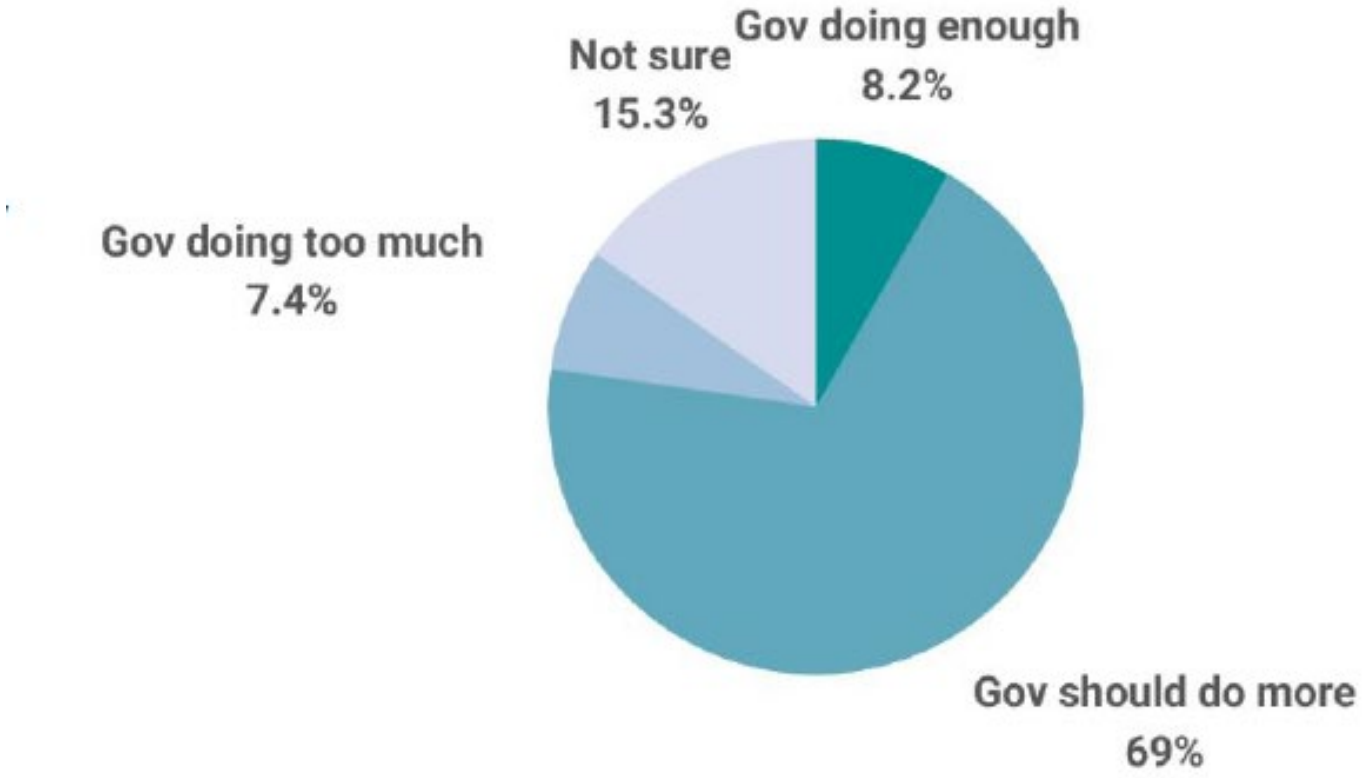
Single-instance answers and responses indicating “not applicable” are not shown on this chart.
See full data set for details.

Neighborworks Survey



Source: Survey conducted by Lindsey Hajduk, Neighborworks

Do you think the local government (meaning the Anchorage Assembly and Mayor) is doing enough to ensure that there is sufficient affordable quality housing in Anchorage?



Source: Survey conducted by Lindsey Hajduk, Neighborworks

Anchorage Housing Survey – Summary

Survey by Lindsey Hajduk
NeighborWorks Alaska, Director of Community Engagement
University of New Hampshire, Carsey School of Public Policy
Masters in Community Development graduate student

Introduction

The Anchorage Housing Survey was intended for Anchorage residents to share their experiences with housing issues and how they engage in their neighborhoods. This survey sought feedback from the public on housing policies in Anchorage and on the potential opportunities to meet our housing needs.

The effort is in partnership with the Municipality of Anchorage's Planning Department, as well as additional stakeholders including NeighborWorks Alaska (NWAK). Lindsey Hajduk in an Anchorage resident who works for NWAK and is currently undergoing a remote graduate program at the University of New Hampshire. This information was provided in the introduction to the survey.

The Anchorage Housing Survey launched on November 29, 2021, and closed on January 3, 2022. This survey was provided online only through Qualtrics and distributed through the Federation of Community Councils and NWAK's listserv, as well as promoted on Facebook through NWAK.

Overall, 510 surveys were completed. An incentive of four $25 gift cards was also promoted to encourage participation. The survey responses were removed from any self-identifying information for the incentive, keeping the survey response data confidential.

Demographics

Age

Respondents were asked to share the year they were born in, which was converted into decade groupings. Of the 511 responses, most responses came from the 31-80 year old range. Most respondents were in their sixties (19.4%),

Draft provided 2/28/22

, fifties (15.7%),
5%), and finally eighties

women (65.3%),
der non-conforming.

white (83.6%),
6), mixed race (5.3%),
1.2%), and Black
ot identify as Hispanic,
4.3% did.

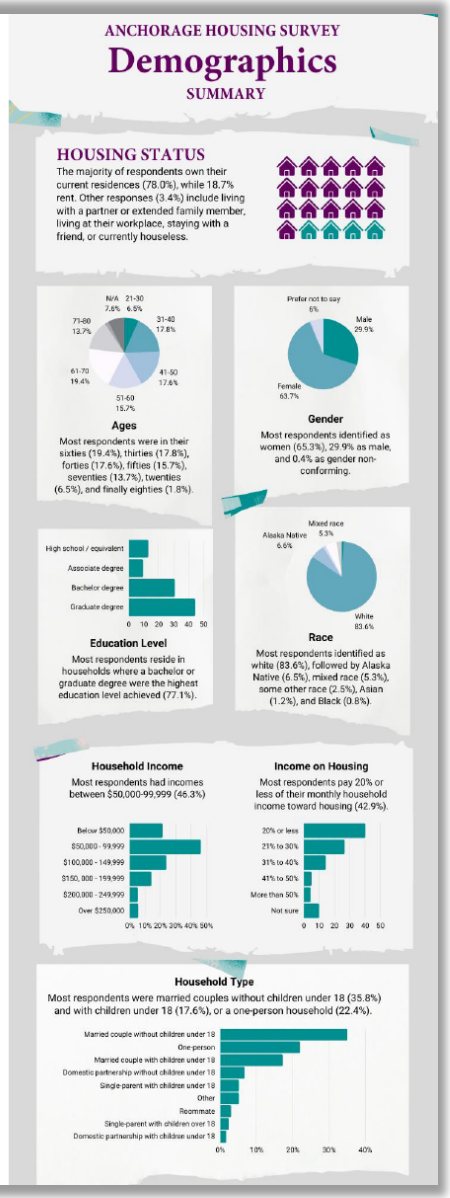
ir household types as
en under 18 (35.8%)
6%), or a one-person

generational living
h children over 18
relatives, or married
either children or

vn their current
6 rent. Other
partner or extended
ome, living at their
d, or currently

of their annual
ndents had incomes
%), followed by
n below $50,000
9 (14.0%), then over
0,000-249,999 (5.2%).

ess of their monthly
sing (42.9%), followed

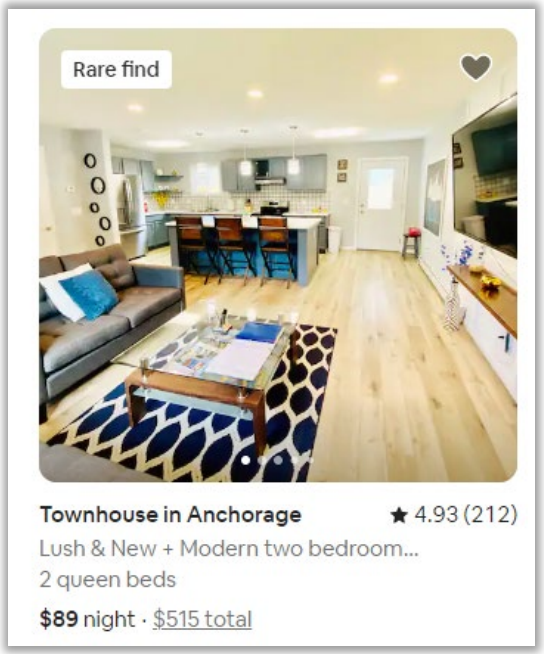


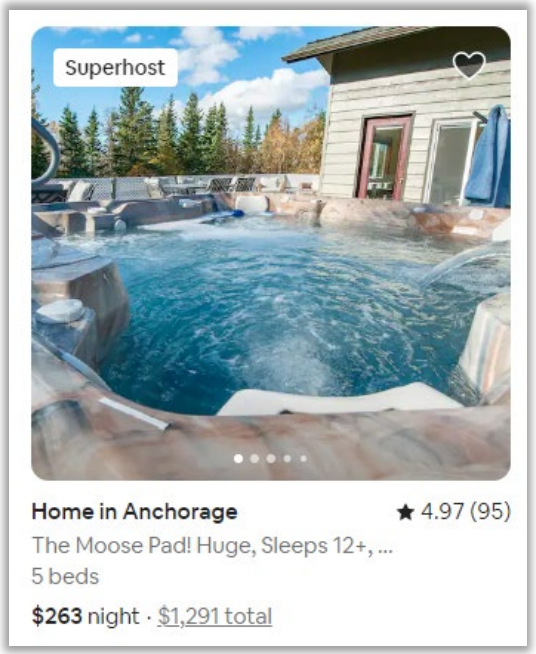
Comments

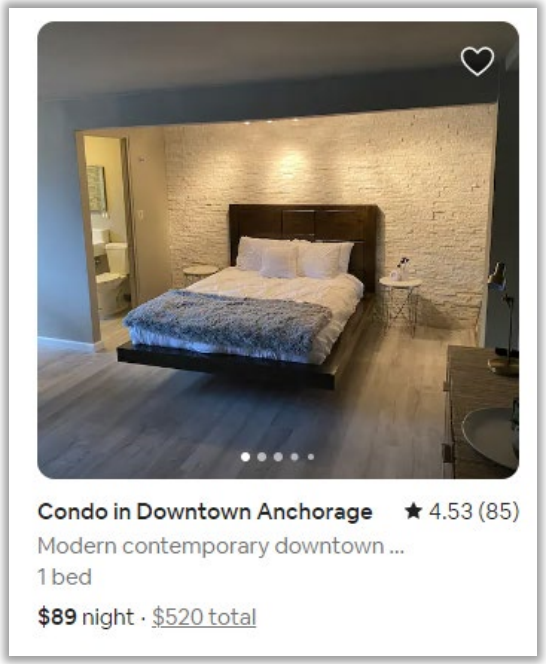
Frequent Comments

- Concerns about short term rentals (STRs)
- Concerns about character
- Concerns about height
- Concerns about privacy
- Concerns about shadows/solar access

Short Term Rentals







- Many types of housing get rented out as STRs
- Owner occupancy does not address the problem
- Other tools exist to regulate short term rentals more effectively

Character

- Under current code there aren't any criteria for assessing compatibility with appearance and character.
- Zoning review: a staff person looks at a picture and compares it with the main structure or the rest of the neighborhood.
- No recent denials, no recent comments

RE: ADU-related complaints

Reply | Reply All | Forward | •••

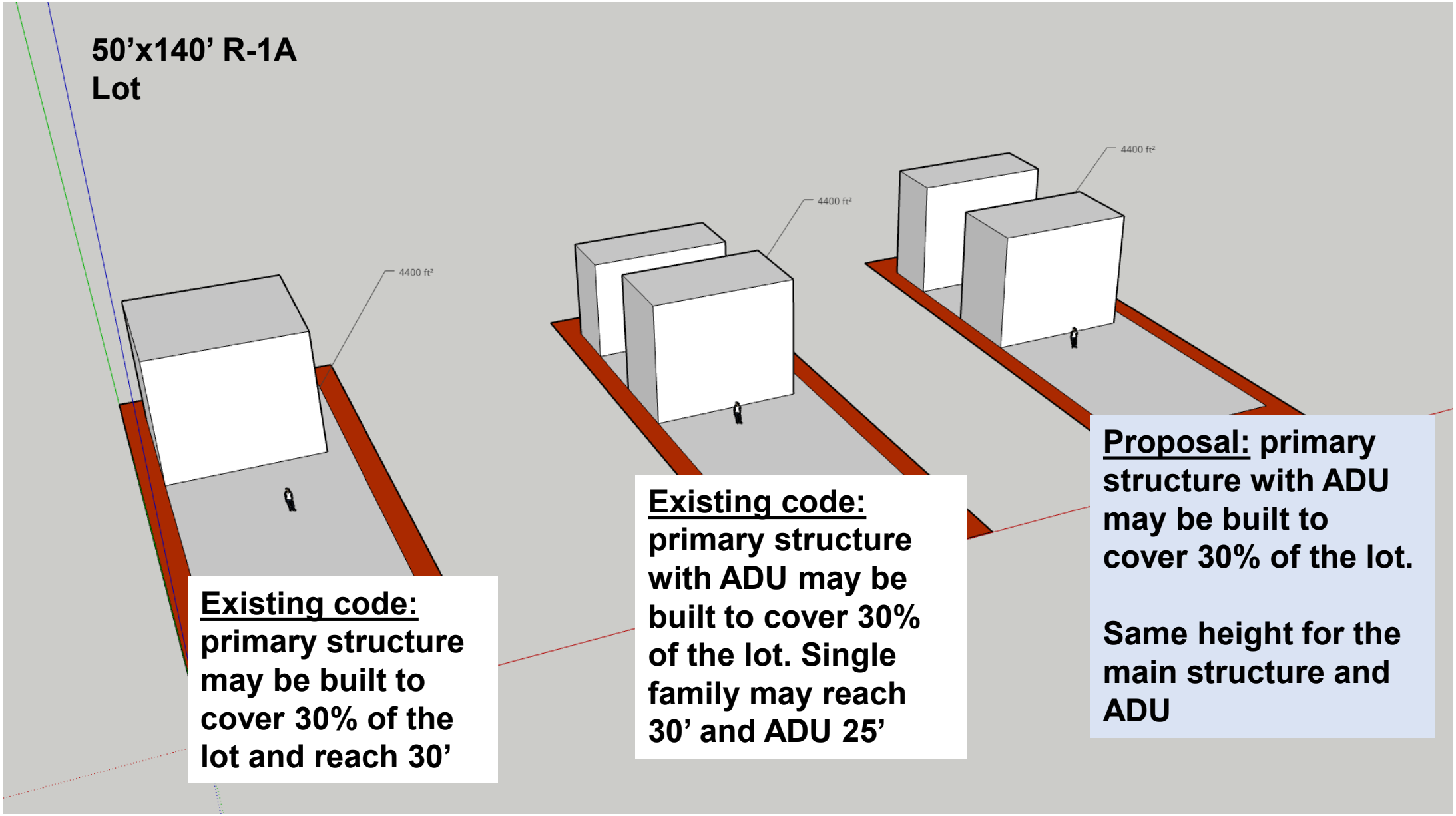
Fern, Richard A.

To Mckenna-Foster, Daniel R.; Calhoun, Sonnet L.

Wed 10/19/2022 2:41 PM

None of the folks remember having a complaint about the operation of an ADU. I see every complaint that comes in before it is assigned and I don't recall any. We go through about 1400 Service Requests a year so we may have missed one or two but it is certainly not an issue with us here in Land Use.

Height


50’x140’ R-1A Lot
4400 ft²
4400 ft²
4400 ft²
Existing code: primary structure may be built to cover 30% of the lot and reach 30’
Existing code: primary structure with ADU may be built to cover 30% of the lot. Single family may reach 30’ and ADU 25’
Proposal: primary structure with ADU may be built to cover 30% of the lot.
Same height for the main structure and ADU

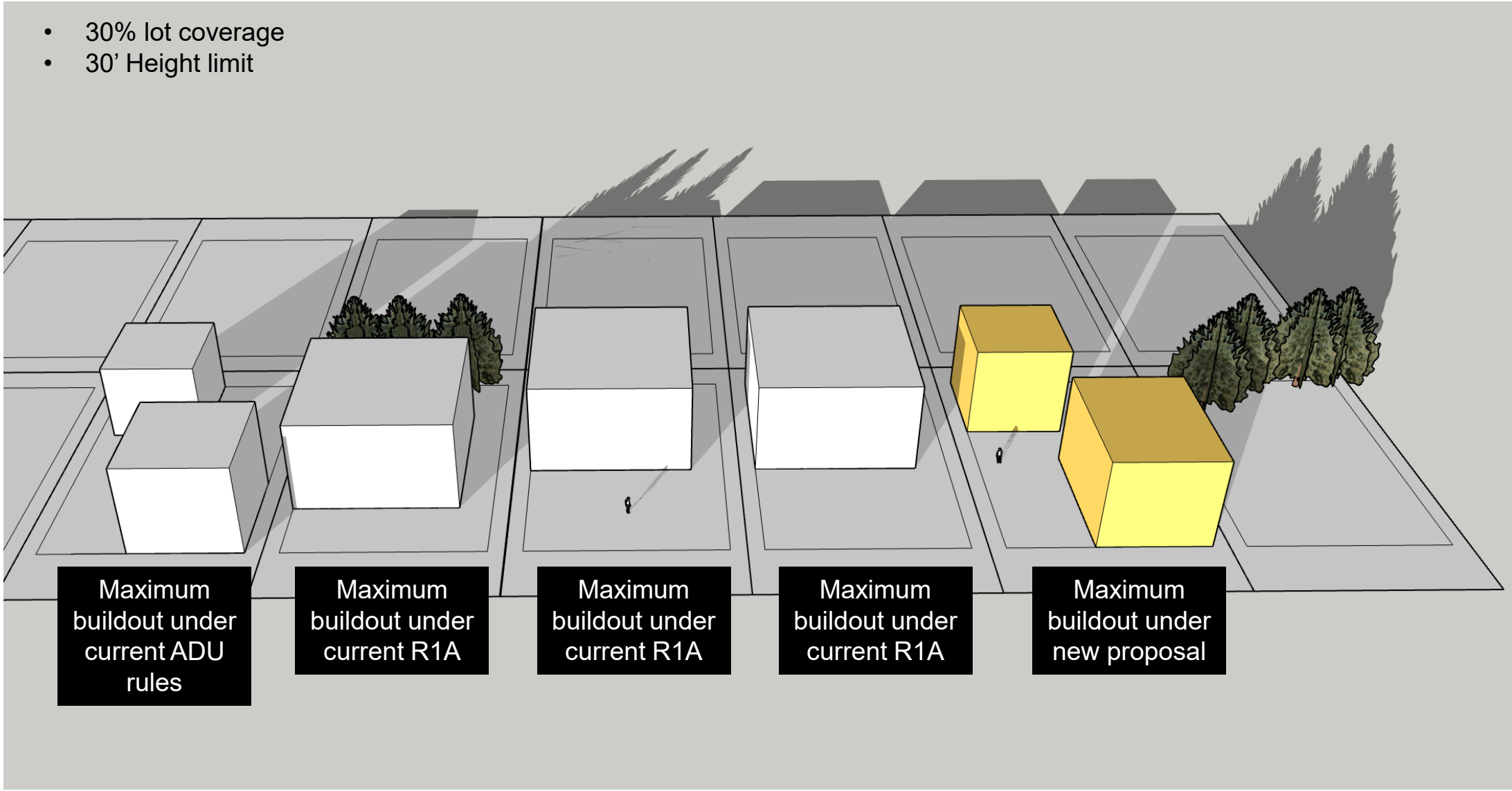
Privacy

Privacy

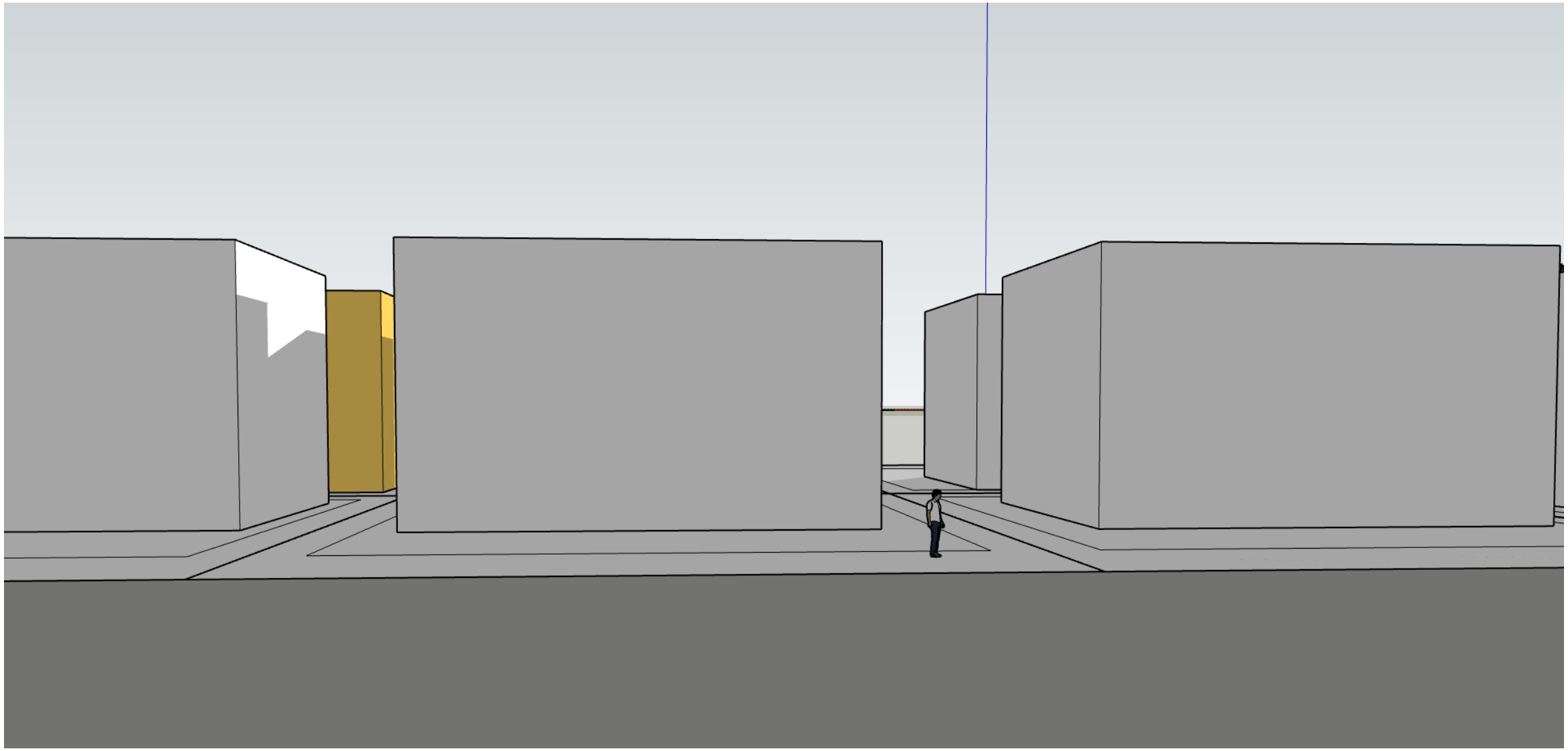
Shadows/solar access

8,400 SF R-1A Lots in Rogers Park: November Shadows

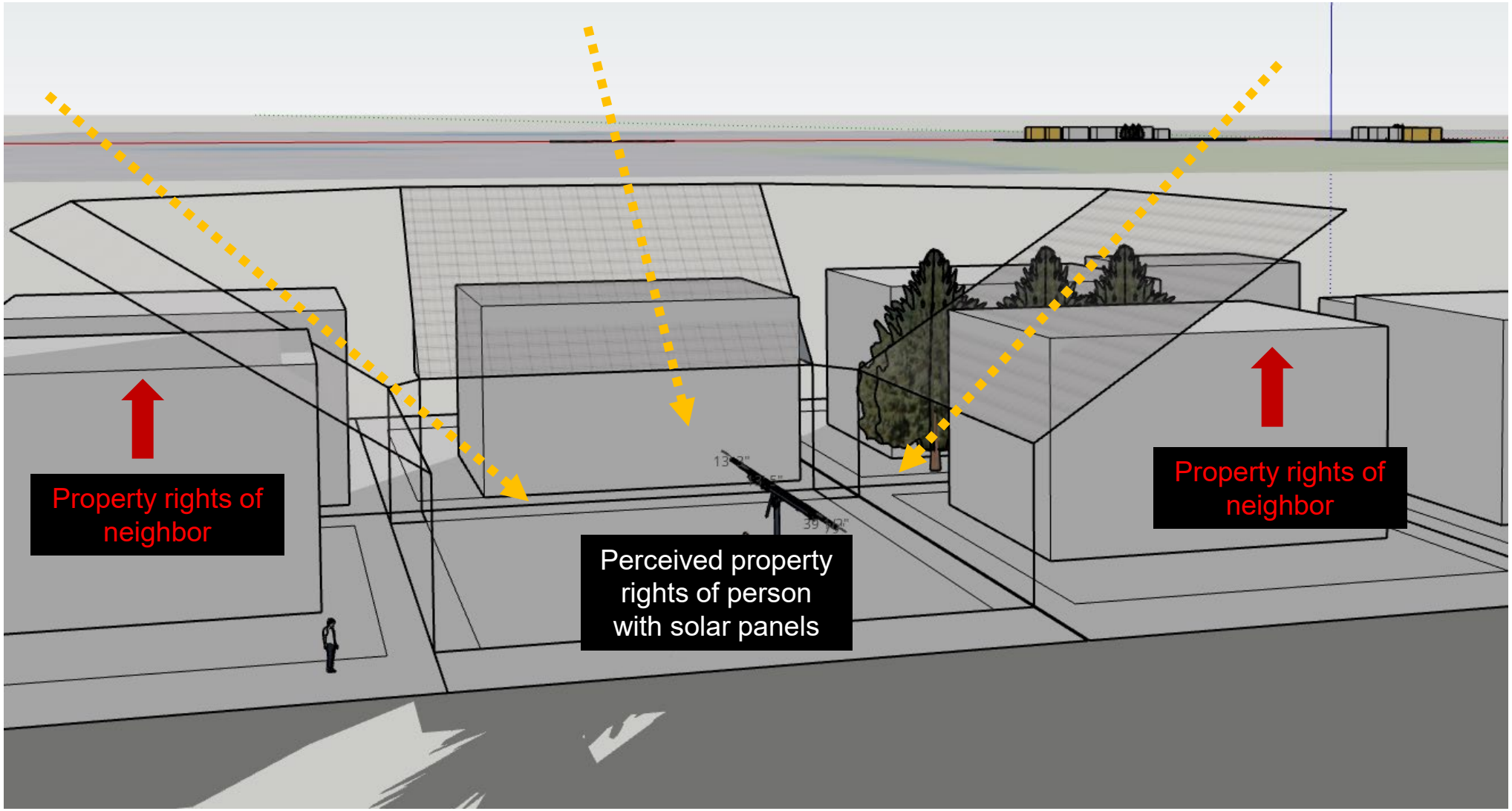
- 30% lot coverage
- 30’ Height limit



Shadows/solar access

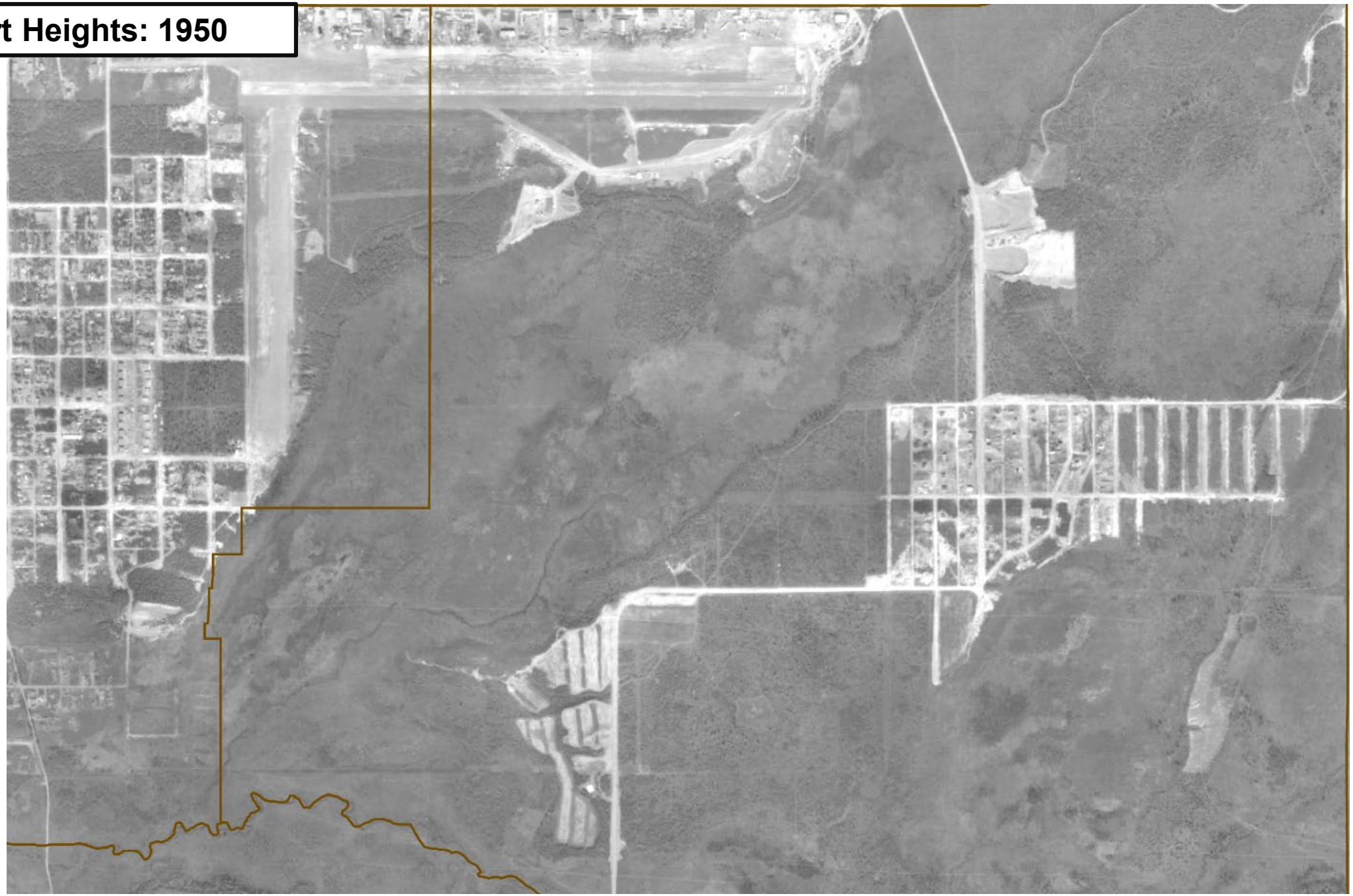


Shadows/solar access



Aerial Imagery

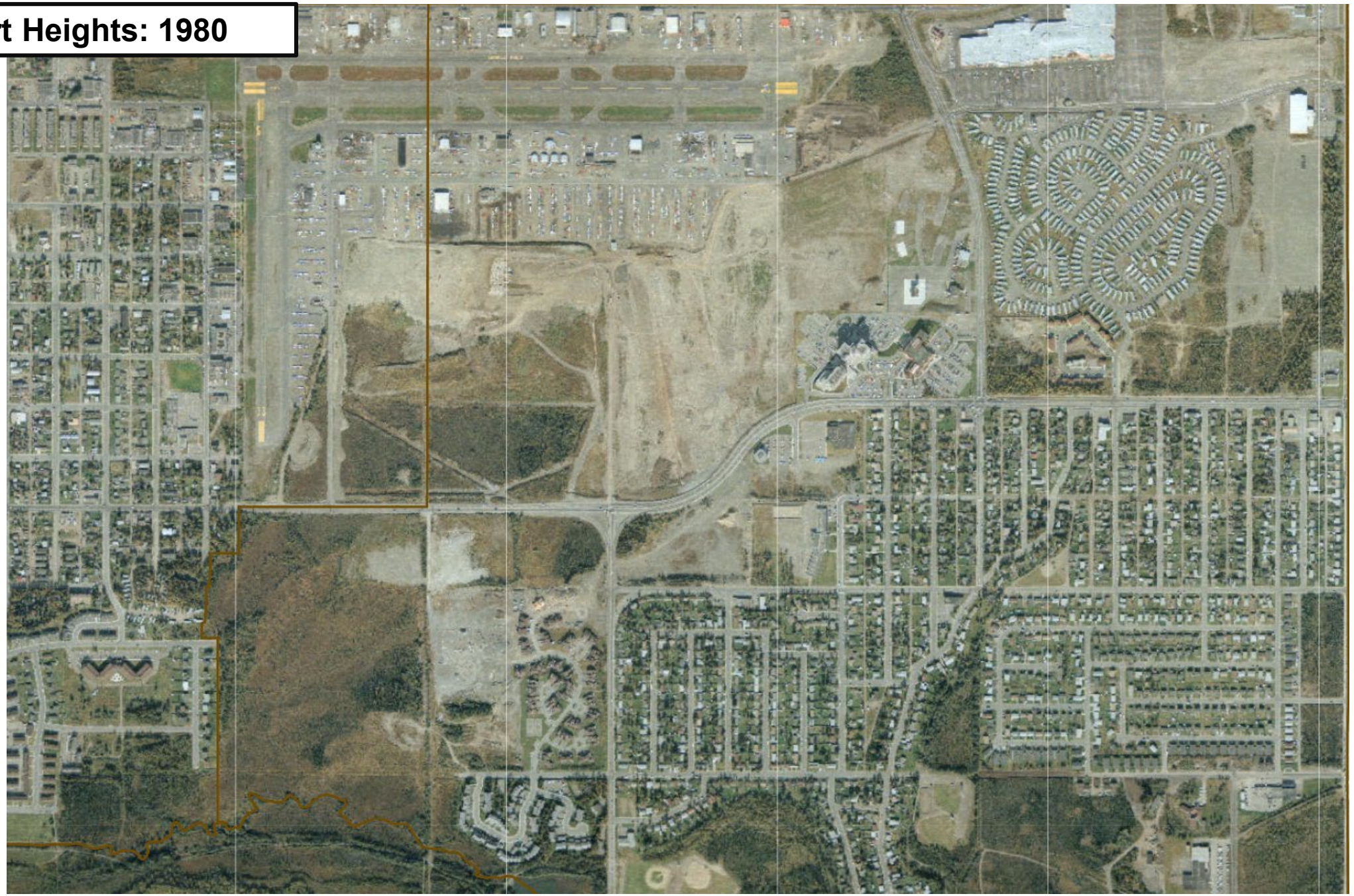
Airport Heights: 1950



Airport Heights: 1960

Airport Heights: 1970

Airport Heights: 1980



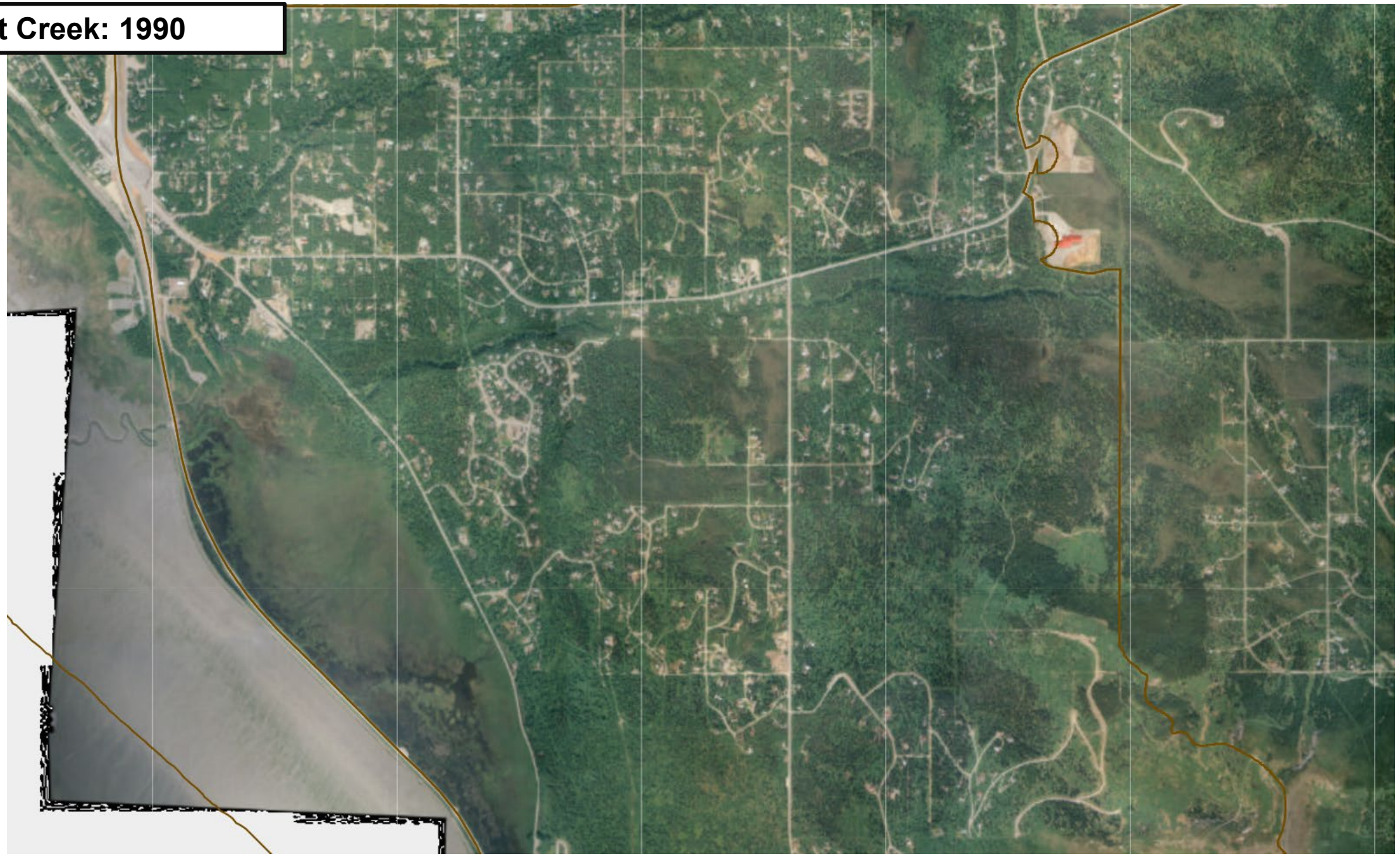
Airport Heights: 2021

Rabbit Creek: 1960

Rabbit Creek: 1970

Rabbit Creek: 1980

Rabbit Creek: 1990



Rabbit Creek: 2002

Rabbit Creek: 2021

Other Feedback

From: [redacted]
To: Mckenna-Foster, Daniel R.
Subject: ADU on R2 lot
Date: Wednesday, April 13, 2022 7:50:36 AM

[EXTERNAL EMAIL]

Hi, Daniel

I own a small duplex (1400 sq. ft. total) in the Grandview Gardens neighborhood off Airport Heights. I am 64 years old, retired, and live permanently on one side. The other side is rented to a young couple. This is the only property I own. I am thinking about adding a garage off the alleyway and thought it might be a good idea to add a small apartment above the garage to accommodate a older relative. Is this currently permitted?

Regards, [redacted]

Public Comments: 2022-0090

Commenter	Email	Phone Number	Submitted
[redacted]	[redacted]		8/8/2022 12:33:02 PM

Why does there have to be a limit of size to the accessory dwelling? Why does the limit have to be 40% less the primary dwelling? If the size of the lot allows for an accessory dwelling couldn't it be the same size as the primary home or less?

From: [redacted]
To: Anchorage2040; daniel.mckennafoster@anchorageak.gov
Subject: PZC Case No. 2022-0090
Date: Monday, August 8, 2022 11:29:32 AM

[EXTERNAL EMAIL]

We applaud efforts by the Planning Department to liberalize local zoning regulations as found in Title 21, in favor of reducing cost with regard to accessory dwelling units.

Removing the need for additional parking for ADUs is especially beneficial as many sites have existing driveways and garages that cannot be easily modified to provide additional parking. This is also an element often overlooked by developers and owners that could potentially kill an otherwise sound project if irreconcilable.

Thank you!

--
[redacted]

Sent: Sunday, November 20, 2022 7:27 PM
To: Lyon, Craig H. <craig.lyon@anchorageak.gov>
Cc: Constant, Christopher <christopher.constant@anchorageak.gov>; Volland, Daniel R. <Daniel.Volland@anchorageak.gov>
Subject: Public Commentary Re: ADU Ordinance Proposal

[EXTERNAL EMAIL]

To Whom it May Concern,

I am writing in support of the proposed changes to city ordinance pertaining to the construction of Accessory Dwelling Units (ADUs). I sincerely believe any revision that simplifies and reduced barriers to encourage existing and new home owners/builders to increase housing stock in Anchorage is a very good thing. As more Alaskans enter into retirement, it is my opinion that ADUs offer a unique way to downsize one's home based on individual need while also ensuring our older Alaskans and elders are able to age in place. By providing more housing options for older Alaskans, ADUs can and will reduce housing costs and subsequently open up larger homes for younger folks seeking to grow their families.

As someone who just went through the process of building a forever home in downtown Anchorage, I fought hard to add an American Disability Act (ADA) accessible ADU to our build. The intended future use of our ADU is for my aging father to continue living independently while also having me and my spouse close by. This is a significant win/win as although my father is on the inactive wait list for the Anchorage Pioneer Home, there is no guarantee he will get a coveted bed.

With that said, I cannot stress enough the frustration we experienced in the design, permitting, and utilities acquisition of building our ADU, not to mention the jaw dropping price tag.

In order for my spouse and I to build a "father-in-law," ADA compliant dwelling attached to our home, we had to complete several rounds of the design phase of our build to ensure we met MOA ADU requirements. Trying to ensure a wheel chair could easily navigate between the garage, entrance, bathroom, bedroom, and living room required us to make several modification to the design with each subsequent re-design adding more and more to our final home price.

Regardless, the most significant struggles came after construction was complete. Regardless of our adherence and work with MOA permitting, we were categorized as a duplex by AWWU and charged DOUBLE the water/sewage flat rate. AWWU suggested we could request a meter; however, we would need to pay out of our own pocket for installation, and also an addition inspection fee from AWWU. After submitting our ADU affidavit (using our previously MOA authorized building permits as proof of our compliance with MOA ADU ordinances), we were told that the double charges we had already paid and would continue to pay for another month would not be credited to our account.

Hi Daniel,

Thank you for answering my questions so thoroughly--I'm glad I could help. This revision to the code, if achieved, would probably make the ADU go from a dream/wish, to actually feasible for my own property, so I'm grateful that this administration and the planning department are entertaining this line of thinking. Thank you for your work on this.

My case is one where I have a 16,500sf lot in a dense R2M area. It was two lots that were replatted into one about 60 years ago and the house was built across them both, with what was once just a single family home, but became a franken-house triplex over the years. The result is underutilization of the lot, and no real functional garage. The adjacent lot next door of roughly the same size has a 7-plex with a garage on it, for comparison, and it fits well. So, this code change would allow me to in theory pursue a shop-garage with an ADU on top, allowing for the increased density contemplated by the existing zoning (R2M is based on lot-size), and compatible with the neighborhood character.

Questions?

Thank you!