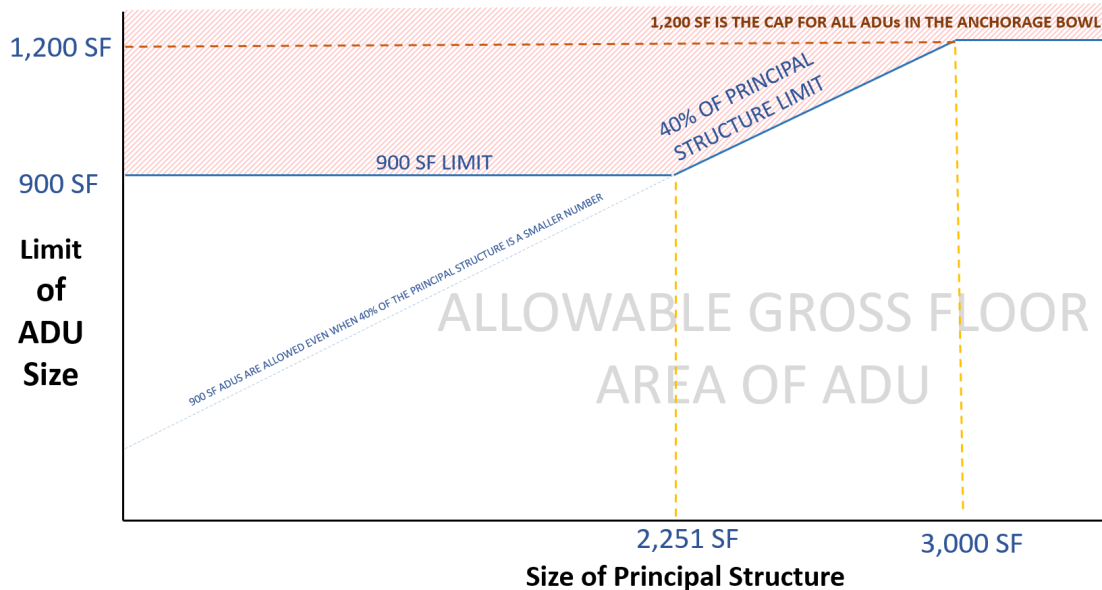


## ACCESSORY DWELLING UNITS (ADUS) DRAFT INFORMATIONAL SHEET (3.15.2023)

Assembly Ordinance 2022-107 (As Amended) amended Title 21 land use regulations on February 7, 2023 to allow more flexibility building Accessory Dwelling Units (ADUs) in Anchorage.

### Requirements for ADUs in the Anchorage Bowl (AMC 21.05.115D.)

1. **Zones:** ADUs are allowed in all residential and commercial zones wherever there is another dwelling.
2. **Size:** ADUs may be either 40% of the primary structure or 900 SF, whichever is larger, up to a maximum of 1200 SF:



3. **Height:** Maximum height of a detached ADU is 25 feet, unless an ADU is over a garage in which case it is 30'.
4. **Setbacks:** ADUs are subject to the same setback restrictions as the principal structure in a zone except that an ADU may encroach into the side or rear setback abutting an alley. Detached accessory units taller than 15 feet shall adhere to a 10-foot side setback abutting a neighboring R-1 or R-1A lot.
5. **Occupancy:** Owner occupancy is not required.

### Requirements for ADUs in Eagle River (AMC 21.10.050H.1.)

1. **Zones:** ADUs are allowed in all residential and commercial zones wherever there is another dwelling.
2. **Size:** ADUs may be 1,000 SF or 40% of the gross floor area of the principal dwelling unit, whichever is larger.
3. **Height:** Detached ADUs shall not exceed the height of the principal structure.
4. **Occupancy:** Owner occupancy is not required.

### Requirements for ADUs in Girdwood (AMC 21.09.050C.2)

1. **Zones:** ADUs only allowed on a single-family residential lot.
2. **Size:** ADUs shall be no larger than 900 SF.
3. **Height:** 35 foot maximum.
4. **Setbacks:** The side and rear setback flexibility allowed in Table 21.09-5 shall not apply to accessory units taller than 15 feet.
5. **Occupancy:** Owner occupancy is currently required.
6. **Bedrooms:** ADUs may not have more than 2 bedrooms.

## Overview of Accessory Dwelling Unit Code Changes

Item	Previous Code (Chapter 5 of Title 21)	Proposal	Rationale	As passed
<b>Owner Occupancy</b>	<p>“The landowner shall reside in either the principal dwelling unit or the ADU as his or her primary residence for more than six months of each year.”</p> <p>“With the permit application, the landowner shall submit an affidavit on a form provided by the municipality, affirming that at least one landowner will occupy the principal dwelling or the accessory unit,”</p>	This restriction removed in the proposal.	Best practices show this is often a significant obstacle to ADU production, there are also no owner occupancy requirements for single family homes.	No owner occupancy required.
<b>What kinds of buildings ADUs can be accessory to</b>	“A subordinate dwelling unit added to, created within, or detached from a detached single-family dwelling,”	Change the definition of ADU to allow them to be placed with single family and duplex homes.	Allowing ADUs accessory to duplexes allows more housing in areas where more housing is already being provided.	ADUs allowed along with any other dwelling unit in all residential or commercial zones.
<b>ADU Size</b>	<p>“(a) In class A districts, the gross floor area of the ADU, not including any related garage, shall be no greater than 900 square feet or 75 percent of the total gross floor area of the principal dwelling unit (excluding the ADU and garages), whichever is less.</p> <p>(b) In class B districts, the gross floor area of the ADU, not including any related garage, shall be no greater than 900 square feet or 35 percent of the total gross floor area of the principal dwelling unit (excluding the ADU and garages), whichever is greater.”</p> <p><b>From Chapter 8 of Title 21:</b> “For the purpose of this section, the municipality is divided into two distinct improvement areas. The class A improvement area includes areas of more dense population and/or intensive development, and thus requires a more urbanized level of improvements. The class B improvement area includes areas that are less densely populated and/or intensely developed, and thus requires a less urbanized level of improvements.”</p>	ADUs must still be subordinate to the primary dwelling, but now allow ADU floor area to be either up to 900 square feet or 40% of principal structure, whichever is larger.	Changed to allow flexibility based on feedback from the public.	ADUs allowed to be the larger of 900 SF or 40% of the principal structure. Maximum size capped at 1200 SF.

Item	Previous Code (Chapter 5 of Title 21)	Proposal	Rationale	As passed
<b>Vehicle Storage</b>	<p>“One parking space in addition to the parking spaces required for the principal dwelling unit is required for the accessory dwelling unit; but in no event shall there be fewer than three parking spaces per lot. The additional parking space required for the ADU may be on the parent lot or on-street when approved by the municipal traffic engineer as provided in subsection 21.07.090F.19.”</p>	<p>This requirement removed in the proposal.</p>	<p>Embedding transportation cost in housing cost makes housing more expensive, the existing code language is difficult to enforce, and off-street minimums have not been shown to be an effective solution to resolving right-of-way issues.</p>	<p>Parking mandates were removed for all land uses by a separate ordinance in November 2022.</p>
<b>Class A vs. Class B districts</b>	<p>(a) In class A districts, the gross floor area of the ADU, not including any related garage, shall be no greater than 900 square feet or 75 percent of the total gross floor area of the principal dwelling unit (excluding the ADU and garages), whichever is less.</p> <p>(b) In class B districts, the gross floor area of the ADU, not including any related garage, shall be no greater than 900 square feet or 35 percent of the total gross floor area of the principal dwelling unit (excluding the ADU and garages), whichever is greater.”</p>	<p>This distinction removed in the proposal.</p>	<p>This change will simplify code.</p>	<p>Distinction removed in final version.</p>

Item	Previous Code (Chapter 5 of Title 21)	Proposal	Rationale	As passed
<b>Setbacks</b>	<p>For detached ADUs: "The ADU shall, on all street frontages, either have a front setback of at least 40 feet, or be at least 10 feet behind the street facing façade of the principal dwelling unit."</p> <p>"An ADU shall not encroach into any required setback, except that an ADU may encroach into the side or rear setback abutting an alley. Detached accessory units taller than 15 feet shall adhere to a 10-foot side setback abutting a neighboring R-1 or R-1A lot."</p>	<p>The proposal calls for the same setbacks as the principal structure, allowing encroachments into side or rear setbacks abutting an alley.</p>	<p>This change will simplify code, and recognizes that if structure bulk can exist as the principal structure then there is no significant difference if the very same bulk form is an ADU.</p>	<p>Special setbacks retained for properties adjoining R-1, R-1A zoned properties: "<i>Detached accessory units taller than 15 feet shall adhere to a 10-foot side setback abutting a neighboring R-1 or R-1A lot.</i>"</p>
<b>Bedrooms</b>	<p>"The ADU shall have no more than two bedrooms."</p>	<p>This restriction removed in the proposal.</p>	<p>Difficult to enforce as is, bedroom limitations may or may not be a meaningful standard.</p>	<p>This restriction removed in the final ordinance.</p>
<b>Height</b>	<p>"The maximum height of a detached ADU shall be 25 feet."</p>	<p>Same as principal structure in underlying zone.</p>	<p>This change will simplify code, and recognizes that if structure height and bulk can exist in the same footprint (but as the principal structure), then there is no significant difference if an ADU has the same height.</p>	<p>The final ordinance retained this restriction except in cases where an ADU is over a garage.</p>

Item	Existing Code (Chapter 5 of Title 21)	Proposal	Rationale	As passed
<b>Eagle River/Chugiak</b>	“Size i. Detached ADUs on lots of one acre or more shall have a maximum gross floor area of 1,000 square feet. (Amends subsection 21.05.070D.1.b.iii.(C).(6).(a).) ii. Notwithstanding subsection 1.a. above, the gross floor area of an ADU (excluding a garage) shall not exceed 40 percent of the gross floor area of the principal dwelling (excluding any garage). (Replaces subsection 21.05.070D.1.b.iii.(C).(6).(b).)”	The gross floor area of an ADU, not including any related garage, shall be up to 1,000 square feet or 40% of the total gross floor area of the principal dwelling unit, whichever is larger).	Eagle River/Chugiak communities requested additional flexibility.	The final ordinance retained these changes.