

AMC 21.09.050 C.2

Girdwood ADUs (~~Current~~Proposed|rev4)

a. Accessory dwelling units. Except as set forth below, the generally applicable Accessory Dwelling Unit regulations contained in subsection 21.05.070 D.1., Accessory dwelling units (ADUs) shall apply. The regulations set forth below shall apply in addition to those contained in subsection 21.05.070 D.1. except, in case of conflict, the regulations below shall govern.

i. Purpose and intent

(A) Increase the supply of good quality housing for smaller households through flexible use of existing housing stock, land supply, and infrastructure;

(B) Respond to the local needs for seasonal housing;

(C) Improve the affordability of homeownership through rental income opportunity;

(D) Encourage existing non-conforming accessory structures to be brought into compliance;

(E) Provide a broader range of accessible and more affordable housing within Girdwood; and

(F) Protect neighborhood stability, property values, and character by ensuring that ADUs are installed under the provisions of this title.

ii. Application, review and approval procedures

The regulations described in 21.05.070 D.1.b.ii shall apply, except that only a land use permit is required.

iii. Requirements

(A)i. Maximum number of accessory units. ~~Except as provided in subsection ii., below, only one~~ Only one accessory dwelling unit ~~or bed and breakfast unit,~~ as defined in section 21.05.070 D., shall be allowed on any single-family residential lot. The accessory dwelling unit may be a rental unit.

~~ii. Accessory dwelling unit as bed and breakfast. The accessory dwelling unit may be used as a bed and breakfast room, but the bed and breakfast facility is then limited to only one guestroom, the accessory dwelling unit.~~

(B)iii. Location. An accessory dwelling unit shall be on the same lot as the primary dwelling unit. An accessory dwelling unit ~~shall~~ may be attached to ~~or detached from~~ the single-family dwelling unit; ~~if the lot is at least 16,800 sq. ft., the accessory dwelling unit may be detached from the primary dwelling unit.~~

(C)iv. SizeMaximum square footage. ~~There is no~~ The minimum square footage for an accessory dwelling unit ~~is 300 sq. ft.~~ The maximum gross square footage for an accessory dwelling unit, ~~not including any related garage, shall be no greater than~~ is 900600 sq. ft., ~~on a lot up to and including 15,000 sq. ft. and 750 sq. ft., on a lot over 15,000 sq. ft.; provided, however, that in the gRST-1 and gRST-2 districts, the maximum square footage for an accessory dwelling unit is 750 square feet on a single family residential lot. The accessory dwelling unit shall not, however, exceed~~ 5075 percent of the gross floor area of the primary dwelling unit ~~(excluding the ADU and garages), whichever is less.~~

**Commented [ME1]:** Motivation is to increase the number of long-term rental units in Girdwood. A typical use case is to add a garage with a living unit above. That's hard in current code and impossible to add a detached unit in all but the largest 15% of lots.

**Commented [ME2]:** Make sure we cover all topics in new 21.05.070 D.1 (the new Anchorage ADU code)

**Commented [ME3]:** Not clear why this is here and how it applies in the world of STR platforms (AirBnB, VRBO etc). Recommend removal.

**Commented [ME4]:**

**Commented [ME5]:** This is the definition of an ADU 21.05.070.D.1.a so language is redundant. Kept for reinforcement.

**Commented [ME6]:** Originally could only have detached on 16,800sqft lots (~150 in GW), discussed dropping to 10,400sqft (min legally conforming in gR2), but settled on no minimum lot, to allow site to determine feasibility?

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**Commented [ME7]:** [Discussion at 3/10/2021 HWG meeting] Are there minimums from other parts of code? If so, "No minimum" might be misleading.

**Commented [ME8]:** 50% in original Ch9, 75% in Anchorage code. Should look at this in more detail (e.g. is garage included?)

~~iv.(D).~~ Floor area ratio; density. The floor area of the accessory dwelling unit is included, along with the floor area of the primary dwelling unit, in calculating the floor area ratio on the lot, but the accessory dwelling unit is not included in calculating the average density for a new single-family subdivision.

~~(E).~~ Maximum height. Accessory dwelling units shall not exceed 35' in height, nor be greater than twice the height of the primary dwelling unit.

~~(F)ii.~~ Parking. In addition to the parking requirements for the primary dwelling unit, one off-street parking space shall be provided for ~~an each~~ accessory dwelling unit of 600 sq. ft. or less, ~~and~~ two off-street parking spaces shall be provided for ~~an an~~ accessory dwelling unit larger than 600 sq. ft., ~~and one off-street parking space shall be provided for each accessory dwelling unit bedroom. The largest of these requirements will apply.~~

~~iii.(G).~~ Owner occupancy. Either the principal dwelling or the accessory unit on any site shall be occupied by the owner of the principal dwelling or owner of the lot where the accessory unit is located.

~~iii.~~ Architectural compatibility. An accessory dwelling unit, whether attached to or detached from the primary dwelling unit, shall be compatible in style and materials with the primary dwelling unit.

~~(H)ix.~~ New accessory dwelling unit where single-family dwelling unit already in existence. A new accessory dwelling unit to be constructed on a lot with an existing single-family dwelling unit shall conform to all development and dimensional standards in the applicable zone district regulations.

~~(I).~~ Maximum number of bedrooms. The ADU shall have no more than two bedrooms.

~~(J).~~ Setbacks. An ADU shall not encroach into any required setback. The side and rear setback flexibility in note 2 of Table 21.09-5 shall not apply to detached accessory units taller than 15 feet.

~~(K).~~ Utilities. To the extent allowed by law and utility tariff, the ADU shall be connected to the ~~water, sewer, and electric utilities~~ of the single family dwelling unit. However, lots with on-site water or septic systems may have a separate water and/or septic system for the ADU.

~~iv.~~ Expiration of Approval of an ADU.

The regulations described in 21.05.070 D.1.b.iii.(F) shall apply, except that only a land use permit is required.

~~v.~~ Transfer.

The regulations described in 21.05.070 D.1.b.iii.(G) shall apply.

~~vi.~~ Prior illegal use.

(A) All structures which meet the definition of accessory dwelling unit which are not recognized as legal nonconforming structures or uses of structures under chapter 21.12 shall comply with this subsection. Such structures may continue in existence provided the following requirements are met:

(a) A permit application for an ADU is submitted to the building safety division within twelve months of the effective date of this ordinance.

(b) The unit complies with the requirements of this section.

(2) If the unit does not comply with the requirements of this section at the time the permit application is filed, the building official may grant twelve months to bring the unit into conformance.

**Commented [ME9]:** [Discussion at 3/10/2021 HWG meeting] Analysis: how many existing SFHs are impacted by the FAR limit?

**Commented [ME10]:** 35' may be too tall. Check against definition of "height" for dwelling unit above garage with pitched roof

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**Commented [ME11]:** Anchorage only requires 1 parking space, but Girdwood does not have on-street parking. [Discussion at 3/10/2021 HWG meeting] In other jurisdictions excess parking requirements were a problem. But Girdwood does not require paved residential parking, nor have convenient on-street parking. So keep at least 1 spot. May want to consider if "1 per bedroom" disincentives providing family-scale housing

**Commented [ME12]:** This is quite flexible - see definition of "compatible" in 21.???

**Commented [ME13]:** Removed per discussion at 3/10/2021 HWG meeting

**Commented [ME14]:** From Anchorage code – makes sense to add.

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**Commented [ME15]:** Discourage tall secondary structures only 5 ft from lot lines.

**Commented [ME16]:** [Discussion at 3/10/2021 HWG meeting] Suggested to remove gas as a required utility – as there are other reasonable heating options for small cabins

(3) This subsection does not apply to existing legal nonconforming uses of structures established pursuant to chapter 21.12.

vii. Variances.

Variances may be granted from the standards and provisions of this section.