

**ANCHORAGE, ALASKA**  
**AO NO. 2022-107, As Amended**

1 **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE, TITLE 21**  
2 **SECTION 21.05.070, ACCESSORY USES, AND 21.10.050, USE**  
3 **REGULATIONS.**

4  
5 (Planning and Zoning Commission Case No. 2022-0090)  
6

7 **WHEREAS**, Goal 4 of the 2040 Land Use Plan (LUP) calls for neighborhoods to  
8 provide a range of places to live and meet the housing needs of residents at all  
9 income levels, household sizes, interests, ages, abilities, and races, and  
10 ethnicities; and

11  
12 **WHEREAS**, the 2040 LUP encourages 1,000 new Accessory Dwelling Units  
13 (ADUs) in the Bowl by 2040; and

14  
15 **WHEREAS**, 2040 LUP policy 4.2 allows for and encourages innovative compact  
16 housing types and a variety of housing options that respond to changing  
17 preferences; and

18  
19 **WHEREAS**, 2040 LUP Action 4-7 states an amendment to Title 21 is needed to  
20 ease restrictions that deter the construction of ADUs; and

21  
22 **WHEREAS, the intent of ADUs is to increase resident housing; and not to**  
23 **contribute to the supply of Short Term Rentals; and**

24  
25 **WHEREAS, the Assembly finds that there is high public interest in questions**  
26 **surrounding short term rental regulation, including the intersection with**  
27 **accessory dwelling units, and recognizes the need to separately consider**  
28 **future code revisions and additions concerning short term rentals; and**

29  
30 **WHEREAS**, building permits since the most recent changes to Accessory Dwelling  
31 Unit zoning regulations in 2018 do not indicate substantial increases in the number  
32 of ADUs produced; and

33  
34 **WHEREAS**, between 2021 and 2022, the Planning Department has conducted  
35 outreach, hosted a workgroup, and conducted a survey of community councils on  
36 perceived obstacles within the zoning code and developed a proposal to address  
37 needed changes to improve ADU production; now, therefore,

38  
39 **THE ANCHORAGE ASSEMBLY ORDAINS:**  
40

**Section 1.** Anchorage Municipal Code 21.05.070 is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

**21.05.070 Accessory Uses and Structures**

\*\*\* \*\*

C. Table of Allowed Accessory Uses

1. Explanation of Table Abbreviations

\*\*\* \*\*

g. Table of Permitted Accessory Uses and Structures

TABLE 21.05-3: TABLE OF ACCESSORY USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS																															
P = Permitted                      S = Administrative Site Plan Review                      C = Conditional Use Review																															
Accessory Uses	RESIDENTIAL										COMMERCIAL			INDUST			OTHER			Definitions and Use-Specific Standards											
	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-3A	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO		MC	I-1	I-2	MI	AF	DR	PR	PLI	W		
Accessory dwelling unit (ADU)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P											21.05.070D.1.

\*\*\* \*\*

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. Accessory uses shall comply with the applicable use-specific standards in this subsection, in addition to complying with the general standards in subsection B.

1. *Accessory Dwelling Unit (ADU).*

a. *Definition.* An **additional** [SUBORDINATE] dwelling unit added to, created within, or detached from a [DETACHED SINGLE-FAMILY OR TWO-FAMILY] dwelling **on a parcel** 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.

b. *Use-specific Standards.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

i. *Purpose and Intent.* The purpose and intent of this section are to:

(A) Fulfill housing policy #15 of Anchorage 2020: Anchorage Bowl Comprehensive Plan, which provides that accessory housing units shall be allowed in certain residential zones;

**(B) Provide a means for homeowners, particularly the elderly, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services;**

[(B) PROVIDE A MEANS FOR HOMEOWNERS, PARTICULARLY THE ELDERLY, SINGLE PARENTS, AND FAMILIES WITH GROWN CHILDREN, TO REMAIN IN THEIR HOMES AND NEIGHBORHOODS, AND OBTAIN EXTRA INCOME, SECURITY, COMPANIONSHIP, AND SERVICES;]

**C[(B)[C]** Allow more efficient and flexible use of existing housing stock, land supply, and infrastructure;

**(D) Respond to changing family needs and smaller households by providing a mix of housing;**

**(E) Improve the affordability of homeownership and enhance property values through rental income opportunities; and**

**(F) Provide a broader range of accessible and more affordable housing within the municipality.**

[(D) RESPOND TO CHANGING FAMILY NEEDS AND SMALLER HOUSEHOLDS BY PROVIDING A MIX OF HOUSING;

(E) IMPROVE THE AFFORDABILITY OF HOMEOWNERSHIP AND ENHANCE PROPERTY VALUES THROUGH RENTAL INCOME OPPORTUNITIES;

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

(F) PROVIDE A BROADER RANGE OF ACCESSIBLE AND MORE AFFORDABLE HOUSING WITHIN THE MUNICIPALITY; AND]

(G) 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*

(A) Any landowner operating or seeking to establish an ADU shall obtain a building or land use permit from the Development Services Department. The permit shall constitute an ADU permit.

[(B) 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 AND THAT THE ADU WILL CONFORM TO THE REQUIREMENTS OF THE PERMIT AND THE REQUIREMENTS OF THIS SECTION. ANY OTHER RESTRICTIONS OR OBLIGATIONS RELATED TO THE ADU USE AND REQUIRED TO BE RECORDED SHALL BE INCLUDED IN THE AFFIDAVIT.

(C) THE PERMIT AND THE AFFIDAVIT SHALL BE FILED AS A DEED RESTRICTION WITH THE ANCHORAGE RECORDING DISTRICT TO INDICATE THE PRESENCE OF THE ADU, THE REQUIREMENT OF OWNER-OCCUPANCY, AND CONFORMITY WITH THE REQUIREMENTS OF THE PERMIT AND THE REQUIREMENTS OF THIS CHAPTER.]

(B[D]) For purposes of securing financing, potential landowners may request and receive a letter of pre-approval from the municipality indicating the property is eligible for an ADU permit if the potential landowner completes the application process and construction in accordance with this section.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

iii. *Requirements.* All ADUs shall meet the following requirements:

[(A) PURPOSE. REQUIREMENTS FOR ACCESSORY DWELLING UNITS ADDRESS THE FOLLOWING PURPOSES:

- (1) ENSURE THAT ACCESSORY DWELLING UNITS MAINTAIN AND ARE COMPATIBLE WITH THE APPEARANCE AND CHARACTER OF THE PRINCIPAL RESIDENCE, LOT, AND NEIGHBORHOOD;
- (2) ENSURE THAT ACCESSORY DWELLING UNITS ARE SMALLER IN SIZE THAN THE PRINCIPAL DWELLING ON THE LOT, AND PRESERVE UNDERLYING LOT COVERAGE LIMITS;
- (3) MINIMIZE NEGATIVE IMPACTS TO ON-STREET PARKING IF ALLOWED BY THE TRAFFIC ENGINEER, AND MINIMIZE THE AMOUNT OF PAVED SURFACE ON A SITE; AND
- (4) PROVIDE CLEAR AND FLEXIBLE STANDARDS THAT MAKE IT PRACTICAL AND ECONOMICAL TO DEVELOP ACCESSORY DWELLING UNITS THAT ARE IN COMPLIANCE WITH THIS CODE.]

(A[B]) *Allowed Zoning Districts.* ADUs are allowed in all residential zoning districts.

(B[C]) *Requirements for Developing an ADU.*

- (1) **One Accessory Dwelling Unit. One ADU is allowed per parcel. [ONE PRINCIPAL STRUCTURE. ONE ADU MAY BE ADDED TO OR CREATED WITHIN A] [DETACHED SINGLE-FAMILY DWELLING ON A LOT, TRACT, OR PARCEL, BUT ONLY IF THE DETACHED SINGLE-FAMILY DWELLING IS THE SOLE PRINCIPAL STRUCTURE ON THAT LOT, TRACT,**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

OR PARCEL] ~~[dwelling or two-family dwelling on a lot, tract, or parcel.]~~

(2) **[DETACHED ADU. ONE ADU DETACHED FROM A SINGLE-FAMILY ~~or two-family~~ DWELLING IS PERMITTED ON A LOT, TRACT, OR PARCEL IN ALL RESIDENTIAL ZONING DISTRICTS.]**

**[(3)]** *Lot Coverage.* The lot coverage of the principal dwelling unit and all accessory structures combined, including but not limited to the ADU, shall be less than or equal to the maximum lot coverage allowed by the zoning district.

**[(3)][(4)]** [USES. 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.] Building Code Requirements. All ADUs shall be built to the adopted municipal building code standards.

**[(4)][(5)]** *Size.* ~~[ADUs shall be subordinate in size to the primary structure on the lot.]~~ The gross floor area of the ADU, not including any related garage, shall be up to 900 square feet or 40 percent of the total gross floor area of the principal dwelling unit (excluding the ADU and garages), whichever is greater, **and an ADU shall not exceed 1200 SF.**

[(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.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

(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.

(C) THE ADU SHALL HAVE NO MORE THAN TWO BEDROOMS.]

**(5)[(6)]** *Setbacks.* [AN ADU SHALL NOT ENCROACH INTO ANY REQUIRED SETBACK, EXCEPT THAT ]ADUs are subject to the same setbacks of the underlying zone except that a[A]n 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.** [ Detached ACCESSORY UNITS TALLER THAN 15 FEET SHALL ADHERE TO A 10-FOOT SIDE SETBACK ABUTTING A NEIGHBORING R-1 OR R-1A LOT.]

[(7) PARKING. 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. NOTWITHSTANDING THE PROVISIONS OF CHAPTER 21.13,

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

NONCONFORMITIES, ALL OFF-STREET PARKING DEFICIENCIES SHALL BE CORRECTED. EXCEPTIONS:

(A) NO ADDITIONAL PARKING SHALL BE REQUIRED FOR THE ACCESSORY DWELLING UNIT IF THE LANDOWNER OF THE REAL PROPERTY EXECUTES A COVENANT, INCLUDED AS A PROVISION IN THE AFFIDAVIT REQUIRED FOR THE ADU PERMIT ON A FORM PROVIDED BY THE MUNICIPALITY, THAT PROHIBITS THE PERSON OCCUPYING AND RESIDING IN THE ADU FROM OWNING, LEASING, OR HAVING A RIGHT TO USE A MOTOR VEHICLE; EXCEPT THE PERSON MAY OWN OR LEASE A MOTOR VEHICLE THAT IS NOT INTENDED FOR USE BY THE PERSON OCCUPYING AND RESIDING IN THE ADU AND NOT REGULARLY PARKED AT THE SITE. THE COVENANT SHALL INCLUDE AN AGREEMENT BY THE LANDOWNER TO REQUIRE ANY LEASE, RENTAL AGREEMENT, OR OTHER ARRANGEMENTS WITH THE TENANT OF THE ADU TO INCLUDE THE PROHIBITION, WITH THE RIGHT OF EVICTION IF THE SUCH PERSON ACQUIRES ONE. FOR PURPOSES OF THIS SECTION, A "MOTOR VEHICLE" IS A SELF-PROPELLED VEHICLE DESIGNED TO TRAVEL ON THREE OR MORE WHEELS IN CONTACT WITH THE GROUND.

(8) DESIGN AND APPEARANCE.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

(A) THE CONSTRUCTION OF AN ADDITIONAL ENTRY DOOR ON THE SIDE OF A PRINCIPAL STRUCTURE FACING A STREET FOR ENTRANCE INTO AN ACCESSORY DWELLING UNIT IS PROHIBITED UNLESS NO OTHER ENTRY DOOR ALREADY EXISTS ON THAT SIDE. ENTRANCES ARE PERMITTED ON NON-STREET-FACING SIDES OF THE PRINCIPAL STRUCTURE. DETACHED ADUS ARE EXEMPT FROM THIS STANDARD.]

~~(6)~~[(7[9])] *Utilities.* To the extent allowed by law and utility tariff, the ADU shall be connected to the water, sewer, gas, 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.

[(D) ADDITIONAL REQUIREMENTS FOR DETACHED ADUS

- (1) 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.
- (2) THE MAXIMUM HEIGHT OF A DETACHED ADU SHALL BE 25 FEET.]

~~(C) *Height.* ADUs shall be **a maximum limit of 25 feet in height, unless located above a garage, in which case the ADU is limited to a maximum of 30 feet in height [subject to the same height limits as the principal structure on the lot].**~~

~~(D)[E] *Density.* ADUs are not included in the density calculations for a site.~~

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

(E[F]) *Expiration of Approval of an ADU.* Approval of an ADU expires when:

- (1) The ADU is altered and is no longer in conformance with this code;
- [(2) THE PROPERTY CEASES TO MAINTAIN ALL REQUIRED PARKING SPACES;
- (3) A LANDOWNER OF THE PROPERTY DOES NOT RESIDE IN EITHER THE PRINCIPAL OR THE ACCESSORY DWELLING UNIT; OR]
- (2[4]) The ADU is abandoned by the landowner through written notification to the municipality on a form provided by the municipality.

[(G) [TRANSFER. WHEN A PROPERTY WITH AN ADU IS SOLD OR OTHERWISE TRANSFERRED, THE NEW LANDOWNER SHALL FILE AN AFFIDAVIT OF OWNER-OCCUPANCY WITH THE DEPARTMENT WITHIN 30 DAYS OF THE TRANSFER, AND PAY A PROCESSING FEE. FAILURE TO FILE AN AFFIDAVIT BY THE DUE DATE CONSTITUTES A FAILURE TO HAVE A PERMIT, IN VIOLATION OF THIS SECTION. TRANSFERS FROM ONE LANDOWNER TO ANOTHER LANDOWNER DO NOT REQUIRE A NEW AFFIDAVIT SO LONG AS THE RECIPIENT LANDOWNER SIGNED THE ORIGINAL AFFIDAVIT.]

(E[H]) *Prior Illegal Use.*

- (1) All structures which meet the definition of accessory dwelling unit which are not recognized as legal nonconforming structures or uses of structures under chapter 21.13 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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49

division within six 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 six months to bring the unit into conformance.

(3) In addition to any other remedies provided in this code, failure to legalize an existing unit under this subsection shall result in civil penalties as provided in AMC section 14.60.030. [ALL LANDOWNERS OF ILLEGAL UNITS SHALL ALSO BE REQUIRED TO EITHER LEGALIZE THE UNIT OR REMOVE IT.]

(4) This subsection does not apply to existing legal nonconforming uses of structures established pursuant to chapter 21.13.

\*\*\*      \*\*\*      \*\*\*

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-131, § 4, 1-12-15; AO No. 2015-142(S-1), § 5(Exh. C), 6-21-16; AO No. 2016-3(S), § 10, 2-23-16; AO No. 2016-136, § 3, 11-15-16; AO No. 2017-10, § 1, 1-24-17; AO No. 2017-160, § 2, 12-19-17; AO No. 2017-176, § 5, 1-9-18; AO No. 2018-43(S), §§ 1(Exh. B), 2, 6-12-18; AO No. 2020-38, § 6, 5-28-20; AO No. 2021-26, § 1, 3-9-21; AO No. 2021-89(S), §§ 3—8, 21, 2-15-22)

**Section 2.** Anchorage Municipal Code 21.10.050 is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

**21.10.050      USE REGULATIONS**

\*\*\*      \*\*\*      \*\*\*

H. *Accessory Uses and Use-Specific Standards.*

Except for those uses listed below, see section 21.05.070. For those uses listed below, the use-specific standards or applicable portions of such standards of this chapter shall apply instead of the use-specific standards of chapter 21.05.

- 1. *Accessory Dwelling Unit (ADU).*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

a. Size. 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.

[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).)]

\*\*\* \*\*

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2013-139, § 2, 1-28-14; AO No. 2014-40(S), §§ 2(Att. A), 3, 4, 5-20-14; AO No. 2014-58, § 4(Att. C), 5-20-14; AO No. 2015-133(S), § 5, 2-23-16; AO No. 2015-142(S-1), §§ 8, 9, 6-21-16; AO No. 2016-3(S), §§ 15—17, 2-23-16; AO No. 2016-54, § 1, 6-7-16; AO No. 2016-136, § 4, 11-15-16; AO No. 2017-10, § 2, 1-24-17; AO No. 2017-57, § 2, 4-1-17; AO No. 2017-160, § 6, 12-19-17; AO No. 2019-11, § 5, 2-12-19; AO No. 2021-89(S), § 17, 2-15-22)

**Section 3. Within one year of adoption of this ordinance, the Planning Department shall implement the following strategies: permit review assistance program, applicant guidance materials, and improved tracking of ADU development trends. In addition, the Planning Department shall evaluate the success or impediments to successful implementation of this ordinance and submit a report to the Assembly by an information memorandum no later than one year after the effective date of this ordinance describing its implementation and whether the requirements of this section have been met.**

**Section 4[3].** This ordinance shall be effective **February 7, 2023**[immediately] upon passage and approval by the Assembly.

1 PASSED AND APPROVED by the Anchorage Assembly this 10th day of  
2 January, 2023.

3  
4  
5 

6  
7 \_\_\_\_\_  
8 Chair

9 ATTEST:

10  
11 

12 \_\_\_\_\_  
13 Municipal Clerk

14  
15 (Planning and Zoning Commission Case No. 2022-0090)  
16

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects -- General Government**

AO Number: 2022-107

Title: **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE, TITLE 21 SECTION 21.05.070, ACCESSORY USES, AND 21.10.050, USE REGULATIONS.**

Sponsor: **MAYOR**  
 Preparing Agency: Planning Department  
 Others Impacted:

<b>CHANGES IN EXPENDITURES AND REVENUES:</b>	<b>(In Thousands of Dollars)</b>				
	<b>FY22</b>	<b>FY23</b>	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>
<b>Operating Expenditures</b>					
1000 Personal Services	\$ -	\$ -	\$ -	\$ -	\$ -
2000 Non-Labor	\$ -	\$ -	\$ -	\$ -	\$ -
3900 Contributions	\$ -	\$ -	\$ -	\$ -	\$ -
4000 Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL DIRECT COSTS:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Add: 6000 Charges from Others	\$ -	\$ -	\$ -	\$ -	\$ -
Less: 7000 Charges to Others	-	-	-	-	-
<b>FUNCTION COST:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>REVENUES:</b>					
<b>CAPITAL:</b>					
<b>POSITIONS: FT/PT and Temp</b>					

**PUBLIC SECTOR ECONOMIC EFFECTS:**

No direct impacts anticipated.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

No direct impacts anticipated.



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 672-2022

Meeting Date: November 22, 2022

1 **FROM: MAYOR**

2  
3 **SUBJECT: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE,**  
4 **TITLE 21 SECTION 21.05.070, ACCESSORY USES, AND**  
5 **21.10.050, USE REGULATIONS.**  
6  
7

### 8 **INTRODUCTION AND PZC RECOMMENDATION**

9 At its September 19, 2022 work session and regular meeting, the Planning and  
10 Zoning Commission (PZC) heard an overview and discussed Case No. 2022-0090,  
11 changes to Title 21 code sections regulating Accessory Dwelling Units. At this  
12 meeting, PZC held a public hearing, discussed the ordinance, and recommended  
13 approval to the Anchorage Assembly. The PZC recommendation is attached as  
14 PZC Resolution No. 2022-033 (Exhibit A).  
15

### 16 **OVERVIEW**

17 The *Anchorage 2040 Land Use Plan* (2040 LUP) advocates for the simplification  
18 or streamlining of rules governing accessory dwelling units and encourages more  
19 compact housing types within the Anchorage Bowl. The 2040 LUP called for 1,000  
20 new ADUs in the Bowl by 2040; records since 2016 indicate that fewer than 160  
21 have been built legally.  
22

### 23 **SUMMARY OF UPDATES TO TITLE 21**

24 This ordinance addresses a number of limitations in the existing code, including  
25 (1) removing owner-occupancy requirements, (2) restrictions on the number of  
26 bedrooms, (3) special limitations on ADU heights and setbacks, (4) vehicle storage  
27 requirements, (5) allowing an accessory dwelling unit to be added to a duplex, and  
28 (6) increasing the allowable size of an ADU.  
29

30 The proposal does not change the overall heights or lot coverage maximums for  
31 any lot or supersede any existing life-safety regulations or those related to slopes,  
32 wells, or septic systems. The proposal does not include ADU regulations for  
33 Girdwood but does include changes to the size of ADUs allowed in Chugiak-Eagle  
34 River, including at the community's request.  
35

### 36 **WORKING GROUP AND PUBLIC PARTICIPATION SUMMARY**

37 The Department convened a working group including builders, developers,  
38 representatives from AARP Alaska, NeighborWorks Alaska, Cook Inlet Housing  
39 Authority, and others, which met five times between November 2021 and July  
40 2022. The Planning Department conducted a public survey of the Federation of

1 Community Councils in the fall of 2021 and received over 330 responses by  
2 January 2022. The project also benefited from the work of Lindsey Hajduk of  
3 NeighborWorks America, who completed an additional survey of over 500  
4 respondents to provide additional data about ADUs and the role of local  
5 government in facilitating their production.  
6

7 Staff toured the South Addition neighborhood with representatives of the South  
8 Addition Community Council on May 5, 2022, and held additional meetings with  
9 nine community councils between April and June 2022. Staff heard from many  
10 residents throughout the process; and for all questions, including comments  
11 immediately prior to the PZC public hearing, staff endeavored to address this as  
12 quickly and comprehensively as possible.  
13

#### 14 **SPECIAL CONSIDERATIONS**

15 One of the most frequent comments staff heard during this process was concern  
16 about ADUs and short-term rentals (STRs). Staff's response to this concern has  
17 been that STRs may be better managed by adding short-term rentals as a use in  
18 Chapter 5 of Title 21. This option would provide for more direct management of the  
19 problem and more precise management of any issues that might arise from  
20 behavior associated with short-term rentals.  
21

22 Although some people have requested owner-occupancy requirements as a way  
23 to prevent STRs specifically in ADUs, this type of regulation does not directly  
24 address the problem; and there are no similar restrictions for other types of  
25 housing, such as apartments or single-family houses, which can also be used for  
26 short-term rentals.  
27

#### 28 **PLANNING DEPARTMENT CHANGES TO PZC PUBLIC HEARING DRAFT**

29  
30 The planning staff made two corrections to the final ordinance after PZC approval.  
31 The PZC's Public Hearing Draft AO had (1) a section physically deleted from the  
32 document rather than shown as bracketed text and (2) a section added but not  
33 underlined as new text. These have been corrected in the ordinance to show the  
34 deletion in brackets and the added text as underlined (Exhibit B).  
35

36 These errors do not change the intent of the ordinance as adopted by the PZC  
37 because their meaning was clarified by another language or the language was  
38 available for review as part of the ordinance overall.  
39

#### 40 **RECOMMENDATIONS**

41 Staff requests Assembly approval of the ordinance as recommended on  
42 September 19, 2022, PZC staff packet (Exhibit C) and adopted in PZC Resolution  
43 No. 2022-033 (Exhibit A), and to include the two corrective edits (Exhibit B).  
44

45 Also attached are the PZC meeting minutes for September 19, 2022 (Exhibit D).  
46



**THE ADMINISTRATION RECOMMENDS APPROVAL.**

Prepared by: Daniel Mckenna-Foster, Planning Department  
Approved by: Craig H. Lyon, Planning Director  
Concur: Lance Wilber, Acting Community Development Director  
Concur: Courtney Petersen, OMB Director  
Concur: Blair M. Christensen, Acting Municipal Attorney  
Concur: Grant Yutrzenka, Acting CFO  
Concur: Amy Demboski, Municipal Manager

Respectfully submitted: Dave Bronson, Mayor

Attachments: Exhibit A—Planning and Zoning Commission Resolution 2022-033  
Exhibit B—Planning Department Changes to PZC Draft Ordinance  
Exhibit C—Planning and Zoning Commission Staff Packet  
Exhibit D—Planning and Zoning Commission Meeting Minutes

(Planning and Zoning Commission Case No. 2022-0090)

**MUNICIPALITY OF ANCHORAGE  
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2022-033**

A RESOLUTION RECOMMENDING TO THE ANCHORAGE ASSEMBLY APPROVAL OF AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE, TITLE 21 SECTION 21.05.070, ACCESSORY USES, AND 21.10.050, USE REGULATIONS.

(Case No. 2022-0090)

---

WHEREAS, Goal 4 of the Anchorage 2040 Land Use Plan (2040 LUP) calls for neighborhoods that provide a range of places to live and meet the housing needs of residents at all income levels, household sizes, interests, ages, abilities, and races and ethnicities; and

WHEREAS, the 2040 LUP called for 1,000 new Accessory Dwelling Units (ADUs) in the Bowl by 2040; and

WHEREAS, 2040 LUP policy 4.2. calls for allowing and encouraging innovative compact housing types and a variety of housing options that respond to changing preferences; and

WHEREAS, 2040 LUP Action 4-7 calls for easing restrictions that deter the construction of ADUs; and

WHEREAS, building permits since the most recent changes to Accessory Dwelling Unit zoning regulations in 2018 do not indicate substantial increases in the number of ADUs produced; and

WHEREAS, between 2021 and 2022, the Planning Department has conducted outreach, hosted a work group, and conducted a survey of over 330 respondents, met with community councils to discuss perceived obstacles within the zoning code, and developed a proposal to address needed changes to improve ADU production; and

WHEREAS, following a six-week review period, a work session was held before the Planning and Zoning Commission public hearing on September 19, 2022, eight in-person comments and one call-in comment were received, and a comment-response summary table was prepared and presented at the public hearing; and

WHEREAS, the Planning and Zoning Commission concluded its deliberations and finalized its recommendation to the Anchorage Assembly on September 19, 2022.


NOW, THEREFORE, BE IT RESOLVED by the Anchorage Planning and Zoning Commission:

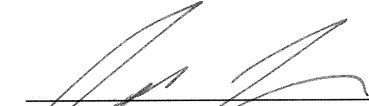
- A. The Commission makes the following findings of fact:
  1. A great deal of work has been done on this issue for many years and although there is no silver bullet, this amendment is a step in the right direction that advances a path that the community has already been following.
  2. The amendment speaks to the root of what accessory means, by increasing access to housing.

3. The Commission heard from members of the public on both sides of the issue, with more statements in favor of the amendment than in opposition.
  4. There were some remaining concerns about the issues of requiring vehicle parking with Accessory Dwelling Units.
  5. The changes proposed by this amendment may not immediately lower costs.
  6. The short-term rentals are a concern for many people in the community, and this amendment may not be able to address the need for long-term dwelling units in the Municipality.
  7. Bringing the ADU codes in line with the standard zoning codes will benefit the community.
- B. The Commission recommends to the Anchorage Assembly approval of the ordinance amending Title 21 sections 21.05.070, Accessory Uses, and 21.10.050, Use Regulations, as presented in the September 19, 2022 staff packet.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission on the 19th day of September 2022.

ADOPTED by the Anchorage Planning and Zoning Commission this 3rd day of October 2022.

  
\_\_\_\_\_  
Craig H. Lyon  
Secretary

  
\_\_\_\_\_  
Jared Gardner  
Chair

(Case No. 2022-0090)

dmf

**Additional Planning Department Changes  
PZC Case No. 2022-0090, ADU Regulation**

Planning staff made two corrections to the final ordinance after the Planning and Zoning Commission approved, both shown in the table below. These do not change the intent of the ordinance as adopted by the Commission.


Page & Lines	Public Hearing Draft	Correction Made in AO
<p><i>Current AO:</i> p. 6 of 11 lines 8-10</p> <p><i>PZC Staff Packet (Exhibit C):</i> p. 15 of 172 lines 6 &amp; 7</p>	<p><b>AMC 21.05.070D.1.b.iii.(B).(6).:</b> A section was not shown in brackets as deleted.</p> <p><b>(6) Setbacks.</b> <u>ADUs are subject to the same setbacks of the underlying zone except that an ADU may encroach into the side or rear setback abutting an alley. [DETACHED ACCESSORY UNITS 10 TALLER THAN 15 FEET SHALL ADHERE TO 11 A 10-FOOT SIDE SETBACK ABUTTING A 12 NEIGHBORING R-1 OR R-1A LOT.]</u></p>	<p>The deleted section was added to the AO as bracketed text.</p> <p>(6) <b>Setbacks.</b> [AN ADU SHALL NOT ENCROACH INTO ANY REQUIRED SETBACK, EXCEPT THAT]ADUs are subject to the same setbacks of the underlying zone except that a[A]n 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><i>Current AO:</i> p. 10 of 11 lines 32-35</p> <p><i>PZC Staff Packet (Exhibit C):</i> p. 19 of 172 lines 14-16</p>	<p><b>AMC 21.10.050H.1.a.:</b> An added section was shown as regular text, not added text:</p> <p>a. Size i. The gross floor area of an ADU, not including any related garage, shall be 15 up to 1,000 square feet or 40% of the total gross floor area of the principal dwelling unit, whichever is larger)</p>	<p>This section added to the AO as underlined text:</p> <p>a. <b>Size.</b> <u>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.</u></p>



**Municipality of Anchorage**  
**Planning Department**  
**Memorandum**



---

**Date:** September 19, 2022  
**To:** Planning and Zoning Commission  
**Thru:**  Craig Lyon, Planning Director  
**Thru:**  Kristine Bunnell, Long-Range Planning Manager  
**From:**  Daniel Mckenna-Foster, Senior Planner, Long-Range Planning Division  
**Subject:** PZC Case No. 2022-0090, Ordinance Regarding Proposed Text Amendments to Accessory Dwelling Unit Regulations

**REQUEST**

The Municipality of Anchorage’s Planning Department is requesting the review and recommendation by the Planning and Zoning Commission of an ordinance amending Title 21 regarding proposed text amendments to Accessory Dwelling Unit regulations.

**PROJECT NEED AND PURPOSE**

Accessory Dwelling Units (ADUs) are one of many tools adopted for addressing housing supply. Most housing is generally produced by professional developers or institutions. An ADU offers a property owner the option to provide additional housing through investment of their own resources. This helps facilitate more small-scale investment. The Municipality last updated codes related to ADUs with Assembly Ordinance 2018-43(S).

The 2040 Land Use Plan (LUP) encourages more compact housing units across the Anchorage Bowl. This project falls under Goals 2 and 4:

**Goal 2: Infill and redevelopment meets the housing and employment needs of residents and businesses in Anchorage.**

- LUP 2.2. Coordinate redevelopment incentives and public infrastructure investments with development entitlements to enhance walkability and quality of life, and encourage the market to add new residences, shops, and workplaces.

- LUP 2.3. Remove barriers to desired infill development and incorporate flexibility in development requirements to promote adaptive reuse of older buildings and compact infill/redevelopment, including that which reflects traditional urban neighborhood design contexts. LUP Policies 1.5, 3.1, 4.2, 5.2, 5.3, 7.1, 7.2, and 9.3 are also integral to this Goal.

**Goal 4: Anchorage’s neighborhoods provide a range of places to live, meeting the housing needs of residents at all income levels, household sizes, interests, ages, abilities, and races and ethnicities.**

**Policies:**

- LUP 4.2. Allow and encourage innovative compact housing types and a variety of housing options that respond to changing preferences.
- LUP 4.4. Encourage property owners to preserve, rehabilitate, or redevelop properties in ways that minimize housing displacement and maintain affordability, health, and safety for residents.

**Actions:**

- **4-7** Amend Title 21 to ease restrictions that currently deter construction of accessory dwelling units (ADUs). Determine appropriate measures through a meaningful, collaborative public process and include development standards for neighborhood compatibility.
- **4-9** Encourage the construction of accessory dwelling units (ADUs) through a permit review assistance program, applicant guidance materials, improved tracking of ADU development trends, and public information.
- **4-10** Amend Title 21 to reduce restrictions that currently deter construction of compact housing types; and expand provisions that allow for compact housing types, including small-lot housing, cottage houses with shared courtyards, townhouses, and small-scale garden apartments. Determine appropriate measures through a meaningful, collaborative public process and make subject to site development standards including standards for neighborhood compatibility.

The Fairview Neighborhood Plan also calls explicitly for the use of ADUs in that area:

- 1.6 Use accessory dwelling units (“mother-in-law apartments”) to achieve increased density in Fairview while respecting its historic character and socioeconomic diversity. ADUs are encouraged in the single-family and duplex areas throughout Fairview. If not allowed under existing zoning, they will be approved through the Overlay District process that encourages and facilitates ADUs with single-family and duplex housing.

**PUBLIC OUTREACH**

Staff worked with a range of stakeholders, including community councils, developers, institutional partners, agencies, and Planning Department staff, to develop this ADU proposal. This included:

- 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 9 community councils and the Federation of Community Councils between April and June of 2022 in response to invitations from the councils:

	Council	Presentation Date
1	FCC	4/20/2022
2	Downtown CC	5/4/2022
3	Rogers Park CC	5/9/2022
4	Birchwood CC	5/11/2022
5	Rabbit Creek CC	5/12/2022
6	Fairview CC	5/12/2022
7	Hillside CC	5/16/2022
8	Chugiak CC	5/18/2022
9	Spenard CC	6/1/2022
10	South Addition CC	6/22/2022

**SCOPE OF PROPOSED CODE CHANGES**

The proposed changes to existing code changes focus on the following:

Item	Existing Code (Chapter 5 of Title 21)	Proposal	Rationale
<b>Owner Occupancy</b>	“The landowner shall reside in either the principal dwelling unit or the ADU as his or her primary	This restriction removed in the proposal.	Best practices show this is often a significant obstacle to ADU production;

Item	Existing Code (Chapter 5 of Title 21)	Proposal	Rationale
	<p>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>		<p>there are also no owner occupancy requirements for single-family homes.</p>
<p><b>What kinds of buildings ADUs can be accessory to</b></p>	<p>“A subordinate dwelling unit added to, created within, or detached from a detached single-family dwelling,”</p>	<p>Change the definition of ADU to allow them to be placed with single-family and duplex homes.</p>	<p>Allowing ADUs accessory to duplexes allows more housing in areas where more housing is already being provided.</p>
<p><b>ADU Size</b></p>	<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>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.</p>	<p>Changed to allow flexibility based on feedback from the public.</p>
<p><b>Vehicle Storage</b></p>	<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.</p>	<p>This requirement removed in the proposal.</p>	<p>Embedding transportation cost in housing cost makes housing more expensive, the existing code</p>



Item	Existing Code (Chapter 5 of Title 21)	Proposal	Rationale
	<p>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>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><b>Class A vs. Class B districts</b></p>	<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><b>Setbacks</b></p>	<p>“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>

Item	Existing Code (Chapter 5 of Title 21)	Proposal	Rationale
<b>Bedrooms</b>	"The ADU shall have no more than two bedrooms."	This restriction removed in the proposal.	Difficult to enforce as is, bedroom limitations may or may not be a meaningful standard.
<b>Height</b>	"The maximum height of a detached ADU shall be 25 feet."	Same as principal structure in underlying zone.	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.
<b>Chugiak-Eagle River</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).	Chugiak-Eagle River communities requested additional flexibility.

The full extent of the proposed changes can be found in Attachment 1.

**COMMENTS HEARD FROM THE PUBLIC AT SUMMER 2022 COMMUNITY COUNCILS**

<b>Thematic area</b>	<b>Response or Comment</b>
<i>ADU Height &amp; Privacy</i>	Some respondents have expressed concerns about height or new ADUs encroaching on the privacy of neighbors. As proposed, this code section does not change the height or lot coverage of what is already allowed in the existing base zone. For example:  Currently a person with an R1-zoned lot can build a house that is 30 feet tall that takes up 30% of the square footage of the lot.  Under this code proposal, a person would be able to build a house with an ADU, both up to 30 feet tall, as long as the total coverage of the two structures does not exceed the 30% lot coverage minimum of the lot. The overall potential maximum bulk and form allowances remain unchanged.
<i>ADU Size</i>	Some respondents have asked about smaller ADUs, others about larger ADUs. This proposal allows for more flexibility in ADU size as long as the ADU is smaller than the principal structure.
<i>Vehicle storage and Street Management</i>	Many concerns about off-street parking seem often to be concerns about lack of street management related to snow, junk vehicles, or traffic. Off-street parking mandates are not able to plow snow, remove vehicles, or otherwise directly mitigate on-street congestion issues.
<i>Support for more flexibility</i>	Several members of the public have mentioned in meetings or contacted the planning department asking about more flexibility with ADU regulations and encouraging reforms.

**PUBLIC AGENCY COMMENT**

As of the writing of this memorandum, planning staff had received comment from AWWU, ADOT&PF, the Alaska State Fire Marshall, the JBER Community Planner, the MOA ROW Division, and the MOA Traffic Engineering Department. The MOA Traffic Engineering Department was the only agency that expressed a specific comment about a particular aspect of the proposal, stating “Traffic Engineering is not supportive of the recommendation to remove the off-street parking requirement of one parking space per ADU in addition to the required parking of the primary unit. Removal of this requirement shifts the needed parking space onto the public right of way.”

When requested, Traffic Engineering did not provide any specific data to demonstrate that any stated need exists, did not provide any specific data to indicate that existing on-street space is currently overused or over-capacity (defined as 75% full, according to Title 9.65.30B.3), or provide any data to demonstrate how maintaining a vehicle storage mandate off-street would be successful at regulating existing or future on-street infractions. Right-of-way enforcement is outside of the purview of Title 21 and generally regulated by Title 9. While an issue of right-of-way management may exist, regulations in the land use code may not have any impact on that

issue, and there is no evidence to indicate a causal relationship between Accessory Dwelling Units on private property and how people store vehicles on public property.

The JBER Community Planner expressed a general concern on behalf of the Air Force that allowing any new housing around Joint Base Elmendorf-Richardson in Accident Potential Zones 1 or 2 could mean a higher risk to residents in case of aircraft crashes, and thus JBER recommended stricter land use controls for all residential uses in these areas. While instituting general restrictions on any housing within these zones is beyond the scope of this project, the potential for an overlay zone in Accident Potential Zones 1 and 2 is mentioned in the [2016 Mountain View Targeted Neighborhood Plan](#). While not defined as a policy or action item, the plan states:

“The eastern end of this mixed-use corridor falls into the JBER Accident Potential Zone (APZ-1); in this area, we recommend that mixed-use developments do not include a residential component, so as to conform to the Suggested APZ Land Use Compatibility document (UFC 3-260-01). The four blocks between Lane and Pine Streets and on the north and south sides of Mountain View Drive, on the east end of Mountain View Drive that are designated Mixed-Use Corridor, should be limited to a residential density of 15 dwelling units per acre due to its location within the Accident Potential Zone (APZ-1).” (page 56)

The [East Anchorage District Plan](#) does not explicitly address the issue beyond calling for coordination related to “development within the flight path and JBER planning areas and the Municipality.” (page 77)

## **SPECIAL CONSIDERATIONS: REGULATING SHORT-TERM RENTALS**

Many community members expressed interest in more housing in their neighborhoods, but also concern about whether new housing would be used for short-term rentals or longer-term residents. Staff emphasized on each occasion that zoning is rarely the most effective way to address a dynamic issue like short-term rentals; related conflicts are best resolved through other types of municipal enforcement. Additionally, under existing zoning, single-family homes are just as likely to be used as short-term rentals as accessory dwelling units. However, staff would like to emphasize that there is a high-priority need in the community to address this issue, and so it may be advisable to make additional policy or regulatory changes to Anchorage Municipal Code outside of Title 21 concurrent with, or subsequent to, this proposal.

## **ATTACHMENTS**

- 1. Attachment 1:** Draft Assembly Ordinance (Code Amendment)
- 2. Attachment 2:** MOA Survey
- 3. Attachment 3:** Neighborworks Survey (Lindsey Hajduk)
- 4. Attachment 4:** Comment Response Table
- 5. Attachment 5:** Comments Received

# **Attachment 1**

Draft Assembly Ordinance (Code Amendment)

**Case 2022-0090**

Submitted Chair of the Assembly at  
by: the Request of the Mayor  
Prepared by: Planning Department  
For reading:

**ANCHORAGE, ALASKA**  
**AO No. 2022-\_\_\_**

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE, TITLE 21 SECTION  
2 21.05.070, ACCESSORY USES, AND 21.10.050, USE REGULATIONS.

3  
4 (Planning and Zoning Commission Case No. 2022-0090)  
5  
6

7 **WHEREAS**, Goal 4 of the 2040 Land Use Plan (LUP) calls for neighborhoods that provide  
8 a range of places to live and meet the housing needs of residents at all income levels,  
9 household sizes, interests, ages, abilities, and races and ethnicities; and

10  
11 **WHEREAS**, The 2040 LUP called for 1,000 new Accessory Dwelling Units (ADUs) in the  
12 Bowl by 2040; and,  
13

14 **WHEREAS**, 2040 LUP policy 4.2. calls for allowing and encouraging innovative compact  
15 housing types and a variety of housing options that respond to changing preferences; and  
16

17 **WHEREAS**, 2040 LUP Action 4-7 calls for easing restrictions that deter the construction  
18 of ADUs; and  
19

20 **WHEREAS**, Building permits since the most recent changes to Accessory Dwelling Unit  
21 zoning regulations in 2018 do not indicate substantial increases in the number of ADUs  
22 produced; and  
23

24 **WHEREAS**, Between 2021 and 2022 the Planning Department has conducted outreach,  
25 hosted a work group, and conducted a survey of community councils on perceived  
26 obstacles within the zoning code and developed a proposal to address needed changes  
27 to improve ADU production; now, therefore,  
28

29 **THE ANCHORAGE ASSEMBLY ORDAINS:**

30  
31 **Section 1.** Anchorage Municipal Code 21.05.070 is hereby amended to read as follows  
32 (*the remainder of the section is not affected and therefore not set out*):  
33

34 **21.05.070 ACCESSORY USES AND STRUCTURES**

35  
36 \*\*\* \*\*

37 **D. Definitions and Use-Specific Standards for Allowed Accessory Uses and**  
38 **Structures**  
39

1 This section defines the accessory uses listed in table 21.05-3 and also contains  
2 use-specific standards that apply to those uses. Accessory uses shall comply with  
3 the applicable use-specific standards in this subsection, in addition to complying  
4 with the general standards in subsection B.  
5

6 **1. Accessory Dwelling Unit (ADU)**  
7

8 **a. Definition**

9 A subordinate dwelling unit added to, created within, or detached  
10 from a detached single-family or two-family dwelling which provides  
11 basic requirements for living, sleeping, cooking, and sanitation. The  
12 unit may have a separate exterior entrance or an entrance to an  
13 internal common area accessible to the outside.  
14

15 **b. Use-Specific Standards**

16 **i. Purpose and Intent**

17 The purpose and intent of this section is to:  
18

19  
20 **(A)** Fulfill housing policy #15 of *Anchorage 2020:*  
21 *Anchorage Bowl Comprehensive Plan*, which provides  
22 that accessory housing units shall be allowed in certain  
23 residential zones;

24  
25 **[B]** PROVIDE A MEANS FOR HOMEOWNERS,  
26 PARTICULARLY THE ELDERLY, SINGLE PARENTS,  
27 AND FAMILIES WITH GROWN CHILDREN, TO  
28 REMAIN IN THEIR HOMES AND NEIGHBORHOODS,  
29 AND OBTAIN EXTRA INCOME, SECURITY,  
30 COMPANIONSHIP, AND SERVICES;]

31  
32 **(B)[C]** Allow more efficient and flexible use of existing  
33 housing stock, land supply, and infrastructure;

34  
35 **[(D)]** RESPOND TO CHANGING FAMILY NEEDS AND  
36 SMALLER HOUSEHOLDS BY PROVIDING A MIX OF  
37 HOUSING;

38  
39 **(E)** IMPROVE THE AFFORDABILITY OF  
40 HOMEOWNERSHIP AND ENHANCE PROPERTY  
41 VALUES THROUGH RENTAL INCOME  
OPPORTUNITY;

42  
43 **(F)** PROVIDE A BROADER RANGE OF ACCESSIBLE  
44 AND MORE AFFORDABLE HOUSING WITHIN THE  
MUNICIPALITY; AND

1 (G) PROTECT NEIGHBORHOOD STABILITY,  
2 PROPERTY VALUES, AND CHARACTER BY  
3 ENSURING THAT ADUS ARE INSTALLED UNDER  
4 THE PROVISIONS OF THIS TITLE.]  
5

6 ii. *Application, Review, and Approval Procedures*  
7

8 (A) Any landowner operating or seeking to establish an  
9 ADU shall obtain a building or land use permit from the  
10 Development Services Department. The permit shall  
11 constitute an ADU permit.

12 [(B) WITH THE PERMIT APPLICATION, THE  
13 LANDOWNER SHALL SUBMIT AN AFFIDAVIT ON A  
14 FORM PROVIDED BY THE MUNICIPALITY,  
15 AFFIRMING THAT AT LEAST ONE LANDOWNER  
16 WILL OCCUPY THE PRINCIPAL DWELLING OR THE  
17 ACCESSORY UNIT, AND THAT THE ADU WILL  
18 CONFORM TO THE REQUIREMENTS OF THE  
19 PERMIT AND THE REQUIREMENTS OF THIS  
20 SECTION. ANY OTHER RESTRICTIONS OR  
21 OBLIGATIONS RELATED TO THE ADU USE AND  
22 REQUIRED TO BE RECORDED SHALL BE  
23 INCLUDED IN THE AFFIDAVIT.

24 (C) THE PERMIT AND THE AFFIDAVIT SHALL BE FILED  
25 AS A DEED RESTRICTION WITH THE ANCHORAGE  
26 RECORDING DISTRICT TO INDICATE THE  
27 PRESENCE OF THE ADU, THE REQUIREMENT OF  
28 OWNER-OCCUPANCY, AND CONFORMITY WITH  
29 THE REQUIREMENTS OF THE PERMIT AND THE  
30 REQUIREMENTS OF THIS CHAPTER.]

31 (B) For purposes of securing financing, potential  
32 landowners may request and receive a letter of pre-  
33 approval from the municipality indicating the property  
34 is eligible for an ADU permit if the potential landowner  
35 completes the application process and construction in  
36 accordance with this section.  
37

38 iii. *Requirements*  
39

40 All ADUs shall meet the following requirements:

41 [(A) *PURPOSE*  
42 REQUIREMENTS FOR ACCESSORY DWELLING  
43 UNITS ADDRESS THE FOLLOWING PURPOSES:



1 (1) ENSURE THAT ACCESSORY DWELLING UNITS  
2 MAINTAIN AND ARE COMPATIBLE WITH THE  
3 APPEARANCE AND CHARACTER OF THE  
4 PRINCIPAL RESIDENCE, LOT, AND  
5 NEIGHBORHOOD;

6  
7 (2) ENSURE THAT ACCESSORY DWELLING UNITS  
8 ARE SMALLER IN SIZE THAN THE PRINCIPAL  
9 DWELLING ON THE LOT, AND PRESERVE  
10 UNDERLYING LOT COVERAGE LIMITS;

11  
12 (3) MINIMIZE NEGATIVE IMPACTS TO ON-STREET  
13 PARKING IF ALLOWED BY THE TRAFFIC  
14 ENGINEER, AND MINIMIZE THE AMOUNT OF  
15 PAVED SURFACE ON A SITE; AND

16  
17 (4) PROVIDE CLEAR AND FLEXIBLE STANDARDS  
18 THAT MAKE IT PRACTICAL AND ECONOMICAL TO  
19 DEVELOP ACCESSORY DWELLING UNITS THAT  
20 ARE IN COMPLIANCE WITH THIS CODE.]

21  
22  
23 **(A)[B] Allowed Zoning Districts**

24 ADUs are allowed in all residential zoning districts.

25  
26 **(B) [C] Requirements for Developing an ADU**

27  
28 (1) *One Principal Structure.*

29 One ADU may be added to or created within a  
30 [DETACHED SINGLE FAMILY DWELLING ON  
31 A LOT, TRACT, OR PARCEL, BUT ONLY IF  
32 THE DETACHED SINGLE-FAMILY DWELLING  
33 IS THE SOLE PRINCIPAL STRUCTURE ON  
34 THAT LOT, TRACT, OR PARCEL] dwelling or  
35 two-family dwelling on a lot, tract, or parcel.

36  
37 (2) *Detached ADU.*

38 One ADU detached from a single-family or two-  
39 family dwelling is permitted on a lot, tract, or  
40 parcel in all residential zoning districts.

41  
42 (3) *Lot Coverage.*

43 The lot coverage of the principal dwelling unit  
44 and all accessory structures combined,  
45 including but not limited to the ADU, shall be

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45

less than or equal to the maximum lot coverage allowed by the zoning district.

[(4) USES.  
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.]

**(4) Building Code Requirements.**

All ADUs shall be built to the adopted municipal building code standards.

**(5) Size.**

[A] ADUs shall be subordinate in size to the primary structure on the lot. The gross floor area of the ADU, not including any related garage, shall be up to 900 square feet or 40 percent of the total gross floor area of the principal dwelling unit (excluding the ADU and garages), whichever is greater.

[(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.

(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.

(C) THE ADU SHALL HAVE NO MORE THAN TWO BEDROOMS.]

(6) *Setbacks.*

ADUs are subject to the same setbacks of the underlying 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.]

[(1) *PARKING.*

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. NOTWITHSTANDING THE PROVISIONS OF CHAPTER 21.13, NONCONFORMITIES, ALL OFF-STREET PARKING DEFICIENCIES SHALL BE CORRECTED.

EXCEPTIONS:

(A) NO ADDITIONAL PARKING SHALL BE REQUIRED FOR THE ACCESSORY DWELLING UNIT IF THE LANDOWNER OF THE REAL PROPERTY EXECUTES A COVENANT, INCLUDED AS A PROVISION IN THE AFFIDAVIT REQUIRED FOR THE ADU PERMIT ON A FORM PROVIDED BY THE MUNICIPALITY, THAT PROHIBITS THE PERSON OCCUPYING AND RESIDING IN THE ADU FROM OWNING, LEASING, OR HAVING A RIGHT TO

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45

USE A MOTOR VEHICLE; EXCEPT THE PERSON MAY OWN OR LEASE A MOTOR VEHICLE THAT IS NOT INTENDED FOR USE BY THE PERSON OCCUPYING AND RESIDING IN THE ADU AND NOT REGULARLY PARKED AT THE SITE. THE COVENANT SHALL INCLUDE AN AGREEMENT BY THE LANDOWNER TO REQUIRE ANY LEASE, RENTAL AGREEMENT, OR OTHER ARRANGEMENT WITH THE TENANT OF THE ADU TO INCLUDE THE PROHIBITION, WITH THE RIGHT OF EVICTION IF SUCH PERSON ACQUIRES ONE. FOR PURPOSES OF THIS SECTION, A "MOTOR VEHICLE" IS A SELF-PROPELLED VEHICLE DESIGNED TO TRAVEL ON THREE OR MORE WHEELS IN CONTACT WITH THE GROUND.

(8) DESIGN AND APPEARANCE.

THE CONSTRUCTION OF AN ADDITIONAL ENTRY DOOR ON THE SIDE OF A PRINCIPAL STRUCTURE FACING A STREET FOR ENTRANCE INTO AN ACCESSORY DWELLING UNIT IS PROHIBITED, UNLESS NO OTHER ENTRY DOOR ALREADY EXISTS ON THAT SIDE. ENTRANCES ARE PERMITTED ON NON-STREET-FACING SIDES OF THE PRINCIPAL STRUCTURE. DETACHED ADUS ARE EXEMPT FROM THIS STANDARD.]

(7) *Utilities.*

To the extent allowed by law and utility tariff, the ADU shall be connected to the water, sewer, gas, 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.

[(D) ADDITIONAL REQUIREMENTS FOR DETACHED ADUS

1 (1) THE ADU SHALL, ON ALL STREET  
2 FRONTAGES, EITHER HAVE A FRONT  
3 SETBACK OF AT LEAST 40 FEET, OR BE AT  
4 LEAST 10 FEET BEHIND THE STREET  
5 FACING FAÇADE OF THE PRINCIPAL  
6 DWELLING UNIT.

7 (2) THE MAXIMUM HEIGHT OF A DETACHED  
8 ADU SHALL BE 25 FEET.]

9  
10 (C) Height.

11 ADUs shall be subject to the same height limits  
12 as the principal structure on the lot.

13  
14 (D)[E] Density.

15 ADUs are not included in the density  
16 calculations for a site.

17  
18 (E)[F] Expiration of Approval of an ADU.

19 Approval of an ADU expires when:

20  
21 (1) The ADU is altered and is no longer in conformance  
22 with this code;

23 [(2) THE PROPERTY CEASES TO MAINTAIN ALL  
24 REQUIRED PARKING SPACES;

25 (3) A LANDOWNER OF THE PROPERTY DOES NOT  
26 RESIDE IN EITHER THE PRINCIPAL OR THE  
27 ACCESSORY DWELLING UNIT; OR]

28  
29 (2)[4] The ADU is abandoned by the landowner  
30 through written notification to the municipality on  
31 a form provided by the municipality.

32  
33  
34 [G]

35 [TRANSFER.

36 WHEN A PROPERTY WITH AN ADU IS SOLD  
37 OR OTHERWISE TRANSFERRED, THE NEW  
38 LANDOWNER SHALL FILE AN AFFIDAVIT OF  
39 OWNER-OCCUPANCY WITH THE  
40 DEPARTMENT WITHIN 30 DAYS OF THE  
41 TRANSFER, AND PAY A PROCESSING FEE.  
42 FAILURE TO FILE AN AFFIDAVIT BY THE

1 DUE DATE CONSTITUTES FAILURE TO  
2 HAVE A PERMIT, IN VIOLATION OF THIS  
3 SECTION. TRANSFERS FROM ONE  
4 LANDOWNER TO ANOTHER LANDOWNER  
5 DO NOT REQUIRE A NEW AFFIDAVIT SO  
6 LONG AS THE RECIPIENT LANDOWNER  
7 SIGNED THE ORIGINAL AFFIDAVIT.]

8 **(G)[H] Prior Illegal Use.**  
9

10 (1) All structures which meet the definition of  
11 accessory dwelling unit which are not  
12 recognized as legal nonconforming structures or  
13 uses of structures under chapter 21.13 shall  
14 comply with this subsection. Such structures  
15 may continue in existence provided the  
16 following requirements are met:  
17

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

22 (b) The unit complies with the requirements  
23 of this section.  
24

25 (2) If the unit does not comply with the requirements  
26 of this section at the time the permit application  
27 is filed, the building official may grant six months  
28 to bring the unit into conformance.  
29

30 (3) In addition to any other remedies provided in  
31 this code, failure to legalize an existing unit  
32 under this subsection shall result in civil  
33 penalties as provided at AMC section  
34 14.60.030. [ALL LANDOWNERS OF ILLEGAL  
35 UNITS SHALL ALSO BE REQUIRED TO  
36 EITHER LEGALIZE THE UNIT OR REMOVE  
37 IT.]  
38

39 (4) This subsection does not apply to existing legal  
40 nonconforming uses of structures established  
41 pursuant to chapter 21.13.  
42  
43

44 **Section 2.** Anchorage Municipal Code 21.10.050 is hereby amended to read as follows  
45 *(the remainder of the section is not affected and therefore not set out):*

1  
2 **21.10.050 USE REGULATIONS**  
3

4 \*\*\* \*\*

5 **H. Accessory Uses and Use-Specific Standards**  
6

7 Except for those uses listed below, see section 21.05.070. For those uses listed  
8 below, the use-specific standards or applicable portions of such standards of this  
9 chapter shall apply instead of the use-specific standards of chapter 21.05.

10  
11 **1. Accessory Dwelling Unit (ADU)**

12 **a. Size**

13  
14 i. The gross floor area of an ADU, not including any related garage, shall be  
15 up to 1,000 square feet or 40% of the total gross floor area of the principal  
16 dwelling unit, whichever is larger)

17  
18 [i. DETACHED ADUS ON LOTS OF ONE ACRE OR MORE SHALL HAVE  
19 A MAXIMUM GROSS FLOOR AREA OF 1,000 SQUARE FEET. (AMENDS  
20 SUBSECTION 21.05.070D.1.B.III.(C).(6).(A).)

21  
22 ii. NOTWITHSTANDING SUBSECTION 1.A. ABOVE, THE GROSS  
23 FLOOR AREA OF AN ADU (EXCLUDING A GARAGE) SHALL NOT  
24 EXCEED 40 PERCENT OF THE GROSS FLOOR AREA OF THE  
25 PRINCIPAL DWELLING (EXCLUDING ANY GARAGE). (REPLACES  
26 SUBSECTION 21.05.070D.1.B.III.(C).(6).(B).) ]

27  
28  
29 \*\*\* \*\*

30  
31 **Section 3.** This ordinance shall be effective immediately upon passage and approval  
32 by the Assembly.  
33

1 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of  
2 \_\_\_\_\_, 2022.  
3  
4  
5  
6

7 Chair of the Assembly

8 ATTEST:  
9

10  
11  
12 Municipal Clerk

13 (Planning and Zoning Commission Case No. 2022-0090)  
14  
15  
16  
17

DRAFT



# Attachment 2

MOA Survey  
Case 2022-0090

# Municipality of Anchorage ADU Survey

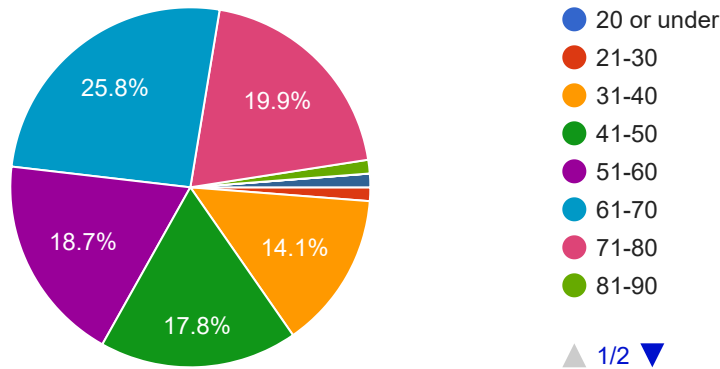
331 responses

[Publish analytics](#)

## 1. What is your age?

 Copy

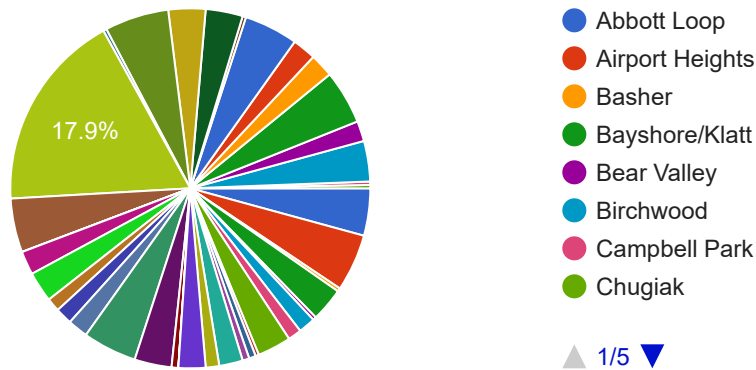
326 responses



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

 Copy

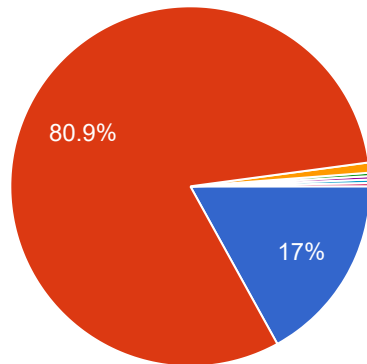
330 responses



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



330 responses

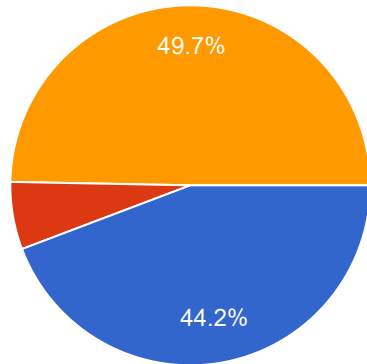


- Yes
- No
- Prefer not to answer
- Architect
- Retired
- We own 2 rental properties in Anchorage
- I work to maintain smaller trailer units that really need to be replaced with park model mini...

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



330 responses



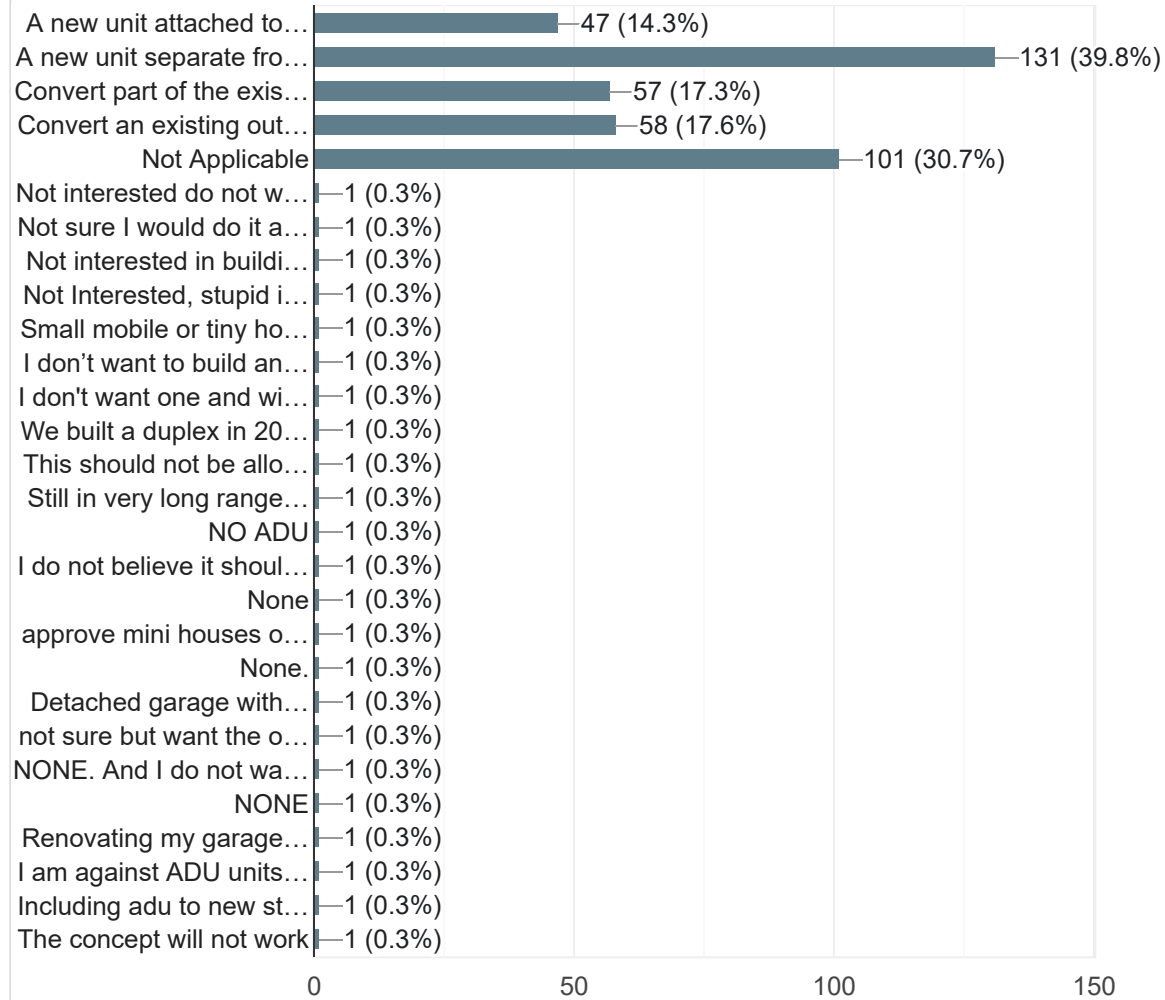
- Yes, I have considered adding an ADU, but have not added one yet
- Yes, I have already added an ADU to my property
- No



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



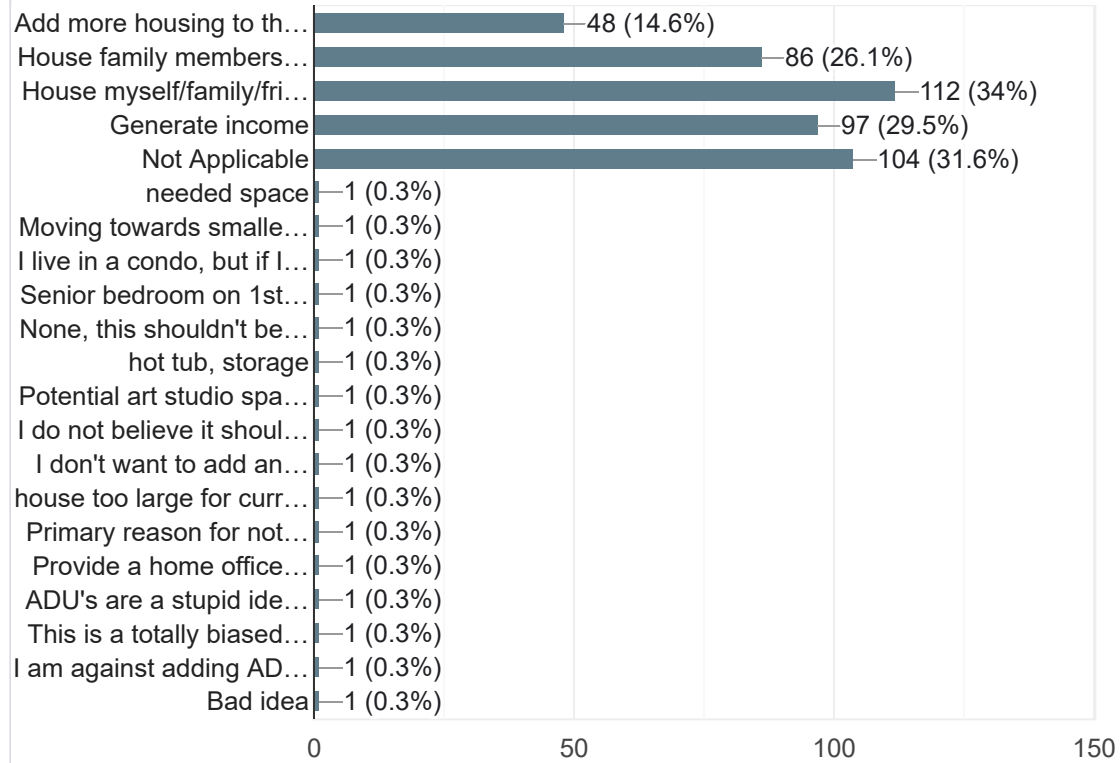
329 responses



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



329 responses

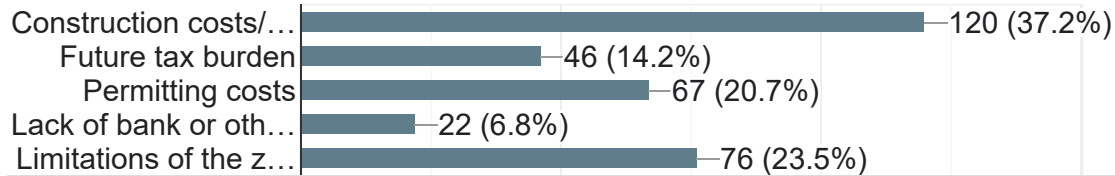


7. If you considered adding an ADU but haven't yet, what factors contributed most to your decision NOT to build?



323 responses

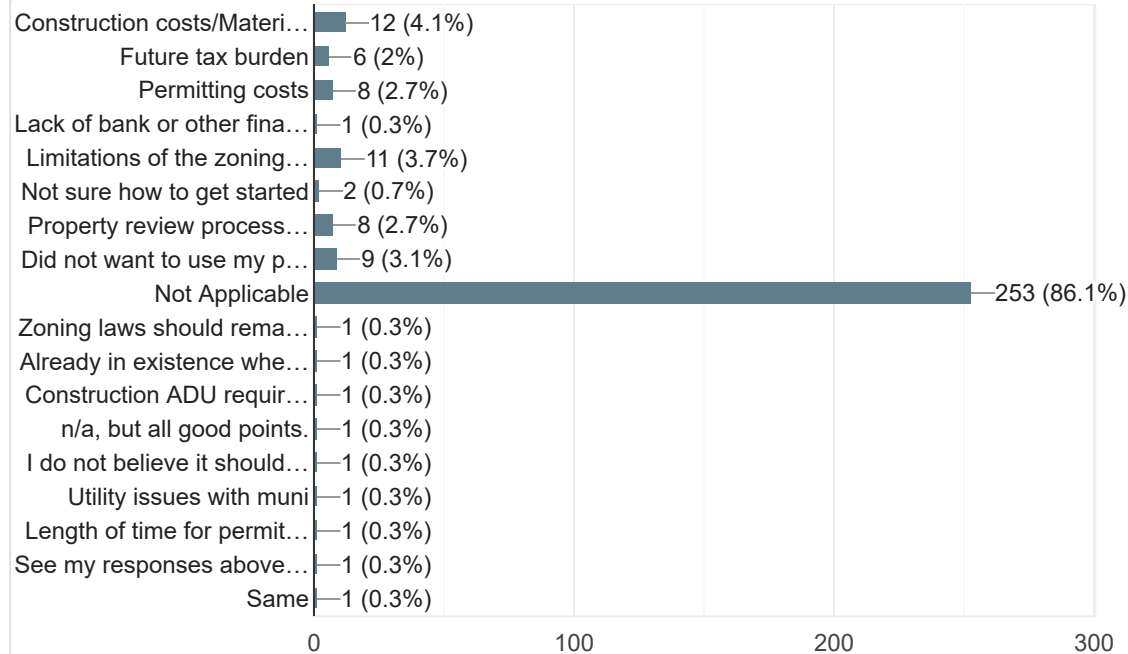




8. If you already added an ADU to your property, what factors were the biggest obstacles throughout the process?



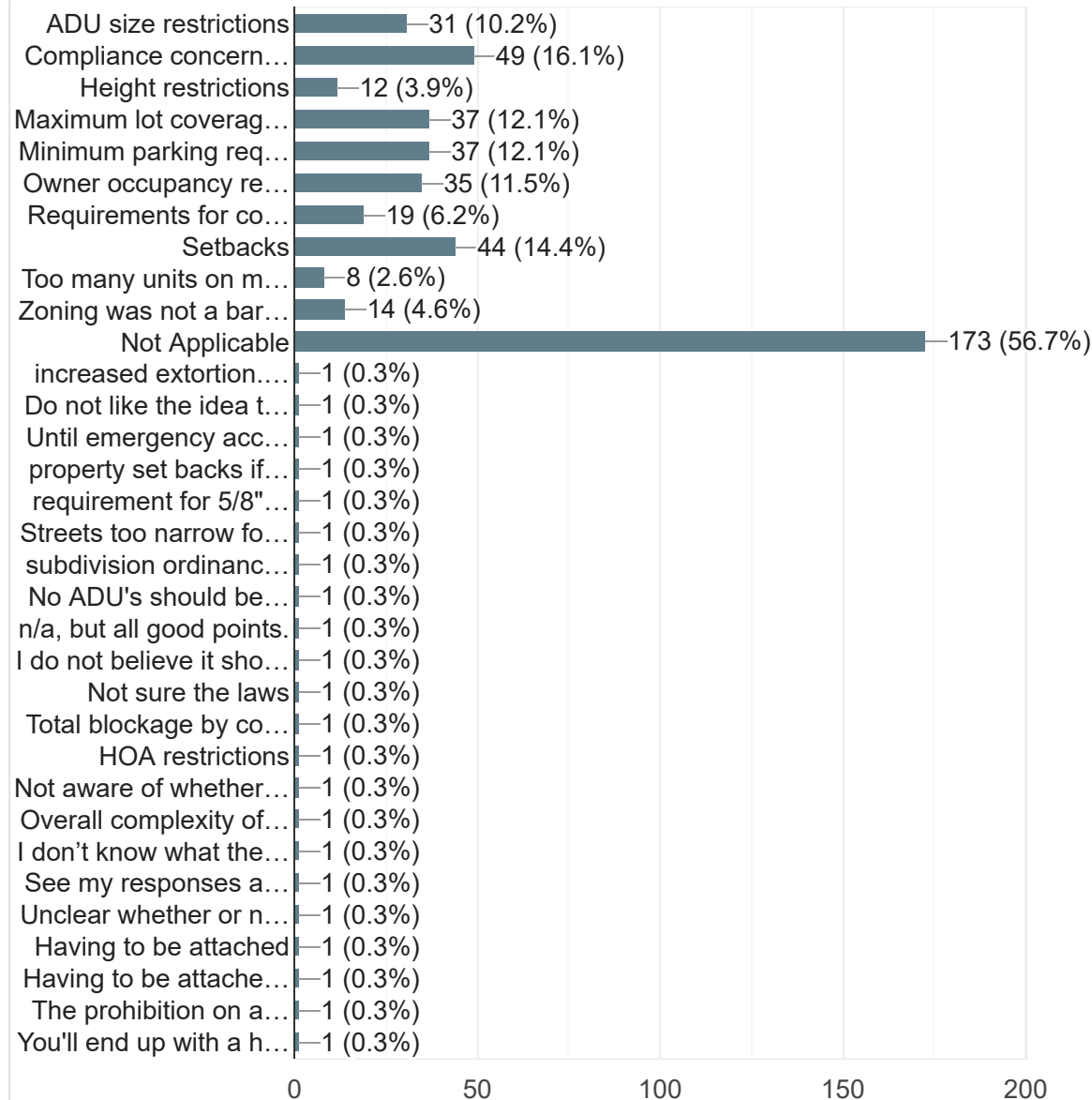
294 responses





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

305 responses





10. Are there any other zoning or regulatory obstacles hindering you from constructing an ADU on your property?

132 responses

no

No

N/A

not applicable

Don't know

Not sure

No.

Homeowners Association limits to single housing

Parking requirements should be eliminated completely if this program is to succeed.

The well/septic requirements (that it cannot be on a separate system)

My concern aside from construction and materials is parking and solar shading of either my lot or my neighbors garden.

Subdivision CCRs do not allow ADUs

N/a

UFC access road requirements

No, primarily terrain and the fact that I live on an unmaintained section of Mountain Rd that really needs to be upgraded for additional occupants and my own future needs as I age in place.

HOA rules

Common sense, don't want multiple dwellings in the neighborhood.

Excessive public utility easements on property



Not sure yet. Don't know requirement details.

I'm not sure.

Can't trust lawmakers

Taxes too damn high

The MOA is a nightmare to deal with, even with the smallest remodel. I can only imagine how painful the process would be adding an ADU. Building safety/code compliance/ can't agree between each other even on an apartment remodel. It's a joke. That's why the valley is growing leaps and bounds while Anchorage only grows homeless camps.

Unknown at this time

Homeowner's covenants prohibit adding an ADU

property, utility corridor setbacks

We already have two small structures on the property (greenhouse and shed) and don't have room for a third. Would need to remove one before building an ADU.

see #9, other: the 5/8" sheet rock requirement between units.

previous slow response from muni building reps.,

Limit of diy work compared to contractor required work

Not known

Well and septic

Np

subdivision restrictions, although others in subdivision have broken other provisions

No public sewer

condo association

I am not sure if ADUs are actually allowed. I think they should be.

The parking requirements seem pretty dumb.



People should be able to do what they want with their owned property

(Not there yet)

Not considering it

Haven't pursued it far enough to know.

We live in a condo and would not be allowed to add another structure on the property and it's too small to subdivide. If we could, and had a single family home, we'd definitely look into a mother in law unit for family.

Ground percolation

Not at this time

do not know yet

I do not believe it should be legal to build an ADU in College Village.

Must be a neighborhood decision. Must enhance the current structure and add value to other homes in the area

Have no plans to construct and ADU

Not applicable. No interest or need to build an ADU on current property.

I don't know.

Yes, the Muni needs to approve park model mini houses.

Please keep the zoning and regulatory pieces in place, at least in my neighborhood

n/a

neighborhood covenants

Max Sq Footage of ADU is only 750 sq ft or 50% of gross floor area; this is very small! Also, parking structures more than 2 cars must be constructed "below grade"?!

Are you guys joking. The muni is the problem.

Holding tank- septic



Financing

Unclear zoning process on how to file. Permitting is not aligned with zoning. Still figuring it out.

parking

only allows single family

MOA requirements are onerous

Permitting rules are unnecessarily restrictive and do not apply common sense

I would think a ADU would be more usable to housing the community is there was more size options

We were assured by our assembly rep that 1) only rich people would build ADUs so they would be beautiful and 2) they would primarily be used to increase low income housing. Neither of these have proved true. Residents of this neighborhood like its character and don't care for the muni plan to convert all our lots to high-density housing via fourplexes.

Hopefully we can make it work.

Not really, just construction cost and finding an "affordable" and reliable contractor.

not allowed with a duplex

I have a duplex, don't know that I can add an ADU with current code

Cost of compliance with current codes and restrictions

Not applicable

The process is too convoluted, no one place to get all the info req'd

Time to complete restricted

unknown

unsure

No, the biggest deterrent is the disconnect between building costs and the limit on what Girdwood renters can actually afford

I haven't really looked into it. This part of the neighborhood is single family homes.



square foot requirements were our problem

I'm just here to say I support making ADU construction as simple as possible and I appreciate your work.

Not interested

Construction logistics and complications.

See my responses above and get RID OF ADU's.

My neighbor built an illegal height ADU on the alley and it blocks light and looks straight into my window.

Don't know.

not that I know of.

The permitting process

lot size could be an issue, I have more research to do

Stream setback is a significant limit on location, but not a prohibitive obstacle.

Lack of MOA clarity on parking do not want to create street parking

Steep slope for building and road access to Abbott Road

Opposed to ADU's.

Height is a general concern

Homeowners association rules

Do not know .

I am glad there a zoning restrictions and regulations in my neighborhood. Keep them in place.

Power lines over the property/ power pole setbacks.

Capricious MOA inspectors

No—just no need at this time.



Yes. I want detached unit, but not attached to my garage

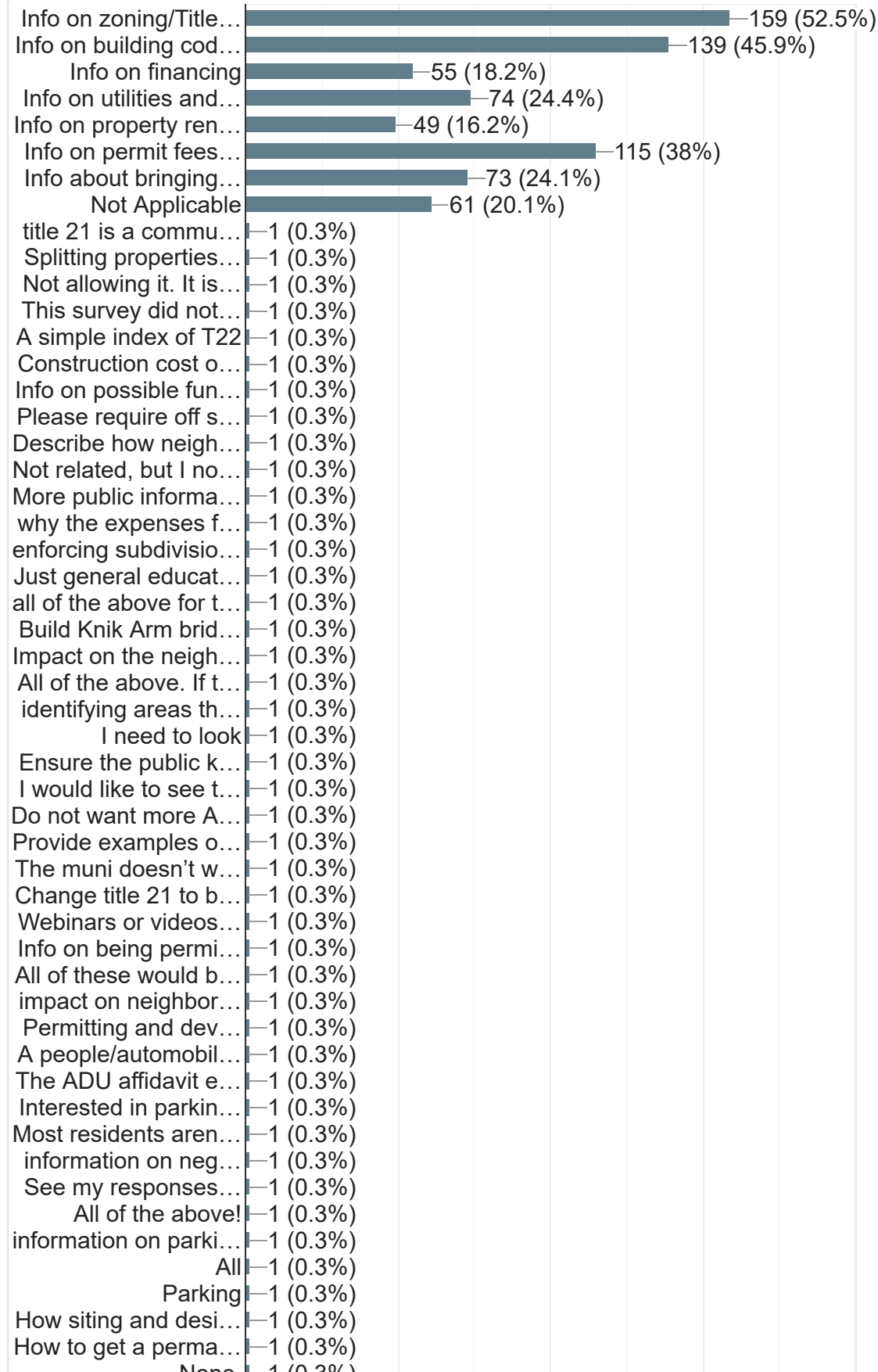
3 more responses are hidden

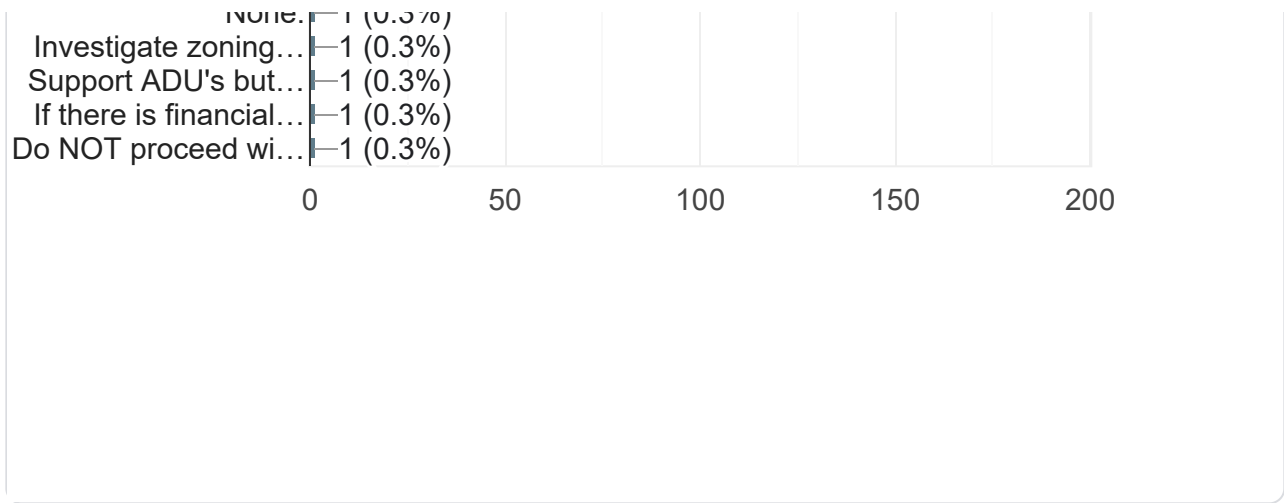




### 11. What kind of additional information could the Muni provide that would be useful to the public related to ADU construction?

303 responses





This content is neither created nor endorsed by Google. [Report Abuse](#) - [Terms of Service](#) - [Privacy Policy](#).

Google Forms





# Attachment3

Neighborworks Survey (Lindsey Hajduk)

**Case 2022-0090**

# 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 is 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%),



# Demographics

## SUMMARY

thirties (17.8%), forties (17.6%), fifties (15.7%), seventies (13.7%), twenties (6.5%), and finally eighties (1.8%).

### Gender

Most respondents identified as women (65.3%), 29.9% as male, and 0.4% as gender non-conforming.

### Race and ethnicity

Most respondents identified as white (83.6%), followed by Alaska Native (6.5%), mixed race (5.3%), some other race (2.5%), Asian (1.2%), and Black (0.8%). Most respondents did not identify as Hispanic, Latino, or Latina (95.7%), while 4.3% did.

### Household type

Most respondents describe their household types as married couples without children under 18 (35.8%) and with children under 18 (17.6%), or a one-person household (22.4%).

Other responses include multi-generational living situations, married couples with children over 18 years old, disabled residents or relatives, or married couples with additional adults, either children or roommates.

### Own or rent

The majority of respondents own their current residences (78.0%), while 18.7% rent. Other responses include living with a partner or extended family member who owns the home, living at their workplace, staying with a friend, or currently houseless.

### Household income

Respondents shared the ranges of their annual household incomes. Most respondents had incomes between \$50,000-99,999 (46.3%), followed by \$100,000-149,999 (23.8%), then below \$50,000 (21.3%), then \$150,000-199,999 (14.0%), then over \$250,000 (5.4%), and finally \$200,000-249,999 (5.2%).

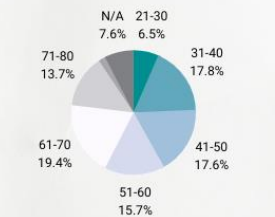
### Income toward housing

Most respondents pay 20% or less of their monthly household income toward housing (42.9%), followed

Draft provided 2/28/22

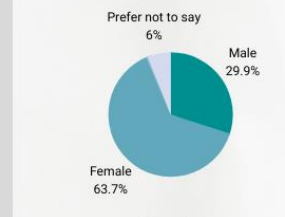
### HOUSING STATUS

The majority of respondents own their current residences (78.0%), while 18.7% rent. Other responses (3.4%) include living with a partner or extended family member, living at their workplace, staying with a friend, or currently houseless.



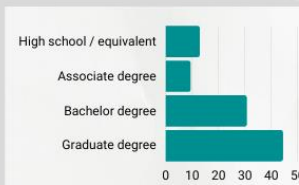
**Ages**

Most respondents were in their sixties (19.4%), thirties (17.8%), forties (17.6%), fifties (15.7%), seventies (13.7%), twenties (6.5%), and finally eighties (1.8%).



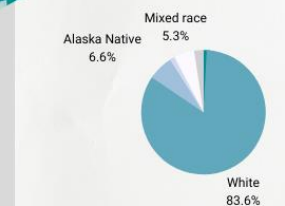
**Gender**

Most respondents identified as women (65.3%), 29.9% as male, and 0.4% as gender non-conforming.



**Education Level**

Most respondents reside in households where a bachelor or graduate degree were the highest education level achieved (77.1%).



**Race**

Most respondents identified as white (83.6%), followed by Alaska Native (6.5%), mixed race (5.3%), some other race (2.5%), Asian (1.2%), and Black (0.8%).

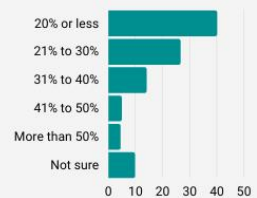
### Household Income

Most respondents had incomes between \$50,000-99,999 (46.3%)



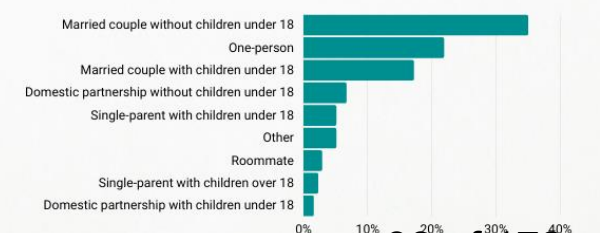
### Income on Housing

Most respondents pay 20% or less of their monthly household income toward housing (42.9%).



### Household Type

Most respondents were married couples without children under 18 (35.8%) and with children under 18 (17.6%), or a one-person household (22.4%).



by 28.5% who pay between 21-30%. Some respondents (20.6%) pay between 31%-50%, and 4.8% pay over 50% of their monthly income on housing.

Households who pay more than 30% of their income on housing may have difficulty affording other necessities, like food, clothing, transportation, and health care. Severe rent burden is for households paying more than 50% of their income on rent. One senior respondent indicated they spend more than 50% of their household income on housing.

### Education level in household

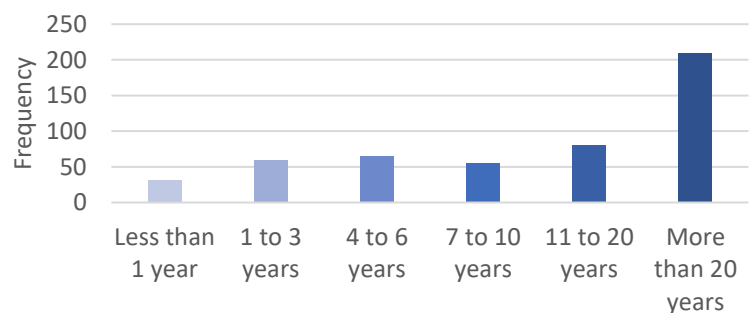
Most respondents reside in households where a bachelor or graduate degree were the highest education level achieved (77.1%), while 13.3% of households had a high school degree or equivalent, followed by an associate degree (9.6%).

## Engagement in Neighborhood

### Length of time in neighborhood

Overall, 511 people responded to this survey. However, many skipped questions throughout, but are not noted in this document for clarity. For the first question, 509 people responded. Most respondents have lived in their neighborhood for over 20 years (41.6%), followed by 16.1% for 11-20 years, 12.9% for 4-6 years, 12.0% for 1-3 years, 11.2% for 7-10 years, and 6.2% for less than 1 year.

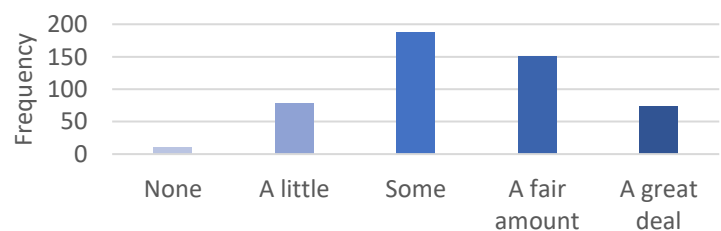
How long have you lived in your neighborhood/community?



### Belief to make a positive difference in community

Respondents were asked how optimistic they are in being able to make a positive difference that they, themselves, could make in their community. Most respondents believe they can make a fair amount or a great deal of difference in their community (45.0%), followed by 37.4% believing they could make some difference, and 17.6% believing they could make little to no difference.

How much of a positive difference do you feel that you, yourself, can make in your community?



### Length of time in neighborhood & belief to make a positive difference

Regardless of how long a resident has lived in their neighborhood, most respondents believe they can make “some” difference in their communities. The longer a respondent has lived in their neighborhood,

the more optimism they have to make a fair amount or great deal of difference, with those living over 20 years in their neighborhood (52.2%) followed by the 11-20 year residents (45.7%). The most pessimistic respondents were in the 4-6 year, then 1-3 years, then 7-10 year time frames.

### Age & belief to make a positive difference

Each age category had more optimism to make a positive difference in their community, except for the 81-90 year old respondents. Generally, the older a respondent's age the more likely they would be optimistic to make a positive difference. Respondents between the ages of 51-79 are most optimistic, with about 50% positive responses.

### Housing status and belief to make a difference

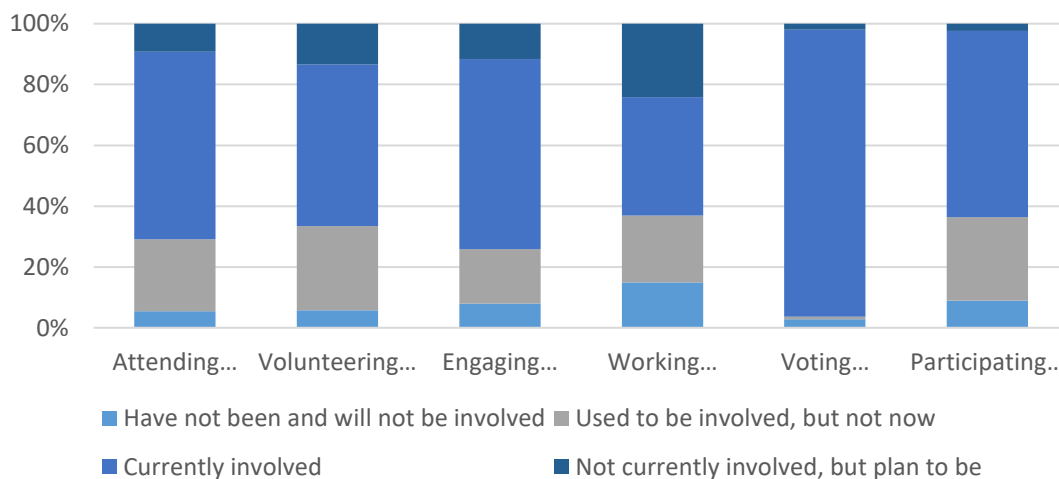
Regardless of if a respondent owns or rents their current residence, respondents are more optimistic about making a difference in their community than are negative. Respondents who own their housing are 31.9% more optimistic than they are pessimistic, and overall they are more optimistic than renters. Within those that rent are 16.2% more optimistic than pessimistic.

### Involvement in community

Respondents were asked about their level of involvement in various community activities and could indicate when they have been involved if ever, currently or in the future. For each activity, most respondents are currently involved in the efforts, which is the majority response for each category. This is most clearly seen regarding voting, where 94.4% of respondents currently vote. Six different activities were asked about, and the following list is in the order with the most *current* involvement:

1. **Voting** in a local or national election
2. **Engaging** in community affairs, civic activities, or political issues
3. **Attending** a public meeting, writing to a public official, or talking with a public official
4. **Volunteering** my time to support a nonprofit or community organization
5. **Participating** in a neighborhood association, a community civic organization, or a community event or activity
6. **Working** to improve the public spaces in my neighborhood

Different ways people become involved in their communities



Overall, most respondents have been or are currently involved in these activities. Of the activities respondents have not and will not be involved, those most include working to improve public spaces (14.9%) and engaging in civic affairs (8.0%). Of the activities respondents are not currently involved in but plan to be in the future, those most include working to improve public spaces (24.2%) and volunteering time to support a nonprofit or community organization (13.4%).

The impact of COVID-19 and reductions in in-person activities was not measured in this survey. However, after nearly two years of the pandemic many virtual or physically-distanced accommodations have been available, though they still may not be accessible for older residents or those without internet or technology access.

#### Length of time in neighborhood & current involvement in activities

Residents who have lived in their communities for more than 20 years are most currently involved in these activities, followed by residents of 7-10 years, residents of 11-20, residents of 1-3 years, residents of 4 to 6 years, and finally residents of less than 1 year in their neighborhood.

#### Age & current involvement in activities

Generally, the older a respondent was, the more likely they were to be currently involved in these activities. However, respondents over 81 were understandably least likely to be involved.

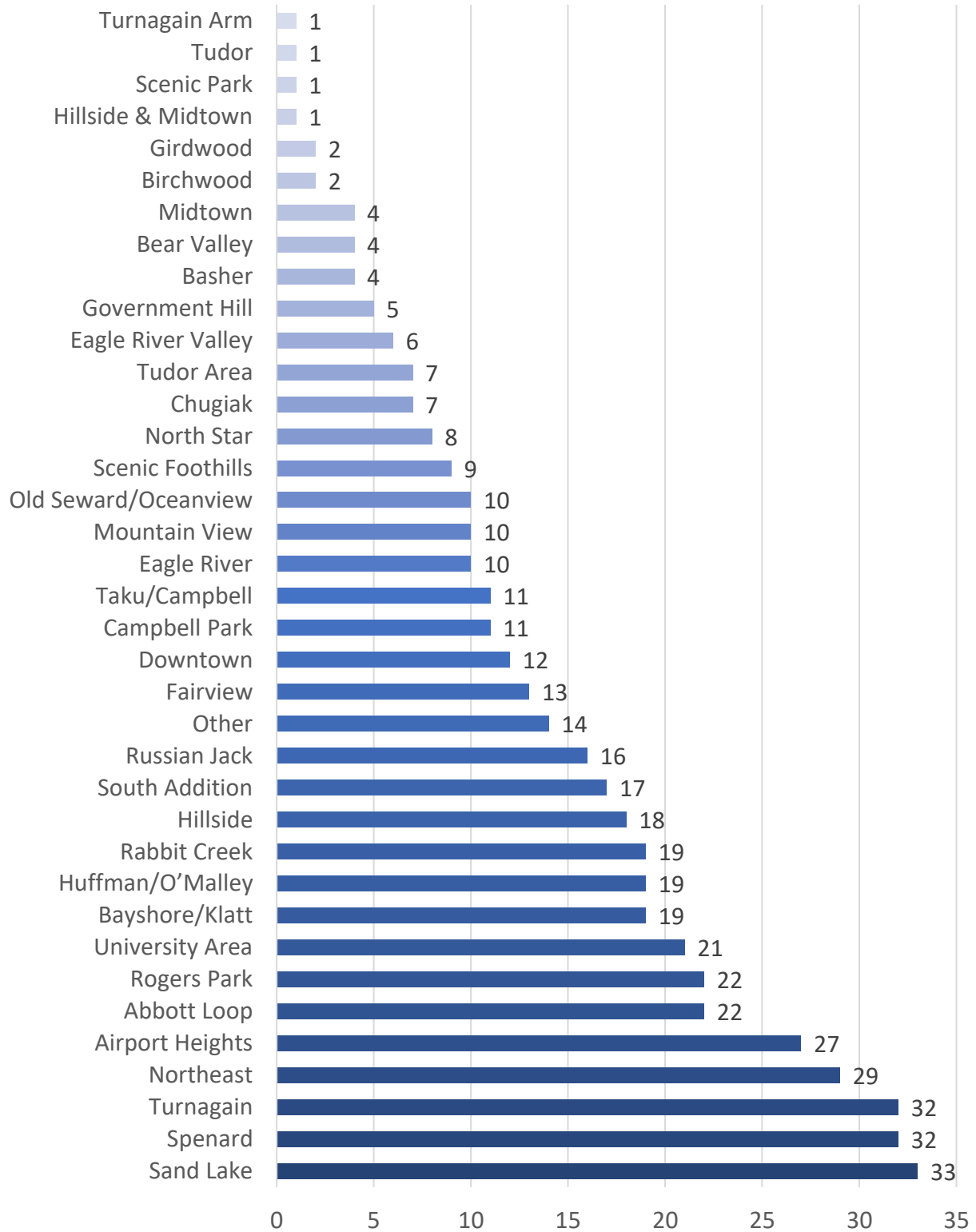
#### Housing status & current involvement in activities

Overall, respondents who own their home are currently more involved in the community activities. However, both groups that own or rent their current residences follow similar patterns of involvement, though owners are attend more public meetings or write to or talk to a public official more than renters. Renters are more likely to volunteer than participate in neighborhood associations compared to owners.

### Community Council

Of the 511 respondents, residents offered responses from 35 of the 38 community councils, with an average of 13.6 per council area. Residents were provided a link to the community council map to determine their council area, however there were 14 respondents that wrote in another response, mostly including Anchorage or more than one community council. Councils with the most responses include Sand Lake (6.5%), Spenard (6.4%), Turnagain (6.3%), Northeast (5.7%), and Airport Heights (5.3%).

### What Community Council area do you live in?



## Housing

### Satisfaction with available housing

When asked how satisfied respondents were with the type of housing available to them on their budgets, there was almost equal dissatisfaction (41.1%) to satisfaction (43.3%), with 15.6% neutral.

### Length of time in neighborhood & satisfaction with housing

Overall, respondents who have lived in their neighborhoods longest are more satisfied with housing that is available to them on their budget. The shorter a respondent has lived in their neighborhood, the more dissatisfied they are.

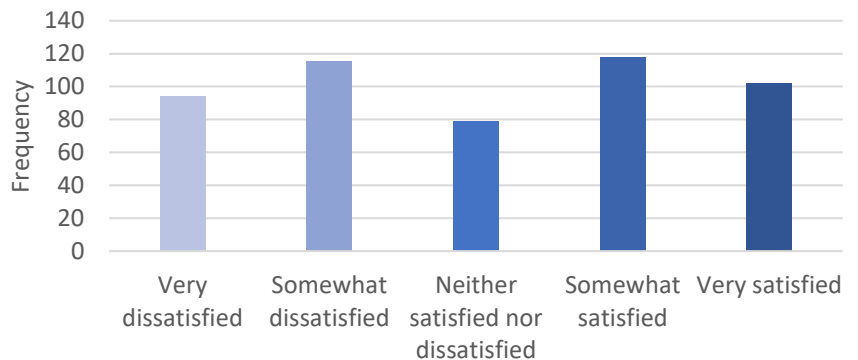
Residents who have lived in their neighborhood less than a year are 71.0% dissatisfied, while residents who have lived over 20 years in their neighborhood are only 24.7% dissatisfied. Conversely, 20+ year residents are 56.5% satisfied, while -1 year residents are only 19.3% satisfied.

### Age & satisfaction with housing

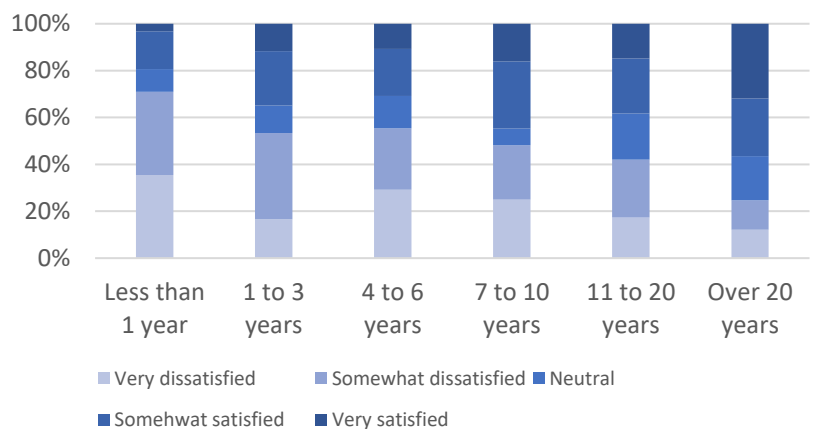
Overall, older respondents are more satisfied with housing that is available to them on their budget. The younger a respondent is, the more they are dissatisfied with housing.

Respondents in the age ranges of 61-90 are more satisfied than dissatisfied, with respondents in the 81-90 range with the most satisfaction. Respondents from 21-50 are more dissatisfied than satisfied, with respondents in the 21-30 age range with the most dissatisfaction.

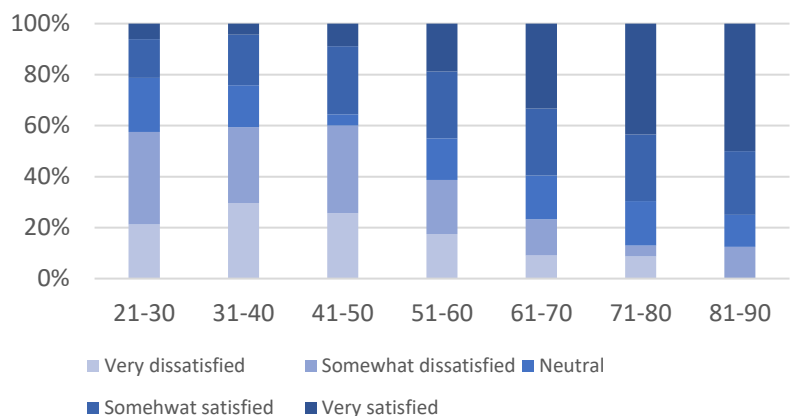
In general, how satisfied are you with the type of housing that is available to you on your budget?



Length of time & housing satisfaction



Age & housing satisfaction





### Income & satisfaction with housing

The higher the income of the respondent, the more satisfied with the type of housing that is available to them on their budget.

Respondents with an annual household income of less than \$25,000 are most dissatisfied (72.4%), with only 17.2% positive responses. On the other end, respondents with annual household incomes over \$250,000 are most satisfied (20.0%), with 72.0% negative responses—almost mirrored results. The \$100,000-124,999 income range was most neutral with just a 3.2% positive advantage.

### Income toward rent & satisfaction with housing

The more a respondent pays in monthly income toward housing, the more dissatisfied they become with the housing available to them on their budget. Only respondents who pay less than 20% of their monthly income on housing were also positive about the housing available to them, with 56.4% satisfied responses compared to 28.0% dissatisfied. All other levels were more dissatisfied than satisfied on the housing available to them.

### Education level & satisfaction with housing

Respondents with higher education levels obtained within the home were more satisfied with housing available to them on their budget, but a bachelor and graduate degree levels were approximately equal in their dissatisfaction (about 37.0%) and satisfaction (about 47.7%). Respondents with a high school degree or equivalent were most dissatisfied (56.9%).

### Housing status & satisfaction with housing

Respondents who own their residents are much more satisfied with housing available on their budgets (52.1% satisfied), while only 15.9% of renters are satisfied. However, 75.6% of renters and 94.1% of respondents with other living arrangements are most dissatisfied.

### Race & satisfaction with housing

Respondent satisfaction of housing available to them on their budget varied based on the racial identities of the respondents; however, most racial categories have few respondents to be representative. With 407 (out of 510) respondents identifying as white, it is notable that satisfaction was split almost evenly with 40.5% respondents dissatisfied and 44.7% satisfied.

### Scenarios to find housing

Respondents were asked how challenging or easy different scenarios to find housing were in Anchorage. Overall, respondents overwhelmingly agreed that all six scenarios were somewhat to very challenging, with over 70.1% of respondents finding each scenario challenging. The scenarios and summaries are as follows:

- **To find attainable quality rental housing:** Most respondents believe it is challenging to attain quality rental housing (79.2%), while 13.9% are not sure, and 6.9% believe it is easy.
- **To find attainable quality housing to buy:** Most respondents believe it is challenging to attain quality housing to buy (81.4%), while 11.0% are not sure, and 7.6% believe it is easy

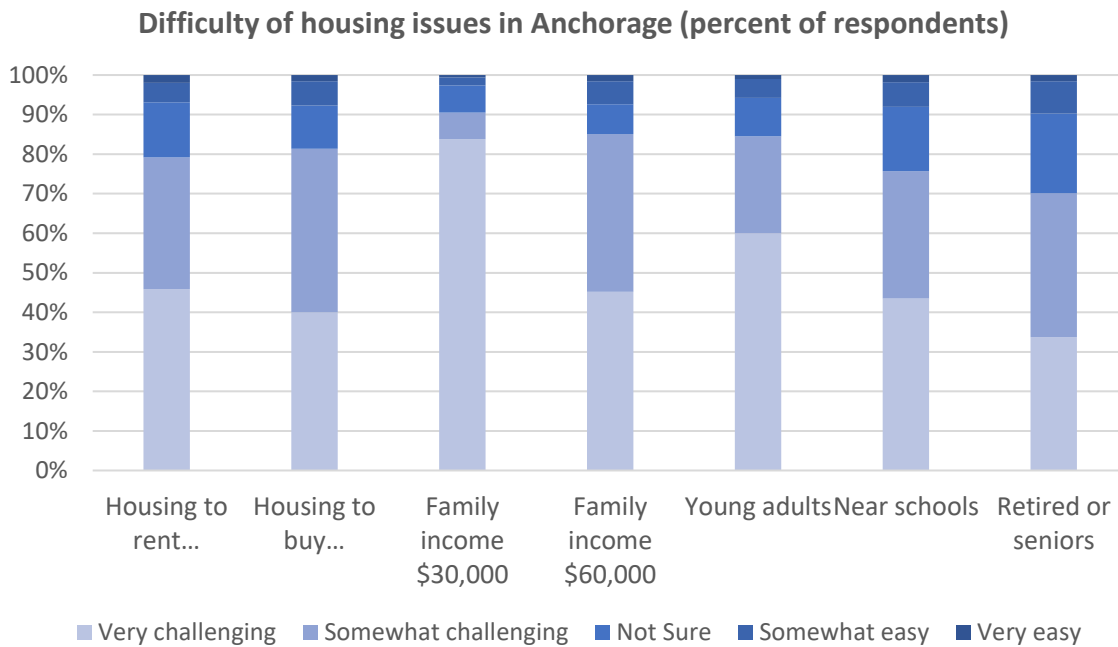
## HOUSING SATISFACTION

Satisfaction with available housing goes up for:

- Longer-term residents
- Older residents
- Higher income earned
- Pay less income toward rent
- Higher education level in home
- Homeowners

- **For a family of four with an annual income of about \$30,000 to find attainable quality housing:** Most respondents believe this is challenging (90.7%), while 6.9% are not sure, 2.6% believe it is easy.
- **For a family of four with an annual income of about \$60,000 to find attainable quality housing:** Most respondents believe this is challenging (85.1%), while 7.5% are not sure, 7.4% believe it is easy.
- **For young adults who are just entering the labor force to find attainable quality housing:** Most respondents believe this is challenging (84.5%), while 9.7% are not sure, 5.8% believe it is easy.
- **For a family with children to find attainable quality housing near quality public schools:** Most respondents believe this is challenging (75.7%), while 16.3% are not sure, 7.8% believe it is easy.
- **For retired people or senior citizens to find attainable quality housing:** Most respondents believe this is challenging (70.1%), while 20.2% are not sure, 9.7% believe it is easy.

The easiest scenario was for retired people or seniors to find housing (9.7%) but it is also the most uncertain (20.2%). The most challenging scenario was for a family of four with an annual income of \$30,000 to find attainable quality housing (90.7%). Contrasting the \$30,000 income \$60,000, respondents found it to be easier with the \$60,000 income (7.4% compared to 2.6% of respondents); however, it is still significantly challenging to do so (85.1% of respondents).



### Affordable and desirable housing

Respondents were asked to share their level of agreement or disagreement with two statements regarding housing. Based on their assumptions of what most people can afford, they were asked if they believe housing is available and desirable. Most respondents believe most people cannot find available housing they can afford (70.2%), while just 12.6% of respondents believe it is available. Most respondents believe the housing most people can afford is desirable, with 45.40 agreeing, while almost equally, 40% of respondents disagree with 15.0% neutral. Overall, this suggests though housing may be desirable in Anchorage, it is not available at levels most people can afford.

#### Length of time & availability of housing

Shorter-term residents are more pessimistic that housing that most people can afford is available, with 83.8% of -1 year respondents disagreeing. Longer-term residents are more optimistic, with 60.9%

20+ year respondents agreeing affordable housing is available most people can afford. Overall though, over 60.9% of respondents in all residential terms believe affordable housing is not available.

Respondents were closer in agreement that housing is desirable that most people can afford across residential periods. Respondents of less than 1 year were split 39.3% disagreeing and also agreeing. Long term 20+ year respondents generally agreed more about housing desirability with 53.9% agreeing it is available. Overall, over 39.3% of all categories believe desirable housing is not available.

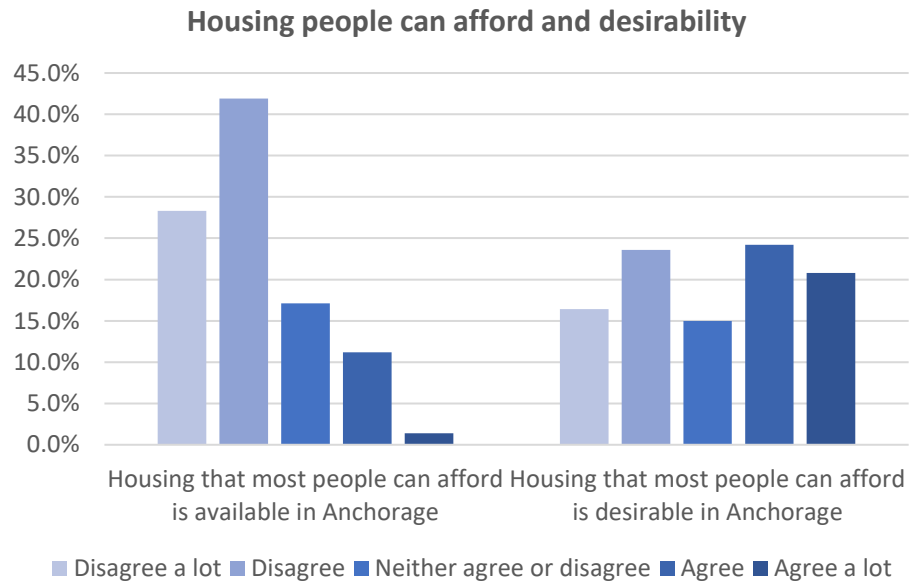
#### Age and availability of housing

Overall, respondents of all ages believe housing is not available that most people can afford. Also, the younger the respondent, the more they believe affordable housing is not available.

Respondent below the age of 50 also believe that desirable housing is not available that most people can afford. However, the older a respondent is above 51, the more they believe desirable housing is available.

#### Housing status and availability of housing

All respondents believe housing that most people can afford is not available in Anchorage. Those in other living situations and renters disagree the most with over 86.2% of respondents, while owners are slightly more optimistic with only 65.7% respondents disagreeing.

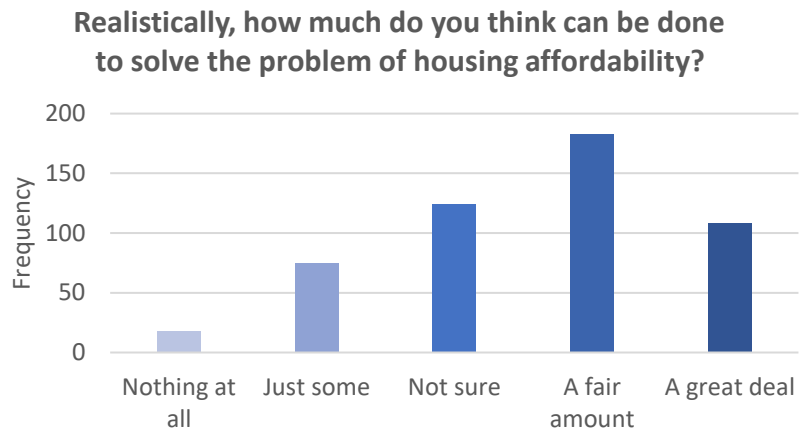


Respondents who own their current residences and those with other living situations both lean toward believing desirable housing is available, with over 46.9% of respondents agreeing. Only 35.2% of renters agreed, while over half disagreed that desirable housing was available.

## Local Housing Solutions

### Solving housing affordability

Overall, respondents were more optimistic that there are solutions for housing affordability, with 57.3% of respondents agreeing a fair amount or a great deal can be done. A quarter of respondents were not sure (24.4%), and 18.3% believed just some or nothing could be done about it.



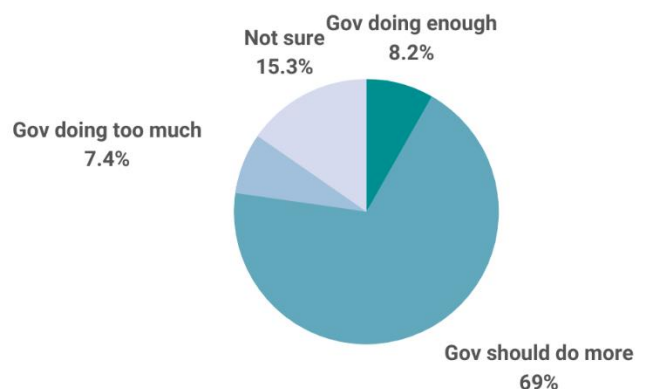
### Housing status & solving affordability

Respondents who currently rent their residences are more optimistic that more can be done to solve housing affordability, with 72.4% positive responses, compared to 54.2% of owners or 47.0% of those in other housing situations. Owners were most pessimistic, with 20.7% negative responses, compared to 8.5% renters and 5.9% in other.

### Local government action

Respondents overwhelmingly believe government should be doing more (69.0%), which is followed by respondents who were not sure (15.3%), believe government is doing too much (7.5%), and believe government is doing enough (8.2%).

### 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?



### Income level & government action

Across all income levels, respondents overwhelmingly believe government should be doing more to solve housing problems. There is not a discernable pattern otherwise.

### Education level & government action

Regardless of education levels obtained, respondents overwhelmingly believe government should be doing more for affordable, quality housing in Anchorage. Respondents with a high school or associate degree in the home next believed government was doing enough (10.4-12.1%). Respondents with an associate degree in the home also most believed government was doing too much (12.5%), whereas households with graduate degrees least believed this (5.7%).

### Housing status & government action

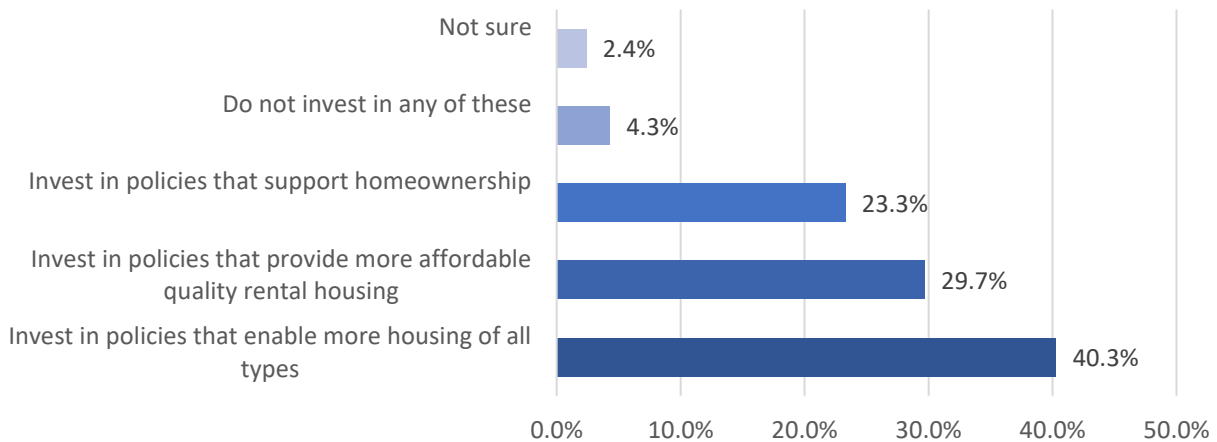
Regardless of renting or owning, respondents overwhelmingly believe government should do more for affordable housing. Owners tend to believe government is doing too much, but with only 5.9% of respondents believing this.

### Housing policy solutions

Respondents overwhelmingly agree government should be investing in housing policies overall, with just 4.3% of respondents not wanting government to invest in policies and 2.4% of respondents not sure. Most respondents wanted investment in both income-restricted housing and homeownership (40.3%), with 29.7% specific for affordable quality rental housing and 23.3% for homeownership.

Respondents overwhelmingly agree that government should do more for affordable quality housing. Of respondents who believe this, they believe government should invest in policies that provide more affordable quality rental housing first, followed by policies for housing of all types, and finally policies that support homeownership.

**When it comes to housing policy, what do you think is more important for the local government to do right now?**



### Education level and housing policies

Regardless of the highest education level obtained at home, respondents overwhelmingly support the three policies suggested. Support for policies for affordable quality rental housing and for more housing of all types are somewhat equally supported across all education levels. Support for policies that support homeownership varied the most, with most support at the high-school or equivalent level (27.4%).

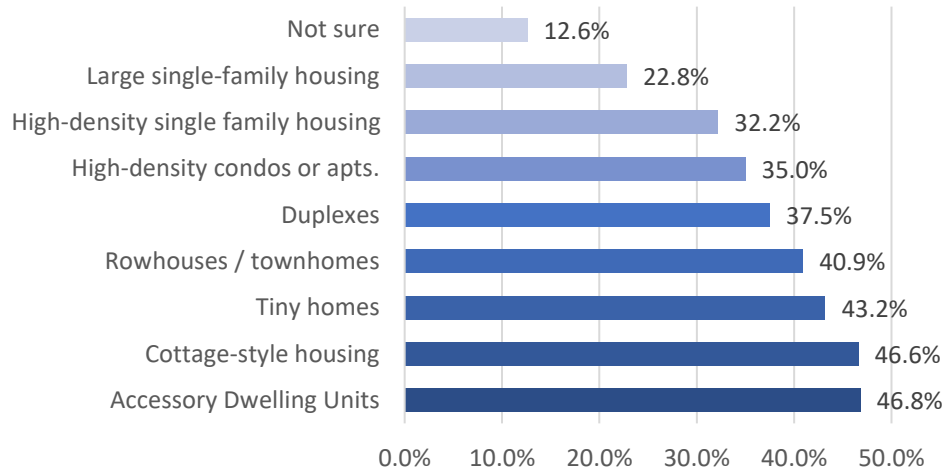
### Housing status and housing policies

Respondents most supported policies that promote housing of all types, regardless of their housing status. Renters and owners next wanted policies that provide more affordable quality rental housing, and then policies for homeownership. Those with other housing situations slightly prioritized homeownership over rental housing.

### More housing options

Respondents overall support seeing more varieties of housing in Anchorage, with 46.8% supporting ADUs and 46.6% for cottage-style housing, followed by 43.2% for tiny homes, 40.9% for rowhouses/townhomes, 37.5% for duplexes, 35.0% for high-density condos or apartments, 32.2% for high-density single family housing, and 22.8% for large single-family housing. Most noticeably is more support for smaller, denser housing, while both dense and large single family homes is supported the least.

**What types of housing would you like to see more of?**



# Attachment 4

Comment Response Table

**Case 2022-0090**

**Comment Response Table**  
**Planning and Zoning Commission Case No. 2022-0090**  
**Text Amendments to Accessory Dwelling Units Regulations**

# Date	Source	Comment	Staff Response	PZC Comment/Action
1. 11/17/2021	Email from Michael Packard	<p>The Turnagain Arm community has many unlawful ADUs at the present time. They are not being regulated or taxed. The roads in our area are not maintained by anyone other than the residents and most of the time the residents don't do any maintenance. The locals would not want to pay for a Road Service Area. If they did, they would pony up to get the potholes filled now. (There are none on the road that I live on.) More units equal more traffic and the need for more infrastructure. The water table is high on many of the lots in this area making sewer systems for additional units a problem. Correcting the errors made in the past (building additional units without permits) and still being made, should be a priority before making it easier to install more units. This would do three things; correct any sewage problems, insure sanitary units and add the tax dollars to the municipalities' coffers.</p> <p>Michael Packard</p>	<p>Thank you for your comment, this was added to the case file.</p> <p>No recommended change.</p>	



# Date	Source	Comment	Staff Response	PZC Comment/Action
2. 11/20/2021	Email from Robert Bell	The MOA should contact the U.S. BLM about acquiring the BLM tract South of Tudor Rd, East of Elmore and North of Abbott Road. I don't think people want to move to Alaska to live in "innovative compact housing". Just a thought. Robert L Bell Bell's Vacuums	The 2050 Land Use Plan, which is the adopted policy guidance for the Anchorage Bowl, states: "LUP 4.2. Allow and encourage innovative compact housing types and a variety of housing options that respond to changing preferences."  No recommended change.	
3. 3/10/2022	Andre Spinelli	Listening to the ADU presentation to CEDC, I can provide a reason why Triplex's may be more expensive per unit sometime. Triplex is a commercial building permit. Commercial Building permits require reviews by Fire, Traffic, Private Development and various other departments that Residential Building Permits (single family and duplex) are excluded from. Attached are some of the plans for a 7 bedroom triplex I built on Arlene just North of Dimond which required the construction of a retention basin, storm drain manhole, driveway with onsite maneuvering and a review by electrical engineer to certify site lighting could meet the standards in the DCM. If I were to build a larger 8 bedroom duplex I would not have had any of the commercial plan reviews, engineered plans, storm drain manhole, etc. The net effect roughly speaking is one less bedroom to rent and \$50,000 in extra cost. Which is why I keep harping on allowing a duplex to have an ADU rather than just calling it a Triplex.	Thank you for your comment.  This suggestion was incorporated into the proposal.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
4. 3/15/2022	Phone call from Dan Rosenberg	[Phone call]	<p>Thank you for the comment. A response was emailed by staff which covered the following.</p> <ul style="list-style-type: none"> <li>• The work group was limited in size for logistical reasons.</li> <li>• All comments are welcome throughout the public process.</li> <li>• The proposal aims to allow ADU height limits to be the same as what is currently allowed for a principal structure.</li> <li>• Shadows are difficult to regulate because trees (no maximum height limit) cast shadows as well as buildings, and existing buildings cast shadows on the same footprints.</li> <li>• Any planning process requires a compromise in priorities between the need for housing and other values.</li> <li>• ADUs will not be a “silver bullet” housing solution but may be a tool in the toolbox to help.</li> </ul> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
5. 3/15/2022	Email from Dan Rosenberg	<p>Thanks for the reply. I'm disappointed that you are unwilling to expand the work group to allow for new perspectives and more diversity of ideas. As you explained yesterday, the nongovernment portion of it is composed of housing advocacy groups without representation from homeowners. AEDC is both a housing and building advocacy group. Housing advocacy groups generally do not adequately consider the values, use, and enjoyment of neighboring property owners. Developing ADUs and while simultaneously respecting the values of neighbors are not mutually exclusive. Any process will be stronger and better if it includes a wide range of views from the beginning.</p> <p>The Live. Work. Play. Housing Area of Focus states that ADUs are a form of urban infill housing, so it's a best practice "to be respectful of neighbors and not infringe on their privacy". AO- 2018 43(S) recognized a consideration of neighborhood character and the privacy and rights of neighbors. Yet in practice the current siting, design, and dimensional building standards assure little in that regard.</p> <p>Most jurisdictions around the country recognize that Detached Accessory Dwelling Units are subordinate to the principal structure. Anchorage (Title 21) does as well. Contrary to what you assert, the "maximum" height of a principal structure in R1 zoning is greater than an accessory structure which includes detached ADUs (see Title 21.06 Table of Dimensional Standards -Residential districts).</p>	<p>Thank you for your comment. These concerns were addressed in subsequent letter to Assembly members Rivera &amp; Zaletel.</p> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>The difference is that Anchorage, the most northerly major city in North America, with the lowest angle of sun and the longest shadows, shortest growing season, and least amount of incident shortwave solar energy, allows for the tallest accessory structures without regard for shadowing. Portland, Vancouver, Seattle, cities that successfully promote and develop ADUs and have higher rents and housing prices do not allow accessory structures as tall as Anchorage. So it begs the question why does Anchorage need such tall detached ADUs? And how is that respectful of neighbors? Your own long range planning division recommended less gross floor area and height than what was put in the current ordinance because it was more compatible with the character of the neighborhood.</p> <p>In any endeavor it is best to learn from the successes and mistakes of others. It is contrary to any planning effort not to look at what has been done in other jurisdictions and incorporate that information in the context of Anchorage. That's why your planning department did exactly that in 2017 when it recommended smaller detached ADUs.</p> <p>Comparing trees with buildings is a false analogy. No other jurisdiction does this. I'm not going to take the time right now to explain this. But cities like Portland and Vancouver and others have tree preservation and tree planing requirements when permitting ADUs. The much greater issue is the lack of ability of the planning department to conduct cumulative building shadow analysis.</p>		

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>The challenge for the public and policy-makers is to find the right balance between a community's need for more housing opportunities and respect for the quality of life currently valued by residents of existing zoning districts. Again I'd be happy to participate in the ADU Working Group to help you achieve that goal.</p> <p>I hope we can continue our conversation.</p> <p>Dan Rosenberg</p>		
6. 3/22/2022	Letter to Assembly/ Mayor, Transmitted by email	<p>Letter outlines a plan that will:</p> <ol style="list-style-type: none"> <li>1. increase MOA revenue without increasing taxes</li> <li>2. increase property values and homeowners' happiness</li> <li>3. decrease homelessness</li> <li>4. infuse the local economy with more money</li> <li>5. boost employment for the residential construction sector</li> <li>6. ease MOA residents' ability to provide excellent, loving care for our elders</li> </ol> <p><b>Keep aging parents, caretaker children, and all our collective money in Anchorage</b></p> <p>When our four 70+ year old parents can no longer live on their own, my wife Willow and I would like them to come live with us on our East Anchorage property, but we'll need to construct an addition or an Accessory Dwelling Unit (ADU) to house them. The Lose Lose scenario involves an antiquated Land Use Code blocking our ability to add a suitable addition to our home, so we all exit Alaska, taking our retirement accounts with us. The Win Win scenario allows us to</p>	<p>Thank you for your response. [Query not directed towards staff and many of these comments addressed through the proposal.]</p> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>add a suitable addition to our home, so everyone stays in Anchorage, contributes our retirement dollars to the local economy, provides Anchorage with higher property tax revenue because of our property improvements, and, best of all, allows our nuclear family to stay tight-knit and caring for each other.</p> <p><b>Two Title 21 Land Use Code sections block the addition of a suitable “mother-in-law” home</b></p> <p>Problem #1: Table 21.06-1: Table of Dimensional Standards - Residential Districts on pg. 6-3 of Title 21: Land Use Planning limits 30% maximum lot coverage of a dwelling on R-1: Single-Family Residential District property.  <a href="https://www.muni.org/Departments/OCPD/Planning/Projects/t21/Documents/Chapter%206.pdf">https://www.muni.org/Departments/OCPD/Planning/Projects/t21/Documents/Chapter%206.pdf</a></p> <p>Proposed amendment #1: Since the purpose of an addition or ADU is to house more than one family on the property, I propose that you please amend R-1 max lot coverage to 40%. This would subject our 8,422 sq. ft. lot to the same 40% max lot limitation as R2-A: Two-Family Residential District (larger lot) properties. This makes complete sense, considering our plan to house more than one family on the property.</p> <p>Problem #2: Corner residential lots zoned R-1 must follow what I call a 10'/20' rule. That is, the structure must be no closer than 10' from one frontage</p>		

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>setback, and no closer than 20' from the other frontage setback (Table 21.06-1, pg. 6-3, and 21.06.030.C.4.a.i-ii, pg. 6-15).</p> <p>As shown in the diagram to the left, the planned Mother-in-Law addition would satisfy the requirement of being no closer than 10' from the Yorkshire Lane setback. However, the existing garage is five inches short of the required 20' minimum distance from the Banbury Drive setback. The corner property shown above would have more flexibility to build a suitable addition or ADU if the rigid "one side no closer than 10', and the other side no closer than 20'" limits were amended to allow a sum setback of minimum 30'. With a sum setback of 30'1", the 19'7" Banbury setback plus the 10'6" Yorkshire setback would comply.</p> <p>Proposed amendment #2: For R-1 corner lots, I suggest that the MOA keep the "no setback closer than 10'" rule, but amend the rigid "one side no closer than 10', and the other side no closer than 20'" rules to allow for a 30' sum distance between the structure and the two frontage setbacks. Perhaps the amendment could look something like this: First, add an exception to 21.06.030.C.4.a.i.: At least one front setback shall be provided having the full depth required generally in the district (except as provided in 4.a.iv. below).</p> <p>Second, create 21.06.030.C.4.a.iv., permitting a sum of the 10'/20' allowances: For corner residential lots zoned R-1 with two contiguous street-facing</p>		

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>setbacks, the director may allow for the sum of the depths of the two street-facing setbacks to be no less than 1-1/2 times the full depth required generally in the district, provided that no setback on such lot shall have less than half the depth required generally for front setbacks in the district.</p> <p><b>A Win-Win for Everyone!!</b> This plan fosters endless excitement, happiness, and winning!</p> <ul style="list-style-type: none"> <li>● Because these proposed amendments expressly state that a Municipal director has the final say in whether a building project will violate or comply with the eight 21.06.010 Purposes, there will be no compromising these all-important quality-of-life values.</li> <li>● Corner lot owners would be thrilled to finally build the additions they desperately need. You'll win not only homeowner votes, but also the votes of their parents who live in these additions and ADUs.</li> <li>● The only people who would pay higher taxes are those homeowners who choose to build. They'll be relieved to write the MOA bigger property tax checks rather than paying \$10K+ per month for an assisted living facility.</li> <li>● Employment for the construction sector will increase, boosting the local economy.</li> <li>● Simple geometry illustrates that this plan widens the visual angles for motorists approaching an intersection, making neighborhoods safer for kids and adults.</li> </ul>		



# Date	Source	Comment	Staff Response	PZC Comment/Action
		<ul style="list-style-type: none"> <li>● With more room to spare, homeowners will be able to house their friends and relatives who are facing homelessness.</li> <li>● Increased revenue collected from thousands of corner lot homeowners could allow Anchorage to hire more firefighters, police officers, and teachers with NO increase in property tax rates.</li> </ul> <p>Most important is the cherished Alaskan value of providing loving care for our elders. Should you choose to amend the Land Use Code to permit our proposed Mother-in-Law addition, my wife and I would be grateful that you allow us to care for our parents we love in the Anchorage neighborhood we love.</p> <p>Antonio Monterrosa</p>		
7. 4/11/2022	Letter from Assembly Members Rivera & Zaletel	It is come to our understanding that you have been in communication with Dan Rosenberg, Chair of the Rogers Park Community Council ADU Committee, regarding the currently established ADU working group. Specifically, Mr. Rosenberg has requested that he be added to the working group to provide neighborhood-specific commentary and advice as the Municipality considers bringing forward a comprehensive ADU ordinance for the Anchorage	[Full response letter dated 4/19/2022 included in materials]  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>Assembly to consider.</p> <p>As you are likely aware, several neighborhoods and Community Councils had strong opposition to the 2018 ADU ordinance, AO 2018-43(S). Since then, a dislike of ADUs has grown within these neighborhoods. In order to better meet the concerns in the community, and especially among Midtown residents which we represent, we strongly encourage the current ADU working group to create space and add three community representatives chosen by the Community Councils most likely impacted by ADUs, including Rogers Park, South Addition, and Fairview Community Councils. We firmly believe that creating this space will engender stronger dialogue and understanding of the community concerns and lead to better solutions and outcomes when this ordinance eventually makes its way to the floor of the Anchorage Assembly. We request a written response to this letter by Wednesday, April 20. We are more than happy to discuss this issue in-person, virtually, or over the phone in the interim.</p>		
8. 4/26/2022	Email from Daniel George	<p><b>[Note: this response came after the email in the "staff response column to the right]:</b></p> <p>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</p>	<p><b>[Response from staff to a question posed at a meeting the previous day]:</b></p> <p>The intent of the proposal is to have one set of regulations that apply to the entire bowl in a uniform way, so don't aim to interfere with the specifics of any particular zone unless absolutely necessary.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>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.Thanks again,Daniel GeorgeFCC Chair / MVCC &amp; RJCC</p>	<ul style="list-style-type: none"> <li>Referring to existing code for R2M, a new ADU in that zone would be subject to the following:Setbacks: 20' front, 5' side, 10' rear 30' height (same as principal). Chapter 6 of the code currently limits accessory buildings to 25' or 12'.</li> <li>The intent with this ADU proposal would be to allow ADUs to function exactly the same as any other residence, so we might have to amend this language actually). Lot coverage up to 45% (5% increase from 40%).</li> </ul> <p>No recommended change.</p>	
9. 5/9/2022	Rogers Park Community Council Meeting	Privacy, Shadows, orientation by cardinal directions	These concerns were incorporated into the proposal where possible.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
10. 5/12/2022	Rabbit Creek Community Council Follow up	Various	<ul style="list-style-type: none"> <li>Well Capacity: when applied for, all development permits are vetted through our Planning and Development Services departments, which includes a review of both zoning and building requirements. Well capacity is included in this review based on information the Muni has on file through the Certificate of On-Site Systems Approval (COSA) system. This information is all public record, and you can search for COSA information for any property here: <a href="https://onsite.muni.org/WebLink/Welcome.aspx?cr=1">https://onsite.muni.org/WebLink/Welcome.aspx?cr=1</a> If you believe a well is being over-used or there is some other violation, please submit a service request or enforcement complaint.</li> <li>The Long-Range Planning Division is tasked in this project with proposing code amendments which facilitate the production of compact housing—but not necessarily housing specifically intended for any income level or group.</li> </ul>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
			<p>The 2040 Plan states (page 12):          “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.”</p> <ul style="list-style-type: none"> <li>• Outreach suggests there is interest in building ADUs, and we have some data on how property owners would like to use them—although how they will actually use them is unknowable at this time. From our fall 2021 survey: The ADU project page, with the rest of the survey results like the chart above, can be found here. 3. Short-term Rentals (STRs) &amp; Owner Occupancy This is obviously a contentious issue, with many similar discussions playing out across the country. On the one hand ADUs could be used for short-term rentals, on the other hand the ability to</li> </ul>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
			<p>rent out for shorter terms might also help homeowners cover the costs of adding an additional unit, or supplement financial stability. To what degree, and through what method STRs ultimately get regulated will probably be out of the purview of this project, and much of it will depend on public appetite for enforcement (which, under a complaint-based system, might lead to apparent inconsistency across the Municipality).</p> <ul style="list-style-type: none"> <li>The long-range planning division's proposal removes owner occupancy as a requirement because the code does not have the same requirement for single family homes—someone could just as easily rent out a single-family home as a party house as an ADU as a party house, so it is difficult to justify from a fairness perspective. Whether an owner occupies or is even present in the primary dwelling next to an ADU may or may not have any effect on noise,</li> </ul>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
			<p>vehicle use, or other impacts created by short-term guests, and the code already has provisions for regulating noise and street space. However, as with all code, many of these may ultimately be policy decisions to be decided by the Assembly.</p> <ul style="list-style-type: none"> <li>• New development permits (including for ADUs) are subject to internal review by multiple people in different divisions to make sure there are no outstanding issues in terms of slopes, fire safety, building safety, zoning issues, or well/septic capacity. Of course, there is always room for improvement, so we welcome any feedback.</li> </ul> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
11. 4/13/2022	Email from Don Nelson	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?	Emailed response from staff: <ul style="list-style-type: none"> <li>The current code does not allow an accessory dwelling unit to be added to a duplex, only to a single-family residence. This proposal would change that.</li> </ul> Code proposal amended to include this and other comments.	
12. 4/13/2022	Email from Don Nelson	Thank you! I hope they seriously consider it. Housing in Anchorage is very tight and has been for some time. I think that a reasonable application of ADU permitting in the case of duplex, and possibly triplex properties, is one solution. I will mark the meeting on my calendar. Thanks again.	Thank you for your comment. Staff provided contact information for the April 20, 2022, FCC meeting: Join Zoom Meeting: <a href="https://us06web.zoom.us/j/89600528663?pwd=TUV4aUJjTnFNMVdOdWM4bVlnVm1Zz09">https://us06web.zoom.us/j/89600528663?pwd=TUV4aUJjTnFNMVdOdWM4bVlnVm1Zz09</a> By phone: +1 253 215 8782 or +1 669 900 9128 USMeeting ID: 896 0052 8663  No recommended change.	



# Date	Source	Comment	Staff Response	PZC Comment/Action
13. 5/16/2022	Resolution shared with staff by Chugiak-Eagle River Communities	<p>Chugiak-Eagle River Advisory Board Resolution 2022-1, February 19, 2022, DRAFT Meeting Re: Accessory Dwelling Units; Retail Marijuana Business</p> <p>Whereas, the Chugiak-Eagle River Advisory Board (the Board) is established in Title 21 by Section 21.10.030B and is constituted in order to review and make recommendations on actions regarding potential changes in land use that impact multiple Community Councils in the Chugiak-Eagle River area, and Whereas, the Board, with representation from South Fork, Eagle River Valley, Chugiak, Birchwood, Eagle River and Eklutna Valley Community Councils met on February 19 to hear local testimony and discuss the above issues, and Whereas, the Board is interested in the impact to our community of potential changes to code 21.45.035, Accessory Dwelling Units (ADUs). Many concerns were discussed, including density, housing availability, and public water/ septic impacts. We anticipate further discussion as potential changes move forward., but are now able to agree that, We, the CHUGIAK-EAGLE RIVER ADVISORY BOARD RESOLVE that municipal code be changed to give greater freedom and flexibility to placement of detached ADUs on lots larger than two acres.</p> <p>Debbie Ossiander Chugiak-Eagle River Advisory Board Acting Chair</p>	<p>Thank you for providing this information.</p> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
14. 6/2/2022	Spenard Community Council Meeting	How do we ensure ADUs go to local residents, not short-term rentals?	Staff report mentions the need for short-term rental regulations.  No recommended change.	
15. 6/24/2022	South Addition Community Council Meeting	Request to see a comparison table, concerns about short-term rentals, aesthetics, height	Comparison table provided; short-term rental regulations mentioned in staff report.  No recommended change.	
16. 8/5/2022	Alaska State Fire Marshal Plan Review Bureau	The Alaska State Fire Marshal, Plan Review Bureau does not have an objection to this process as we don't review single family homes and these appear to be part of the parent single family home. This is also within the Anchorage Bowl, in which we don't have jurisdiction, if outside the bowl (Chugiak-Birchwood) and has four residential buildings within 20 feet of each other a review would be require [sic] to ensure proper construction of fire ratings to the exterior walls and more. Let me know if you have any questions.	Thank you for your comment.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
17. 8/8/2022	Daniel Clift, SFCC	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 for your comment.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
18. 8/8/2022	Email from Krysta Gard	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?	<p>Emailed response from staff: Responding to your questions about ADUs from an 8/8/2022 email:</p> <p>1. Why does there have to be a limit of size to the accessory dwelling? The size limit is due to the idea that an accessory dwelling unit should be smaller than the primary structure. The 40% number is largely transferred from the existing code (although now it can be 40%/900 SF whichever is larger, not smaller).</p> <p>2. If the size of the lot allows for an accessory dwelling couldn't it be the same size as the primary home or less?</p> <p>The code proposal is based on feedback from the public and a working group comprised of people from the development, building, and housing community. The ultimate size requirements are a policy choice up to the decision makers at the Planning &amp; Zoning Commission or Assembly levels.</p> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
19. 8/18/2022	Agency Comment from AKDOT&PF	No objection to the proposed Title 21 code changes for Accessory Dwelling Units (ADUs). DOT &PF supports ADUS that are designed and developed in a way that utilizes available alternative access and doesn't cause increased density of access and conflicts to DOT&PF maintained arterials and major collector roads. DOT&PF supports ADUs that are designed and developed to continue to allow the original lot to function as a whole and do not effectively divide lots into separate entities requiring additional access and utility requirements. DOT&PF does not support ADUs that are designed and developed to allow the landowner to potentially subdivide their property that would require the ADU to take access from a DOT&PF maintained arterial or major collector or that would require additional utility service connections impacting the DOT&PF right of way for arterials and major collectors.	People who live in ADUs may use a variety of types of travel modes although this comment seems to be referring specifically to motor vehicle access. By definition an ADU is accessory to an existing structure on the same lot, so dividing lots would negate the ADU as an accessory dwelling.  No recommended change.	
20. 8/19/2022	Agency Comment from AWWU	1. When planning siting for Accessory Dwelling Units, landowners should be aware of potential existing AWWU water and sanitary sewer easements to avoid encroachment(s). 2. AWWU has no further comments or objections to this Review and Recommendation.	Thank you for your comment.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
21. 8/19/2022	Email from Eric Kissinger	<p>Thank you for providing this, I finally took the time to give this a brief review, I love the proposals at it simplifies the code and housing dilemma with simple actions and wording. It is amazing what common sense can do... if we just use it!</p> <p>Attached you will notice my proposal letter regarding my current situation and burning desire to add another ADU to my property. It would be amazing! Thank you for all your hard work, now go get this passed too! Ha!</p> <p>Eric Kissinger</p>	<p>Thank you for your comment.</p> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
22. 8/19/2022	Letter from Eric Kissinger (email above)	<p>Hello, my name is Eric Kissinger, I bought my first home in March 2018 at 3731 Laron Lane, Anchorage, AK 99504. Since purchase, I added some interior non load bearing walls to my home creating a mother-in-law unit intended for my mother-in-law (Karen, mother of my amazing wife Randee Kissinger) to move from the lower 48 and live in. Due to an unforeseen life event, she has yet to move here. Therefore, the MIL unit is currently rented to a military couple that will be living in it for at least the next two years. Recently, my wife and I found out that Karen is moving up here to Anchorage in Spring 2023, it is official, here boss at her company has been notified and the date is set for April 3, 2023.</p> <p>A recent browse of the ADU project proposal projects suggest some great changes to the current Anchorage code regarding ADUs. I love the addition of ADUs being added to Duplex properties. I have a friend that owns a Duplex that plans to take advantage of this if passed, he currently owns a Duplex off Raspberry Rd. He would love to add an ADU so his mother can move up and be closer to him and his wife (she lives solo in AZ). As great as this is, it does not include the possibility for somebody in my situation. Even though my property is zoned R1, my house is setup like a Duplex. I used existing square footage to make my MIL, no addition at all. It would be great to change the code for current homes with MIL existing under the same dwelling to be able to build an additional detached unit as well, very similar to a Duplex. I understand that it might be worrisome</p>	<p>Thank you for your comment.</p> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>to “overpopulate” small quiet single-family neighborhoods. But this could be another way to create additional housing responsibly. Most single family (if not all) homeowners are out working hard each day, contributing to the Alaska economy, paying abundant property tax, and keeping safe/clean neighborhoods. They are good people, they will rent to good people, or like my situation, will rent to family. If I were able to build a detached MIL, Karen would live in it long term to help us raise our newborn baby (7 months old today) and also help us maintain the property. We never plan to rent it short term, will always be long term.</p> <p>In my opinion, government, local municipalities, and law enforcement are people working for the people. I am a person, with this additional proposal, what do you think? I would be happy to share ideas or more suggestions anytime if needed. Thank you for all the work you do keeping Anchorage organized and safe as possible. Now let’s solve the current housing demand, with common sense and input from the people!</p> <p>Thank you for taking the time to read this. Eric Kissinger</p>		



# Date	Source	Comment	Staff Response	PZC Comment/Action
23. 8/22/2022	Agency Comment from MOA ROW	ROW has no comment or objections on the proposed action.	Thank you for your comment.	
24. 8/23/2022	Email from Kristen Collins	<p>Hello, My name is Kristen Collins and my partner and I own property owners in Girdwood. I'm reaching out about code changes to ADUs in the Municipality and am curious if there are any changes for Girdwood. We own a .36 acre property in Girdwood with an existing 455 sq ft cabin in the front corner of the lot. Ideally, we would like to build a larger home in the center of the property and rent our current cabin out for help with the mortgage. I believe I've read in the building codes that a lot under .4 acres in Girdwood must have an attached dwelling unit instead of a detached dwelling unit. Is this correct? Do upcoming changes of ADUs for the Municipality include Girdwood? Is there any information you can share about building ADUs in Girdwood or building new homes on a property with an existing small/ADU like house? Thanks for your help! We are a couple years away from applying for any construction permits and we are interested in learning more about what we can do on our property. Best, Kristen</p>	<p>Emailed response from staff:</p> <ul style="list-style-type: none"> <li>Girdwood has its own ADU code so the rules there are slightly different than in the bowl--however, the Assembly did just pass some reforms for Girdwood ADUs last month at the July 26 meeting (<a href="https://meetings.muni.org/AgendaOnline/Meetings/ViewMeeting?id=4470&amp;doctype=1#">https://meetings.muni.org/AgendaOnline/Meetings/ViewMeeting?id=4470&amp;doctype=1#</a>).</li> <li>Girdwood may have removed the restriction on attached/detached for smaller lots (deleted text in caps):(B)[III.] Location. An accessory dwelling unit shall be on the same lot as the primary dwelling unit. An accessory dwelling unit may [SHALL] 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</li> </ul>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
25. 8/23/2022	Email from MOA Traffic Engineering	<p>Traffic Engineering has reviewed the proposed modifications to AMC Title 21 regarding Accessory Dwelling Unit (ADU) requirements and has the following comments.</p> <p>Traffic Engineering is not supportive of the recommendation to remove the off-street parking requirement of one parking space per ADU in addition to the required parking of the primary unit. Removal of this requirement shifts the needed parking space onto the public right of way. AMC Title 9.30 has regulations that limit the amount of time and location of parking within the public right of way. The owners of the vehicles associated with ADUs will be at risk for enforcement of AMC Title 9 parking regulations by Anchorage Police Department similar to the adjacent properties without accessory dwellings. Parking along public rights of way does</p>	<p>DWELLING UNIT]. Here is a copy of the ordinance I am looking at: <a href="https://meetings.muni.org/AgendaOnline/Documents/ViewDocument/AO%202022-67_1_GIRDWOOD_ADU_AMEN_D._2022-0042_AO.1.DOCX.pdf?meetingId=4470&amp;documentType=Agenda&amp;itemId=42776&amp;publishId=31992&amp;isSection=false">https://meetings.muni.org/AgendaOnline/Documents/ViewDocument/AO%202022-67_1_GIRDWOOD_ADU_AMEN_D._2022-0042_AO.1.DOCX.pdf?meetingId=4470&amp;documentType=Agenda&amp;itemId=42776&amp;publishId=31992&amp;isSection=false</a></p> <p>No recommended change.</p> <p>Emailed Response from Staff:</p> <ul style="list-style-type: none"> <li>It is not currently forbidden or illegal for people to store private vehicles in public streets not otherwise signed for no parking</li> <li>Please provide any data that shows that on-street congestion is above 75% (the threshold for congestion in title 9.65.30B.3 (" No less than 75 percent of the on-street parking spaces within the geographic area described in the petition are occupied by vehicles at any one time on and between Monday and Friday between</li> </ul>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>not guarantee parking in front of the parcel with ADUs. The owners of the ADUs should not have expectations that the portion of the public right of way is available exclusively for the tenants of the ADU.</p> <p>Traffic Engineering would recommend that the single space requirement of existing code (page 6, Lines 13 - 29) remain in place until the Municipality make specific changes to Title 9 and establish parking districts or provide resources to appropriate agencies responsible for the management and operations of the public rights of way. The proposed justification “Embedding transportation cost in housing cost makes housing more expensive” just switches the cost onto the government agencies that currently have limited manpower and resources to manage potential problems created with the removal of this requirement.</p> <p>Traffic Engineering is supportive of removing the affidavit requirement associated with the parking requirement exception (Page 6, Lines 30-42, Page 7 Lines 1-20). Enforcement of the required affidavit is difficult or nonexistent due to existing manpower and resources. If the one space requirement is to remain, the affidavit requirement is not needed.</p>	<p>the hours of 7:00 a.m. and 5:30 p.m.”) anywhere in the city.</p> <ul style="list-style-type: none"> <li>• Please provide any current, local data that shows that parking is "needed" for ADUs, or any current local data showing a specific causal relationship between people who live in ADUs and driving.</li> </ul> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
26. 8/23/2022	Email from MOA Traffic Engineering	<p>1. Yes refer to Title 9.30.30 Code excerpt shown in attached policy document Any one may park a vehicle for no more than 24 hours during the week and 72 hours on the weekend. It is not reserved for the primary residence or ADU. You need to define the word store. Storing of any vehicle in ROW is violation of title 9 and title 21. Parking is allowed but not reserved for a specific property use. It is to be shared with other public users. Please see attached traffic policy for determining if we will place no parking signs if one is requested. If it called out in Title 9 signs are not required for enforcement, that is up to APD and what they see.</p> <p>a. 9.30.30 Stopping, Standing, or Parking in specified places</p> <p>b. 9.30.150 Parking for longer than 24 hours</p> <p>2. If the leave the vehicle for longer than time in 9.30.150, there can be enforcement from APD with out signage if a complaint was called into non-emergency law enforcement number. Outside established parking districts only APD can enforce ticketing or towing.</p> <p>3. I am not aware of any data that is routinely collected on parking for the streets. However, the few on street parking reductions granted per current code required a parking study by the petitioner. Need to check with Sonnet on how many actually got recorded. Land use keeps copies of all recorded</p>	<p>Emailed Response from Staff:</p> <ul style="list-style-type: none"> <li>• Please provide any evidence that documents issued with unreserved street space.</li> <li>• Please provide any evidence of regulation violation of the 24/72 hour rules, even with existing requirements.</li> </ul> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>reductions and remember Rick Novy developing a spreadsheet to show what reduction was requested. Traffic would rarely approve a reduction without a study. Your proposal removes the need for the reduction.</p> <p>4. No, current staffing resources most likely prohibit collection of that data with out specific funded project. Our data section primarily collects volume and speed at most large intersection or on a requested bases for a PME or Traffic road project. I do not believe that we collect any parking related data either private or public.</p>		

# Date	Source	Comment	Staff Response	PZC Comment/Action
27. 8/23/2022	Email from MOA Traffic Engineering	Response from Kris A. Langley, Associate Traffic Engineer/Traffic Safety Manager 8/23/2022 3:32 PM I'm aware of complaints from citizens about vehicles being parked and stored in the right-of-way for periods of time exceeding the time limits of Title 9 – including vehicles that are obviously inoperable. I'm also aware that is a challenge for APD to enforce because of counter-assertions: "I moved that car, but it happened that it was in the same space" or "I moved the car one inch, so, it has been moved" that can't be disproved by an officer in almost all cases.	Emailed Response from Staff: <ul style="list-style-type: none"> <li>• Please provide any data that indicates that the problems mentioned are significant enough to be required in the land use code, or complaints detailing such.</li> <li>• Please provide any data showing that inoperable vehicles are related to ADUs.</li> <li>• Mandating extra space for vehicles on private property is a significant impediment to housing.</li> <li>• Please provide any information about whether existing parking rules have been effective in resolving the aforementioned issues.</li> <li>• Please provide additional information on how APD enforcement relates to Accessory Dwelling Units.</li> </ul>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
28. 8/25/2022	US Air Force	<p>1. Thank you for the opportunity to review the Municipal Planning Case 2022-0090, whereas the Planning Department is seeking public, and agency review proposed amendments to Accessory Dwelling Unit Standards in Title 21. We understand that overlay districts are considered for residentially zoned districts within the Municipality of Anchorage. Because the land in question is not owned by Joint Base Elmendorf-Richardson (JBER), the information provided below is advisory in nature and provided to assist the Planning Department with making an informed decision on the proposed zoning changes.</p> <p>2. JBER has a responsibility to the community to provide information when a proposed development may create a conflict with Department of Defense (DoD) land-use guidance intended to protect the public safety. Portions of the following Anchorage communities are located within the Accident Potential Zones I and II (APZ) for the north/south runway at Elmendorf Airfield (see figure below):</p> <ul style="list-style-type: none"> <li>• Mountainview community, north of Glenn Highway;</li> <li>• Russian Jack Park community, south of Glenn Highway and west of Boniface Parkway; and</li> <li>• Northeast community, south of Glenn Highway and east of Boniface Parkway</li> </ul> <p>Based on studies, the DoD has identified Clear Zones (CZ) and APZs as areas where an aircraft accident is most likely to occur if an accident were to take place;</p>	<p>The JBER Community Planner expressed a general concern on behalf of the Air Force that allowing any new housing around Joint Base Elmendorf-Richardson in Accident Potential Zones 1 or 2 could mean a higher risk for aircraft crashes, and thus stricter land use controls for all residential uses should be implemented in these areas. While instituting general restrictions on any housing within these zones is beyond the scope of this project, the potential for an overlay zone is mentioned in the 2016 Mountain Targeted Neighborhood Plan. The East Anchorage District Plan does not speak explicitly to such an overlay.</p> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>however, it should be noted that CZs and APZs are not predictors of accidents. The Air Force has guidelines on land use intensity in APZs.</p> <p>3. This APZ footprint defines the minimum recommended area for which land use controls are needed to enhance the health, safety, and welfare of those living near Air Force installations and to preserve the JBER mission. 2022-0090 will impact areas within the APZ and is depicted on the AICUZ APZ map in below.</p> <p>4. 2022-0090 is likely to result in higher density of residences in residential zoning districts, including the areas inside the APZ. According to AICUZ guidelines, future residential developments or increases in density of residences are classified as incompatible land use in these zones.</p> <p>5. We ask that the APZ areas outlined in the image below are excluded from the proposed overlay district.</p> <p>6. The land use recommended for APZ is certain manufacturing, transportation, trade; and resource production. Details regarding these land uses can be found in the 2019 AICUZ Study, Appendix A, Land Use Compatibility Tables, SLUCM NO. 24; 25; 26; 27; 39; 41-48; 49-52; 55; 63.7; 64; 66; 81-89. The 2019 AICUZ Study can be obtained at <a href="https://www.jber.jb.mil/portals/144/jberhome/AICU">https://www.jber.jb.mil/portals/144/jberhome/AICU</a></p>		



# Date	Source	Comment	Staff Response	PZC Comment/Action
29. 8/30/2022	Email from Anna Bosin	<p>Z/pdf/jber-AICUZ-Study.pdf. An overview of APZs can be found in section 5.1. Chapter 6 discusses land use and recommendations for addressing incompatibility issues within APZs for an airfield.</p> <p>7. If you have questions or would like to discuss the AICUZ or Air Force land use guidance, my contact information is (907) 384-3083, or tor.anderzen@us.af.mil.</p> <p>Below are the items of the proposed changes that I support and think are reasonable asks towards providing additional housing in Anchorage:</p> <ul style="list-style-type: none"> <li>• Remove owner occupancy requirement</li> <li>• Change the definition of ADU to allow them to be placed with single family homes.</li> <li>• Allow ADU floor area to be either up to 900 SF or 40% of the principal structure, whichever is larger.</li> <li>• No minimum parking requirement-Yay!</li> <li>• Up to 5% increase in lot coverage allowed for ADUs</li> <li>• Remove different standards for ADUs in Class A and Class B districts</li> <li>• Setbacks: Same as the rest of the zone</li> </ul> <p>I have concerns with structures that would look way different than the primary structure. Building costs are already expensive so if a developer wants to construct an ADU, ensuring that basics like the house siding and roof match seems reasonable to ask. I am</p>	<p>Emailed Response from staff:</p> <ul style="list-style-type: none"> <li>• Owner occupancy: this one has been contentious, but ultimately it came down to the Muni not requiring owner occupancy for other types of housing like single family homes, so it wasn't really fair to require it for ADUs.</li> <li>• Definition: the proposal suggests changing the definition of ADUs to allow them to be placed with single family and duplexes based on the idea that if there is housing pressure in one area, it might make more sense to add it to more housing types in that area than not.</li> <li>• Minimum Parking: This is a best practice nationwide and there is no data that 1) streets anywhere are over</li> </ul>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>not sure if there is a way to cover this easily in the code that wouldn't kick up the process to architectural boards. My concern are for the "extreme" scenarios such as "poor taste" (very subjective, I know!) or trailers dragged onto lots that look disheveled. If there is a way to "match" the existing structure in siding and roofing materials, that would capture the majority of the concern.</p> <p>I also have concerns adding ADUs to multi-plex lots already setup for denser living. the goal of the ADU is to add living space to lots that traditionally do not have multi-plex.</p> <p>I don't plan to stand in the way of this progress because overall i recognize that Anchorage NEEDS more housing and this is one piece of the solution.</p> <p>Best, Anna Bosin</p>	<p>75% full of parked cars (the threshold for congestion in Title 9) or 2) that ADUs "cause" new traffic.</p> <ul style="list-style-type: none"> <li>• Up to 5% additional Lot Coverage: Ultimately the proposal removed the allowance for an extra 5% of lot coverage to address concerns that ADUs might lead to more shadows in existing neighborhoods. As currently proposed, a single family home with ADU (or duplex with ADU) can only take up the same footprint as the current allowance for that zone.</li> <li>• Class A vs Class B: this was really more about roads and was confusing for implementation</li> <li>• Setbacks: This was fairly straightforward, it's just allowing the ADU to be in the same footprint as anything else.</li> <li>• Aesthetics are very difficult to regulate fairly and objectively. Ultimate policy changes will be up to PZC or the Assembly.</li> </ul>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
			<ul style="list-style-type: none"> <li>Existing code does not allow mobile homes to be placed on most of the urban zone lots:</li> </ul> <p>Use of Mobile Home, Recreational Vehicle, or Travel Trailer as Residence Except as allowed by 21.05.080B.3.d., in all zoning districts, mobile homes, recreational vehicles, and travel trailers may not be used as an accessory use for a permanent or temporary residence. However, an RV or travel trailer may be used as visitor accommodation for not more than 90 days in any calendar year.</p> <p>No recommended change.</p>	
30. 8/30/2022	Email from Cindee	<p>I live in Eagle River so my comments might not count...but I was on the Title 21 committee back in the day and there weren't any upgrades to water and sewer then to accommodate the new amount of people. Has that been settled? Is there money to upgrade?</p> <p>Also, I'd HATE to see owner occupancy removed if it means that people can just rent out their places on the same lot for Airbnb and go live somewhere else. Airbnb is threatening to take over affordable homes for people who live here year 'round. It's happening</p>	<p>Emailed Response from Staff:</p> <ul style="list-style-type: none"> <li>All comments are included.</li> <li>This proposal does not address water/sewer upgrades, but if a septic tank or existing water/sewer cannot support an ADU then it will not be allowed to be built.</li> <li>Owner occupancy was not included in this proposal because currently there is</li> </ul>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>in other places already. Anchorage needs housing, not just more Airbnbs.</p> <p>Lastly, we would like to do this at our house in the Eagle River Valley, but things aren't up to code---it looks like that is a HUGE problem for some of the folks who have tried in Anchorage. Can you send me a link to where the info is? I can't find it. How big is a greenhouse allowed to be in Eagle River? Can it share a wall with a detached garage? We live on 2 acres, so there's plenty of room for an ADU, but we wouldn't want to tear down our greenhouse to do it.</p> <p>Cindee Karns</p>	<p>nothing that prevents a person from buying a single-family home and renting it out to others without living in it, so it is hard to justify a similar rule that singles out ADUs. The code recommends managing STRs through municipal code.</p> <ul style="list-style-type: none"> <li>Greenhouse regulations can be found in the Eagle River Section on code. Regarding greenhouses, here is code section for eagle river. All other code sections can be found here.</li> </ul> <p>Your questions on where the greenhouse can go might be a bit beyond my scope so I will recommend Ryan Yelle, who is planner of the day today: 907-343-7935</p> <p>I will include your comments in the case file for the packet provided to the Planning &amp; Zoning Commission.</p> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
31. 8/30/22	Email from Cheryl Richardson	<p>It appears that these amendments do not respond to concerns expressed at staff's meeting with the South Addition Community Council or problems that were demonstrated on the neighborhood tour in May of this year.</p> <p>South Addition residents are on record opposing code changes that allow ever larger scale dwellings that cast long shadows into adjacent properties and overwhelm the neighborhood's historic character. Most of the neighborhood is built to historic one- and two-story standards. These amendments allow three story buildings in back yards as well as encroachment into side yards with little to no regard for historic scale or character.</p> <p>Does the public understand a third dwelling unit would be allowed on duplex lots, or will this be one of those discoveries citizens stumble across in coming years?</p> <p>In addition to allowing buildings that can be out of scale with existing homes, these amendments drop the requirement for the owner to live on site. This increases the risk that ADU's will not be used for long-term housing and not contribute to increasing the community's housing stock.</p>	<p>Emailed response from staff:</p> <ul style="list-style-type: none"> <li>• Many of the dwelling units we all observed on the tour may have been second units—allowed by existing code—and not ADUs. If there are problems with the existing zoning, that should be addressed through changes to those zones.</li> <li>• The proposal allows for an ADU on a duplex lot, and this is going to public hearing, meaning that this is public information. It has also been part of the presentations we have done at community councils throughout the summer, including South Addition in July. It has been posted on the project page as well. Allowing an ADU on a duplex is intended to meet housing demand in areas where there is already slightly denser housing—the reasoning being that these would be areas where more homes already make sense.</li> <li>• The ADU proposal does not change the total allowable building footprint/envelope for any lot. Existing lot coverage standards and height</li> </ul>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>South Addition already suffers from short-term rentals turning into 'party houses.' The municipality should limit the number of licenses for short-term rentals if residency requirements are eliminated, as other local governments are doing.</p> <p>Rather than loosen zoning standards, the planning department's time and efforts would be better spent</p> <ol style="list-style-type: none"> <li>helping South Addition prepare a neighborhood plan and</li> <li>identifying and eliminating transportation, code and other barriers to developing prime residentially zoned lands in the urban core.</li> </ol> <p>Sincerely, Cheryl Richardson</p>	<p>limits remain exactly the same for structural coverage (an earlier version of the code proposal allowed ADUs to exceed lot coverage by 5%, we removed that to address some of these concerns. The rationale behind this is that if someone can build a 30' house on 30% of their lot, there isn't really any material difference building a 30' house on 20% of the lot and a 30' ADU on 10% of the lot. Shadows cast by ADUs and single-family homes are exactly the same.</p> <ul style="list-style-type: none"> <li>The Muni does not require owner occupancy for any other types of housing so it did not seem appropriate to require it for this type over others. Currently there is nothing stopping anyone from buying multiple single-family homes, not living in any of them, and renting them all out. However, staff did include a section in the staff report about the need for short-term rental regulations outside of the zoning code, and will make a point of emphasizing this during the presentation. This was a request of John Thurber. Short-term rentals are</li> </ul>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
			<p>indeed a concern of many residents, and they should be addressed through municipal code outside of Title 21.</p> <ul style="list-style-type: none"> <li>• You mentioned “identifying and eliminating transportation, code and other barriers to developing prime residentially zoned lands in the urban core.” South Addition is a core part of the city, and owner occupancy, separate aesthetic/dimensional standards, and parking minimums are all code barriers to producing ADUs. ADUs are a well-known means for allowing the possibility for adding needed housing at a small scale.</li> <li>• Finally, the 2040 land use plan provides additional guidance: <ul style="list-style-type: none"> <li>o LUP 2.3. Remove barriers to desired infill development and incorporate flexibility in development requirements to promote adaptive reuse of older buildings and compact infill/redevelopment, including that which reflects traditional urban neighborhood design contexts. LUP Policies 1.5, 3.1, 4.2, 5.2, 5.3, 7.1, 7.2, and 9.3 are also integral to this Goal.</li> <li>o LUP 4.2. Allow and encourage</li> </ul> </li> </ul>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
			<p>innovative compact housing types and a variety of housing options that respond to changing preferences.</p> <p>o LUP 4.2. Allow and encourage innovative compact housing types and a variety of housing options that respond to changing preferences.</p> <p>No recommended change.</p>	



# Date	Source	Comment	Staff Response	PZC Comment/Action
32. 8/31/2022	Connor Scher	<p>Daniel,</p> <p>I did get a chance to read the Sighting article last week and when you had brought it up at the HPC meeting I did not realize it was talking about the Comp\ACT\ design competition some years ago. The moment of greatest delight was reading that the ADU amendment is proposing allowing ADUs for duplexes, which I think is an exciting proposition. This is something Bettisworth, and my team, had proposed. I had put in a proposal with a team of an architect, contractor, developer, and Fairview resident and we had thought we were in the top four finalists. Because the competition was mainly a planning exercise to identify potential shortcomings in the Land Use Code the Planning Department met with each of the teams to discuss their projects afterward.</p> <p>There was a lot of things happening in the year following the competition so I lost track of where the chips were falling. We hadn't heard from the competition organizers or Planning Department in a while. You can probably understand our dismay that our project was not mentioned in the article, and I was surprised that so much focus was paid to the Bettisworth and Spinelli projects. This led to the question and small amount of chatter here in the office and with the proposal team about who the</p>	<p>Emailed response from staff:</p> <ul style="list-style-type: none"> <li>• The ADU proposal came out of several months of meetings with a working group, and the design concepts did factor into the whole process.</li> <li>• The ADU working group did not discuss the Sighting article on triplexes.</li> </ul> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
		<p>author may have been talking to, or contacted by, for the article.</p> <p>While I confess that no housing is bad housing and the more that is written and talked about this subject will benefit the broad discussion around housing, the focus on CIHA and Spinelli as the vanguards of the movement caused me some discomfort. I never knew the outcome of the competition; there were supposed to be meetings and funding efforts and even a development potential. This article was a disappointing update on what we believed at the time to be a real and substantive community-led planning and development effort. The author did make some nice points and it will have a greater readership than most articles written or posted locally have. What I felt were a simplification of topics, misleading arguments, and shoe-horning trendy topics probably made it more accessible and readable for people not in the biz, so in the end it may be altogether good.</p>		

# Date	Source	Comment	Staff Response	PZC Comment/Action
33. 8/31/2022	Rabbit Creek Community Council	Home ownership and neighborhood stability. 21.05.070.D says that the purpose of ADUs is to support continued homeownership and protect neighborhood stability and character. The provisions to remove the requirement for owner-occupancy, and to increase the bulk and prominence of the ADU, work against continued homeownership and residential stability.	All responses provided to RCCC by email from staff:  This reference was removed in the proposal because it was not clear how ADUs as a building type could promote homeownership or could detract from neighborhood stability and character. Both latter terms are notoriously difficult to define and use in code aiming for clarity and objectivity. If there is evidence that the existence of ADUs hampers residential stability, we would be glad to include it in the packet.  No recommended change.	
34. 8/30/2022	Rabbit Creek Community Council	Targeted infill. The proposed amendments also appear to contradict the intent of the 2040 Land Use Plan to promote targeted infill and redevelopment, supported by public investment in infrastructure and services. Instead, the ADU regulation change allows a random doubling of housing density, creating pockets of density without additional services or infrastructure.	Existing code allows ADUs in all residential zones. The MOA does not generally build housing, and the existing ADU code aims to allow property owners to build housing where they feel it is worth the investment. The MOA can facilitate planning and plans which encourage housing investment in certain targeted areas but cannot necessarily control where people choose to develop.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
35. 8/30/2022	Rabbit Creek Community Council	Substantive amendment. In addition, the proposed ADU amendments are substantive enough to require one or more comprehensive plan amendments. The ADU amendments pose a potentially large shift in residential neighborhood character and use patterns: the amendments will allow a doubling in density, and will accelerate short-term visitor rentals by absentee owners as a commercial use in residential neighborhoods. The Municipality should follow the process of 21.03.070.C, Procedure for Substantive Amendments. If the Municipality follows this due process, the proposed ADU revisions will likely not pass the test of 21.03.070.C.2.b through e.	Existing code 21.05.70D.1.b.iii.(E) states: “ADUs are not included in the density calculations for a site.”  This is a previous policy decision and is still at the discretion of policy makers.  The amendments allow more flexibility but whether property owners will choose to use them or how they will use them is unknown.	
36. 8/30/2022	Rabbit Creek Community Council	Lack of need. Staff Analysis does not offer evidence or data that there is any need for the proposed amendments, particularly the dimensional amendments. The general impediment to any residential is cost and financing. The staff analysis provides no evidence that increases in height and setbacks and size of ADU are necessary to reduce costs or improve financing.	Staff provided all survey data indicating that slightly more than half of respondents were interested in ADUs, and many people indicated that there were aspects of the zoning code which prevented them from building.  The proposal makes no claim that changes to zoning improve the ability to get financing. The staff report states: “The proposed changes are intended to facilitate the production of more housing, including compact housing, in the community”.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
37. 8/30/2022	Rabbit Creek Community Council	Potential backfire: decrease in resident housing capacity. In many cities that are tourist destinations (like Anchorage), conversion of homes to short-term rentals has reduced the resident housing capacity and driven up rents and housing prices. Short-term rentals are already aggravating the Girdwood housing shortage. There is high potential for this in the core areas of Anchorage. The removal of the owner-occupancy requirement for ADUS would pour fuel on this trend.	As mentioned in the staff report, short-term rentals are an identified problem but not necessarily best addressed through the zoning code. The report recommends they be addressed through municipal code.  MOA does not require owner occupancy for other types of housing units; nothing currently prevents anyone from buying multiple single family houses and renting them out as short-term rentals.  No recommended change.	
38. 8/30/2022	Rabbit Creek Community Council	A. Retain the current requirement that at least one landowner will occupy the principal dwelling or the accessory unit.	MOA does not require owner occupancy for other types of housing. Owner occupancy rules do not necessarily address short-term rental issues. Furthermore, owner occupancy rules have been identified as an obstacle to allowing housing.  No recommended change.	
39. 8/30/2022	Rabbit Creek Community Council	B. Adopt into 21.05.070.D a process for annual verification that properties with ADU have owner-occupancy; and prescribe sufficient penalties to achieve compliance.	MOA does not require owner occupancy for other types of housing.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
40. 8/30/2022	Rabbit Creek Community Council	C. Retain the current proportionality in size of the ADU in the Class B district: maintain a maximum of 35 rather than 40 percent of the square footage of the primary dwelling	Staff sought to propose regulations based on evidence—if there is evidence on why 35% is more appropriate than 40%, please provide it and we will include it in the packet.  No recommended change.	
41. 8/30/2022	Rabbit Creek Community Council	D. Retain the 2-bedroom limit in the Class B District, and add a reference to site-specific capacity limits from onsite septic and well systems, and to site development envelopes that may exist on steep-slope lots.	Bedroom limits are very difficult to enforce and not imposed on most other types of housing.  Under this proposal, ADUs do not get any special considerations or exceptions for steep slope lots or lots with limited well or septic systems. If a lot cannot physically take any additional development, development services will not be able to allow it.  No recommended change.	
42. 8/30/2022	Rabbit Creek Community Council	E. Adopt into 21.05.070 a requirement, or at least offer a strong incentive, for owners of a new ADU to sign a covenant, enforceable by penalties, not to engage in short-term rentals of less than 30 days for a period of 10 years (as Portland Oregon has started to do). Include a process for verification and penalties. The covenant should run with the property, if the owner sells within 10 years.	The staff report emphasizes the need for short-term rental regulation outside of the zoning code. Covenants are generally private contracts and difficult for any municipality to track and enforce over time.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
43. 8/30/2022	Rabbit Creek Community Council	F. Recalculate the neighborhood densities to determine current and projected ADU housing stocks for Municipal planning purposes. . Land use plans include periodic reviews of neighborhood density as part of zoning and Title 21 changes. The MOA needs a process for calculating ADUs so they will be included in future land use reviews.	Existing code 21.05.70D.1.b.iii.(E) states: “ADUs are not included in the density calculations for a site.”  This is a previous policy decision and is still at the discretion of policy makers.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
44. 8/30/2022	Rabbit Creek Community Council	<ul style="list-style-type: none"> <li>21.05.070.D1.b.i.B notes that the purpose and intent of ADU is to “provide a means for homeowners a, particularly the elderly, single parents, and families with grown children to remain in their homes and neighborhood and obtain extra income, security, companionship and services.</li> </ul> <p>21.05.070.D1.b.i.E notes that the purpose and intent of ADU is to “improve the affordability of homeownership and enhance property values through rental income opportunity”</p>	<p>These sections were not included in the proposal because they are indefinite and vague. Property owners have a variety of reasons for building ADUs, and the Municipality may or may not know their intentions.</p> <p>“Affordability” is a vague term which has different definitions based on context or user and so was removed.</p> <p>No recommended change.</p>	
45. 8/30/2022	Rabbit Creek Community Council	<ul style="list-style-type: none"> <li>Owner occupancy correlates to lower crime and nuisance calls. Neighborhoods where residents stay put for a long time tend to be associated with lower crime rates, according to the U.S Department of Housing and Urban Development. (from habitat.org)</li> </ul>	<p>If there is evidence or data to support this assertion, please provide it and we will be glad to include it in the materials.</p> <p>No recommended change.</p>	
46. 8/30/2022	Rabbit Creek Community Council	<p>There is no evidence that owner-occupancy has limited the construction of new ADUs by homeowners, and that is one of the purposes of the ordinance.</p>	<p>Owner-occupancy limitations are a known obstacle to ADU production. Anyone who owns a property with a home on it is by definition a homeowner. No recommended change.</p>	



# Date	Source	Comment	Staff Response	PZC Comment/Action
47. 8/30/2022	Rabbit Creek Community Council	Renters are much more transient than homeowners. The median homeowner occupancy duration nationwide is 13.3 years (National Association of Realtors.) Median tenure has increased by 3 years since 2008. (nar.realtor). Only 6% of owners move within a year. Compare that to 26% of renters moving in less than one year. A single-family rental tenancy on average lasts 3 years and a multi-family tenant roughly 2.5 years in the US (tenantplanet.com)	People have different types of housing needs and different housing types facilitate that. This proposal does not speak to housing tenure or length of stay.  No recommended change.	
48. 8/30/2022	Rabbit Creek Community Council	The 2040 Land Use Plan Action 4-10 calls to “reduce restrictions that currently deter construction of compact housing types...[while] including development standards for neighborhood compatibility.” The proposed amendments strip away the development standards that would ensure neighborhood compatibility: lower height, setback from the principal dwelling, continued requirement for owner occupancy of either the principal dwelling or ADU.	The proposal allows ADUs to be the same height as the principal structure but does not allow ADUs to exceed the maximum lot coverage for the lot. For example, if a person could build a 30’ single family house on 30% of their lot today, under this proposal they can build a 30’ single family house on 20% and a 30’ ADU on 10%. The allowances for bulk form and envelope are the same.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
49. 8/30/2022	Rabbit Creek Community Council	The 2040 Land Use Plan calls for compact infill and redevelopment in targeted locations where services can be intensified: transit, active transportation, etc. The effect of the ADU is to increase density randomly, at the whim of unpredictable individual investment decisions.	The plan calls for compact infill, but the plan does not build compact infill. Many property owners throughout the Municipality have expressed interest in building ADUs, and this proposal allows them to do so more easily in the places where market conditions support it. Individual investment decisions about the use of private property are just that: individual investment decisions about private property.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
50. 8/30/2022	Rabbit Creek Community Council	<ul style="list-style-type: none"> <li>Random infill does not support the efficient provision of municipal services that are integral to higher-density living: transit, active transportation, public open spaces, emergency services, etc. The need for these services is clearly stated in Policy 12 of the 2020 Anchorage Bowl Land Use Plan: “  New higher density residential development...shall be accompanied by access to...transit and safe pedestrian facilities; and...adequate public or private open space, parks or other public recreation facilities on site or in close proximity... Instead of zones of opportunity and coordinated public/private investment envisioned in the Land Use Plan, the random implementation of this ADU ordinance will create pockets of conflict.</li> </ul>	<p>Existing code 21.05.70D.1.b.iii.(E) states:  “ADUs are not included in the density calculations for a site.”  This is a previous policy decision and is still at the discretion of policy makers.  Plans are guides, and they ultimately depend on where private property owners would like to invest. This proposal aims to allow private property owners to make that decision more easily.  The land use plan also states:  LUP 4.2. Allow and encourage innovative compact housing types and a variety of housing options that respond to changing preferences.  No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
51. 8/30/2022	Rabbit Creek Community Council	Higher density requires higher investment in public spaces and public services. "Research has found that increasing the number of spaces for informal contact between neighborhoods is linked to a greater sense of safety for people in urban areas. This speaks to the purpose of investing in "third places"—such as parks, cafes, community centers—within areas that lack them as a means to further the social cohesion that helps prevent crime. (Brookings.edu, citing Sullivan, W.D. "the Fruit of Urban Nature: vital neighborhood spaces).	Investments in public spaces are beyond the scope of this proposal, the focus is housing and flexibility for private property owners.  Please provide the text or a link to this research and we will be glad to include it in the packet.  No recommended change.	
52. 8/30/2022	Rabbit Creek Community Council	The approval of second housing unit is a de facto doubling of future housing density. This density increase may occur in patches or over a period of years: but the intent and the outcome are to double the housing density of residential areas	Existing code 21.05.70D.1.b.iii.(E)  states:  "ADUs are not included in the density calculations for a site."  This is a previous policy decision and is still at the discretion of policy makers.  All development is still required to meet any applicable permitting requirements and will be subject to any other zoning requirements.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
53. 8/30/2022	Rabbit Creek Community Council	The Hillside District Plan (Map 2.1) clearly states that the intent is for limited intensity of residential use, with 0 to 1 dwelling units per acre (DUA). Doubling the housing density in the rural and peripheral parts of the Anchorage Bowl has potential negative impacts to the entire community, and therefore a density change of this magnitude requires a re-zoning consideration.	Existing code 21.05.70D.1.b.iii.(E) states: “ADUs are not included in the density calculations for a site.” This is a previous policy decision and is still at the discretion of policy makers. Based on assessing records, property owners in the Hillside area have chosen to build more ADUs than any other neighborhood. No recommended change.	
54. 8/30/2022	Rabbit Creek Community Council	Septic system capacity: Much of the Hillside relies on individual wells and septic systems. Septic systems are rated for a certain number of bedrooms. For this reason, the number of bedrooms in any ADU must be within the septic system capacity; and a maximum of two bedrooms helps to ensure that ADU occupancy will not overstress the septic capacity of rural lots.	Septic system limitations must be adhered to regardless of what is on any site. If a septic system is rated for a limited number of bedrooms, then the site cannot accommodate any more bedrooms. This protective regulation already exists and thus did not need duplication. No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
55. 8/30/2022	Rabbit Creek Community Council	Water capacity: The Municipality currently has no groundwater capacity data, and no regulations to protect and ensure groundwater recharge. The Municipality is blind with regard to the sustainability of the well water resources on the Hillside; but groundwater recharge and quality is negatively impacted by increased lot coverage and increased well usage.	As we wrote to RCCC on May 13, 2022: Well Capacity: when applied for, all development permits are vetted through our planning and development services departments, which includes a review of both zoning and building requirements. Well capacity is included in this review based on information the Muni has on file through the Certificate of On-Site Systems Approval (COSA) system. This information is all public record and you can search for COSA information for any property here: <a href="https://onsite.muni.org/WebLink/Welcome.aspx?cr=1">https://onsite.muni.org/WebLink/Welcome.aspx?cr=1</a> (You will need to know the legal description (for example FESLER LT 1A) to find associated information for these properties).  If you believe a well is being over-used or there is some other violation, please submit a service request or enforcement complaint. Finally, here's what the state says about private wells.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
56. 8/30/2022	Rabbit Creek Community Council	The Anchorage Hillside has are slopes, natural hazard areas, and access constraints on the Hillside which make some areas unsuited for higher density.	This proposal does not touch or reduce existing slope regulations. No recommended change.	
57. 8/30/2022	Rabbit Creek Community Council	Wildfire at the urban-rural interface is a concern in all communities. A higher density of homes at the rural edge creates a higher risk of to life and property.	This proposal does not change the overall lot coverage and setback limitations for land zoned in the urban-rural interface. If those existing zoning regulations are insufficient, they should be address through a separate ordinance. No recommended change.	
58. 8/30/2022	Rabbit Creek Community Council	New residences on the Hillside are almost certainly auto-dependent. They perpetuate a “sprawl” pattern of development, with a very high per capita rate of vehicle miles traveled. This is contrary to the goals of Anchorage 2020, the Anchorage Climate Action Plan, and the 2040 Metropolitan Transportation Plan. This draws away infrastructure resources that are needed for infill and redevelopment of the core areas of Anchorage.	People make their own choices about where they would like to live. Some people choose larger lots farther away from services and goods but with a higher transportation cost. This proposal simply offers people more choices about adding housing in places where they would like to add it. No recommended change.	
59. 8/30/2022	Rabbit Creek Community Council	Neighborhoods where residents stay put for a long time tend to be associated with lower crime rates, according to the U.S Department of Housing and Urban Development. (from habitat.org)	Please provide links or evidence and we will be glad to include it in the packet. No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
60. 8/30/2022	Rabbit Creek Community Council	Keeping an ADU to a certain maximum square footage (with conditions that include consideration for soils and steep slopes) is more reasonable than stating they can be 40% of the main structure. There are large homes in the MOA that are on comparatively small lots with steep slopes, such as one house in Prominence Pointe where a 5,274 sq. foot house is situated on a 4,000 sq. foot sloped lot (PARID: 02010132000). Using the 40% formula, means an ADU could be 2,100 square feet. That would not constitute good land use planning to allow an ADU of that size on a compromised lot with such a large residence.	ADUs are still limited by lot coverage. The intent of the ADU size section of the proposal is to give people flexibility but also ensure that the ADU is always subordinate to the primary structure.  No recommended change.	
61. 8/30/2022	Rabbit Creek Community Council	21.05.070.D1.b.i.D notes that the purpose and intent of ADU is to: “provide a broader range of accessible and more affordable housing within the municipality”.	This section was removed for clarity.  No recommended change.	
62. 8/30/2022	Rabbit Creek Community Council	The Staff Analysis offers no evidence that de-regulating ADU in the Municipality will result in lower rental prices. Housing supply is largely a matter of affordable housing. The City of Portland, an innovator in ADU policies, found that 80 percent of ADU charged market rates.	The proposal makes no claim that allowing for more ADUs will lower rental prices. It states: “The proposed changes are intended to facilitate the production of more housing, including compact housing, in the community”	



# Date	Source	Comment	Staff Response	PZC Comment/Action
			No recommended change.	
63. 8/30/2022	Rabbit Creek Community Council	Short-term rentals of less than 30 days can generate much higher revenues than long-term rentals (monthly or longer). Short-term rentals thus can displace resident housing with visitor housing.  Portland is trying to ensure more ADUS are available for resident housing by offering development fee waivers in return for a 10-year covenant not to offer short-term rentals (less than 30 days) (portland.gov)	Short-term rentals are outside the purview of this proposal, although the staff report emphasizes that this issue should be addressed through municipal code.  No recommended change.	
64. 8/30/2022	Rabbit Creek Community Council	Size of units correlates closely with rental rates. Allowing larger ADU in all areas reduces the likelihood of small, and thus cheaper, units.	The proposal does not limit how small ADUs can be, but rather provides flexibility on how large they can be. This was a request from the public, especially from people interested in building a smaller home and then a larger home.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
65. 8/30/2022	Rabbit Creek Community Council	Availability of rental units is not the most critical housing pressure: it's the affordability of rental units. Nationwide, 54% of renters spend over 30% of their household income on rent. By comparison, only 28% of homeowners who spend more than 30% of their household income on mortgage payments. (ipropertymanagement.com, "Housing affordability among homeowners vs. renters). Meanwhile, rental vacancy nationwide is 5.8% as of 2022 First Quarter, which is 86.2% higher than homeowner vacancy of 0.8%.	The intent of the proposal is to allow for the creation of more housing units in the housing stock.  No recommended change.	
66. 8/30/2022	Rabbit Creek Community Council	Staff Analysis does not explain how the proposed amendments would achieve an increase in affordable housing capacity in Anchorage; and what would prevent a widespread conversion of properties to absent-landowner short-term rentals in core areas of Anchorage.	The proposal makes no claim to "achieve an increase in affordable housing capacity in Anchorage", it states:  "The proposed changes are intended to facilitate the production of more housing, including compact housing, in the community".  On short-term rentals, it states:  "Many community members expressed interest in more housing in their neighborhoods, but also concern about whether the housing would be used for short-term rentals or longer-term	

# Date	Source	Comment	Staff Response	PZC Comment/Action
			residents. On each occasion staff emphasized that zoning is rarely any effective way to address a dynamic issue like short-term rentals; related conflicts are best resolved through other types of municipal enforcement. However, staff would like to emphasize that there is a high-priority need in the community to address this issue, and so it may be advisable to make additional policy or regulatory changes to Anchorage Municipal code outside of Title 21 concurrent with or subsequent to this proposal.”  No recommended change.	
67. 8/30/2022	Rabbit Creek Community Council	Short-term rentals disrupt the social cohesion of a residential neighborhood.	See above  No recommended change.	
68. 8/30/2022	Rabbit Creek Community Council	A robust body of evidence demonstrates the relationship between social cohesion and violent crime, with neighborhood attachment (residents’ feeling of belonging to a neighborhood) and social cohesion associated with lower violent crime rates (Brookings.edu, US HUD (2016) Neighborhoods and Violent Crime.	It is not clear how this comment relates to ADUs, but please feel free to provide the original report and we will be glad to include it with the materials.  No recommended change.	

# Date	Source	Comment	Staff Response	PZC Comment/Action
69. 8/30/2022	Rabbit Creek Community Council	<p>Short-term rentals drain a neighborhood of its human capital. They drive up rental costs and property taxes; and thus they drive out locally-employed residents as well as old-timers who invest their money, energy, and ideas in the community.</p> <p>Conversion to short-term rentals is most likely in core areas of Anchorage: areas where Municipal land use policy calls for increased resident housing that is proximate to job locations.</p>	<p>This proposal is about ADUs, a type of housing, not short-term rentals, a specific type of behavior that occurs in housing. All types of housing, ADUS being just one, might be used as short-term rentals.</p> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
70. 8/30/2022	Rabbit Creek Community Council	It is spurious to claim that the Municipality can't regulate short-term rentals (STR). Short-term rentals are a hospitality enterprise, yet they fall through a loophole in the hospitality business regulation. Short-term rentals avoid the neighborhood protections placed on Bed and Breakfast operations. Regulations for Bed and Breakfast operations are a time-proven framework for ensuring compatibility with surrounding residential use. Owner occupancy is a key component. With Bed and Breakfast establishments, number of occupants (number of beds or "pillows" is regulated.	<p>The proposal did not make any claim that the Municipality can't regulate short-term rentals.</p> <p>The proposal states:</p> <p>"Many community members expressed interest in more housing in their neighborhoods, but also concern about whether the housing would be used for short-term rentals or longer-term residents. On each occasion staff emphasized that zoning is rarely any effective way to address a dynamic issue like short-term rentals; related conflicts are best resolved through other types of municipal enforcement.</p> <p>However, staff would like to emphasize that there is a high-priority need in the community to address this issue, and so it may be advisable to make additional policy or regulatory changes to Anchorage Municipal code outside of Title 21 concurrent with or subsequent to this proposal."</p> <p>No recommended change.</p>	

# Date	Source	Comment	Staff Response	PZC Comment/Action
71. 8/30/2022	Rabbit Creek Community Council	Certain small-scale home-based businesses are allowed in residential areas, and they are strictly regulated to avoid impacts to neighbors.	This proposal does not speak to small-scale businesses.  No recommended change.	

# Attachment 5

Comments Received

**Case 2022-0090**

**From:** [Michael Packard](#)  
**To:** [Mckenna-Foster, Daniel R.](#)  
**Subject:** ADU changes  
**Date:** Wednesday, November 17, 2021 11:51:28 PM

---

**[EXTERNAL EMAIL]**

Daniel,

The Turnagain Arm community has many unlawful ADUs at the present time. They are not being regulated or taxed. The roads in our area are not maintained by anyone other than the residents and most of the time the residents don't do any maintenance. The locals would not want to pay for a Road Service Area. If they did, they would pony up to get the potholes filled now. (There are none on the road that I live on.) More units equal more traffic and the need for more infrastructure. The water table is high on many of the lots in this area making sewer systems for additional units a problem.

Correcting the errors made in the past (building additional units without permits) and still being made, should be a priority before making it easier to install more units. This would do three things; correct any sewage problems, insure sanitary units and add the tax dollars to the municipalities' coffers.

Michael Packard



**From:** [robert@bellsvacuums.com](mailto:robert@bellsvacuums.com)  
**To:** [Community Councils](#)  
**Cc:** [Mckenna-Foster, Daniel R.](#)  
**Subject:** RE: FCC Alert - Survey about Accessory Dwelling Units  
**Date:** Saturday, November 20, 2021 5:13:43 AM

---

**[EXTERNAL EMAIL]**

Daniel,

The MOA should contact the U.S. BLM about acquiring the BLM tract South of Tudor Rd, East of Elmore and North of Abbott Road. I don't think people want to move to Alaska to live in "innovative compact housing". Just a thought.

Regards

Robert L Bell

*Bell's* Vacuums

811 E 58<sup>th</sup> Ct  
Anchorage, Alaska 99518  
907-748-4780  
[www.bellsvacuums.com](http://www.bellsvacuums.com)

---

**From:** Community Councils Center <[info@communitycouncils.org](mailto:info@communitycouncils.org)>  
**Sent:** Thursday, November 18, 2021 3:01 PM  
**To:** [robert@bellsvacuums.com](mailto:robert@bellsvacuums.com)  
**Subject:** FCC Alert - Survey about Accessory Dwelling Units



---

## FCC Informational Alert

---

# Accessory Dwelling Units

Accessory dwelling units (ADUs) are small, attached or detached secondary housing units on the same property as an existing single family dwelling. This housing type helps implement 2040 Municipal Land Use Plans policies 4.2 to encourage innovative & compact housing.

The Municipality of Anchorage Planning Department is currently looking for feedback on Title 21 regulations relating to ADUs and would like to hear your opinion through a survey available here:

[2021 ADU Survey Link](#)

Daniel McKenna-Foster  
Senior Planner  
Planning Department  
Long-Range Planning Division  
[daniel.mckenna-foster@anchorageak.gov](mailto:daniel.mckenna-foster@anchorageak.gov)  
(907) 343-7918  
4700 Elmore Road, Anchorage, AK 99507  
[www.muni.org/planning](http://www.muni.org/planning)

---

This communication is being sent out by the Federation of Community Councils, Inc. on behalf of the Municipality of Anchorage. The contents of the communication are the responsibility of the Municipality of Anchorage, not of the Federation of Community Councils, Inc.

Community Councils Center  
[www.communitycouncils.org](http://www.communitycouncils.org)  
[info@communitycouncils.org](mailto:info@communitycouncils.org)  
277-1977

Federation of Community Councils | 1057 West Fireweed Lane, Suite 100, Anchorage, AK 99503

[Unsubscribe robert@bellsvacuums.com](mailto:unsubscribe@bellsvacuums.com)  
[Update Profile](#) | [Constant Contact Data Notice](#)

**From:** [Andre Spinelli](#)  
**To:** [Mckenna-Foster, Daniel R.](#); [Whitfield, David R.](#)  
**Subject:** Triplex price per unit  
**Date:** Thursday, March 10, 2022 9:51:48 AM  
**Attachments:** [6 Tzamerello.pdf](#)

---

**[EXTERNAL EMAIL]**

Listening to the ADU presentation to CEDC, I can provide a reason why Triplex's may be more expensive per unit sometime. Triplex is a commercial building permit. Commercial Building permits require reviews by Fire, Traffic, Private Development and various other departments that Residential Building Permits (single family and duplex) are excluded from.

Attached are some of the plans for a 7 bedroom triplex I built on Arlene just North of Dimond which required the construction of a retention basin, storm drain manhole, driveway with onsite maneuvering and a review by electrical engineer to certify site lighting could meet the standards in the DCM. If I were to build a larger 8 bedroom duplex I would not have had any of the commercial plan reviews, engineered plans, storm drain manhole, etc.. The net effect roughly speaking is one less bedroom to rent and \$50,000 in extra cost. Which is why I keep harping on allowing a duplex to have an ADU rather than just calling it a Triplex.

**From:** [Mckenna-Foster, Daniel R.](#)  
**To:** [Tonge, Timothy C.](#)  
**Cc:** [Morookian, Benjamin J.](#)  
**Subject:** RE: re: ADU Count  
**Date:** Thursday, March 10, 2022 9:43:00 AM

---

Thank you--I really appreciate it. Better than our numbers which only show 249 ADUS!

---

**From:** Tonge, Timothy C. <timothy.tonge@anchorageak.gov>  
**Sent:** Thursday, March 10, 2022 8:57 AM  
**To:** Mckenna-Foster, Daniel R. <daniel.mckenna-foster@anchorageak.gov>  
**Cc:** Morookian, Benjamin J. <ben.morookian@anchorageak.gov>  
**Subject:** re: ADU Count

Daniel

According to the attached spreadsheet, we have 616 ADU's currently indicated in our system. I noticed there was a difference between the numbers on Open Data and our numbers that I ran a couple of weeks ago and I wanted to make sure I understood what the difference resulted from. The Open Data is picking up some duplicate code 114's due to the land use filter. Some ADU parcels that have two dwellings such as a principal building and a detached ADU like a garage with living space above have to be profiled on separate cards with the same PID. Due to the fact that we need to track these a certain way we need to put a land use code of 114 on both cards. We want to be able to track the difference in value between a property that has an ADU on the parcel and one that does not so both cards need to carry the land use code for ADU even though card 1 might be a regular building and card 2 is the detached ADU. So that means that any time there is a principal structure on card 1 and a detached ADU on card 2 there is going to be a duplicate entry for that PID. The land use is for the entire parcel not just a building on the parcel.

To the question of untracked ADU's. This is a problem for Property Appraisal. People do not want to disclose the interior details of the building. We deal with this on a day in and day out basis because people don't want us to raise the value. We just want to be able to profile the property accurately so we can value it correctly using the market adjusted cost approach. The problem with properties that have interior ADU's is that we have no idea where the ADU starts and the principle structure stops. That being said, it would be nearly impossible to make sure a square footage apportionment is being in the ballpark of accurate. This will lead to inequity where someone is getting credit for ADU area that doesn't actually exist. So how many ADU's above 616 are actually out there... There are probably at least a few hundred that are out there that are not declared and do not have ADU affidavits.

Best Regards

**Timothy C. Tonge**  
**Residential Supervisor**  
**Property Appraisal Division**  
**Municipality of Anchorage**

**907 - 343 - 6690**

**[TongeTC@ci.anchorage.ak.us](mailto:TongeTC@ci.anchorage.ak.us)**

Appeal FAQ 's

[http://www.muni.org/Departments/finance/property\\_appraisal/HowDol/Pages/Appeals.aspx](http://www.muni.org/Departments/finance/property_appraisal/HowDol/Pages/Appeals.aspx)

2121 Banbury Drive  
Anchorage, AK 99504  
March 22, 2022

Dear Mayor Bronson and Anchorage Municipal Assembly,

This letter outlines a plan that will:

1. increase MOA revenue without increasing taxes
2. increase property values and homeowners' happiness
3. decrease homelessness
4. infuse the local economy with more money
5. boost employment for the residential construction sector
6. ease MOA residents' ability to provide excellent, loving care for our elders

### **Keep aging parents, caretaker children, and all our collective money in Anchorage**

When our four 70+ year old parents can no longer live on their own, my wife Willow and I would like them to come live with us on our East Anchorage property, but we'll need to construct an addition or an Accessory Dwelling Unit (ADU) to house them.

The Lose Lose scenario involves an antiquated Land Use Code blocking our ability to add a suitable addition to our home, so we all exit Alaska, taking our retirement accounts with us.

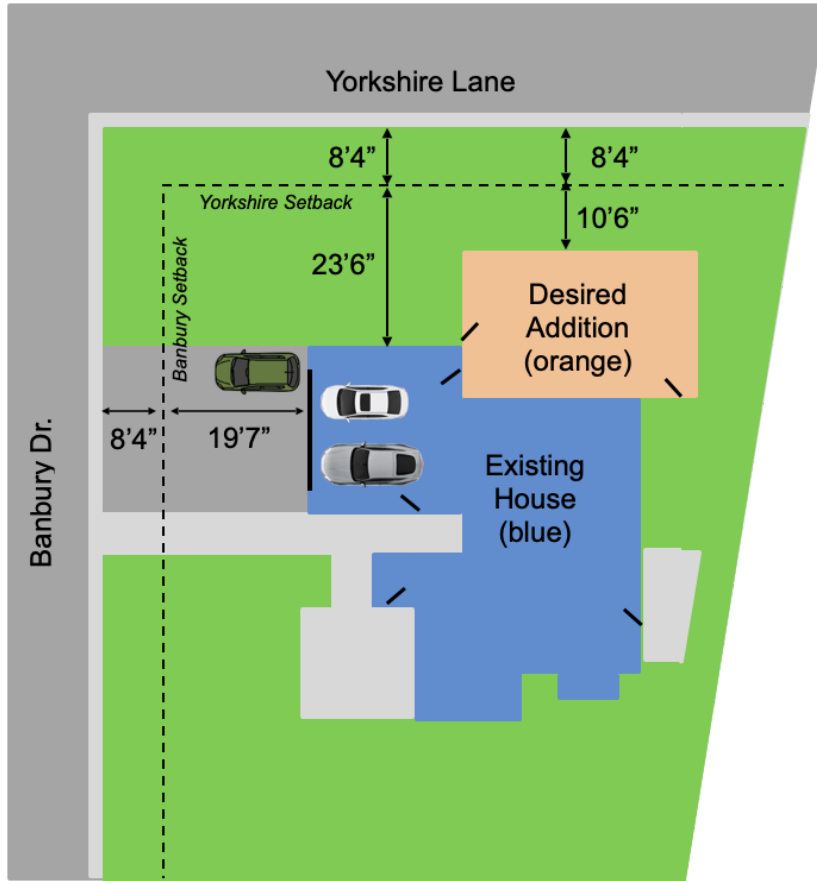
The Win Win scenario allows us to add a suitable addition to our home, so everyone stays in Anchorage, contributes our retirement dollars to the local economy, provides Anchorage with higher property tax revenue because of our property improvements, and, best of all, allows our nuclear family to stay tight-knit and caring for each other.

### **Two Title 21 Land Use Code sections block the addition of a suitable "mother-in-law" home**

*Problem #1:* Table 21.06-1: Table of Dimensional Standards - Residential Districts on pg. 6-3 of Title 21: Land Use Planning limits 30% maximum lot coverage of a dwelling on R-1: Single-Family Residential District property.

<https://www.muni.org/Departments/OCPD/Planning/Projects/t21/Documents/Chapter%206.pdf>

*Proposed amendment #1:* Since the purpose of an addition or ADU is to house more than one family on the property, I propose that you please amend R-1 max lot coverage to 40%. This would subject our 8,422 sq. ft. lot to the same 40% max lot limitation as R2-A: Two-Family Residential District (larger lot) properties. This makes complete sense, considering our plan to house more than one family on the property.



*Problem #2:* Corner residential lots zoned R-1 must follow what I call a 10’/20’ rule. That is, the structure must be no closer than 10’ from one frontage setback, and no closer than 20’ from the other frontage setback (Table 21.06-1, pg. 6-3, and 21.06.030.C.4.a.i-ii, pg. 6-15).

As shown in the diagram to the left, the planned Mother-in-Law addition would satisfy the requirement of being no closer than 10’ from the Yorkshire Lane setback. However, the existing garage is five inches short of the required 20’ minimum distance from the Banbury Drive setback.

The corner property shown above would have more flexibility to build a suitable addition or ADU if the rigid “one side no closer than 10’, and the other side no closer than 20’” limits were amended to allow a *sum* setback of minimum 30’. With a *sum* setback of 30’1”, the 19’7” Banbury setback plus the 10’6” Yorkshire setback would comply.

*Proposed amendment #2:* For R-1 corner lots, I suggest that the MOA keep the “no setback closer than 10’” rule, but amend the rigid “one side no closer than 10’, and the other side no closer than 20’” rules to allow for a 30’ *sum* distance between the structure and the two frontage setbacks. Perhaps the amendment could look something like this:

*First, add an exception to 21.06.030.C.4.a.i.:*

At least one front setback shall be provided having the full depth required generally in the district (except as provided in 4.a.iv. below).

*Second, create 21.06.030.C.4.a.iv., permitting a sum of the 10’/20’ allowances:*

For corner residential lots zoned R-1 with two contiguous street-facing setbacks, the director may allow for the sum of the depths of the two street-facing setbacks to be no less than 1-1/2 times the full depth required generally in the district, provided that no setback on such lot shall have less than half the depth required generally for front setbacks in the district.

## **A Win-Win for Everyone!!**

This plan fosters endless excitement, happiness, and winning!

- Because these proposed amendments expressly state that a Municipal director has the final say in whether a building project will violate or comply with the eight 21.06.010 Purposes, there will be no compromising these all-important quality-of-life values.
- Corner lot owners would be thrilled to finally build the additions they desperately need. You'll win not only homeowner votes, but also the votes of their parents who live in these additions and ADUs.
- The only people who would pay higher taxes are those homeowners who choose to build. They'll be relieved to write the MOA bigger property tax checks rather than paying \$10K+ per month for an assisted living facility.
- Employment for the construction sector will increase, boosting the local economy.
- Simple geometry illustrates that this plan widens the visual angles for motorists approaching an intersection, making neighborhoods safer for kids and adults.
- With more room to spare, homeowners will be able to house their friends and relatives who are facing homelessness.
- Increased revenue collected from thousands of corner lot homeowners could allow Anchorage to hire more firefighters, police officers, and teachers with NO increase in property tax rates.

Most important is the cherished Alaskan value of providing loving care for our elders. Should you choose to amend the Land Use Code to permit our proposed Mother-in-Law addition, my wife and I would be grateful that you allow us to care for our parents we love in the Anchorage neighborhood we love.

Most sincere thanks,

Antonio Monterrosa  
303.889.9506 cell/text



**From:** [Devin Lucas](#)  
**To:** [Hamrick, Timothy](#)  
**Cc:** [Mckenna-Foster, Daniel R.](#); [Fern, Richard A.](#)  
**Subject:** Re: ADU  
**Date:** Tuesday, March 22, 2022 12:17:03 PM  
**Attachments:** [image001.png](#)

---

**[EXTERNAL EMAIL]**

Thank you, this is very helpful to guide our ideas. We are sketching out some plans and it sounds like the next step might be visiting to planning office to have someone look at our ideas and talk to us about considerations we haven't thought about.

Thanks for your help

Devin

On Tue, Mar 22, 2022 at 9:34 AM Hamrick, Timothy <[timothy.hamrick@anchorageak.gov](mailto:timothy.hamrick@anchorageak.gov)> wrote:

Good morning Mr. Lucas,

I have been in contact with Daniel McKenna-Foster in planning regarding your questions as he is working on an update to the ADU codes. For the time being I will do my best to answer your questions as accurately as I can under current code.

An ADU would be allowed in your CER5A zoning district in a detached garage, however only one would be allowed and there are development requirements which would have to be met (size, setbacks, appearance, height etc). Those would be reviewed in the land use permit application process. It sounds like you are possibly considering a B&B type situation. If that is so I can look that over for you also.

That is the basics I can give you without actually seeing some type of official plans or project description to get a little more specific information to go on. If you are looking for a written determination you can always stop in the Anchorage Planning Office and speak to a Land Use Reviewer and they can advise you how to proceed from there.

I will close here and ask Daniel to please add anything I may have missed. As Daniel is working on the ADU code changes he may have some questions for you too. Hope I have answered your questions for now. Feel free to contact me anytime.

Regards



Tim Hamrick

Land Use Enforcement

343-8335

---

**From:** Devin Lucas <[akdevinl@gmail.com](mailto:akdevinl@gmail.com)>  
**Sent:** Monday, March 21, 2022 9:06 AM  
**To:** Hamrick, Timothy <[timothy.hamrick@anchorageak.gov](mailto:timothy.hamrick@anchorageak.gov)>  
**Subject:** Re: ADU

**[EXTERNAL EMAIL]**

Hi Tim, Thanks for getting back to me. This would be a tall garage (14' door) to fit large personal vehicles (rv or boat) for repair as well as other personal projects. No commercial use.

I thought about building a small 1 bedroom apartment on the side, or 2 apartments (one lower level and one above) if allowed by my zoning. I think they would be for short term rentals.

Devin

On Mon, Mar 21, 2022 at 8:50 AM Hamrick, Timothy  
<[timothy.hamrick@anchorageak.gov](mailto:timothy.hamrick@anchorageak.gov)> wrote:

Good morning Mr. Lucas,

I received your question regarding the Accessory dwelling unit attached to a detached shop. Can you give me a little more information on the shop please? Are we talking about a basic garage for repair or your personal vehicles and parking, or a commercial shop? I will do my best to answer your question once I receive the additional information.

Regards

A handwritten signature in blue ink that reads "Tim Hamrick". The signature is written in a cursive style with a long horizontal stroke at the end.

Tim Hamrick

Land Use Enforcement

343-8335

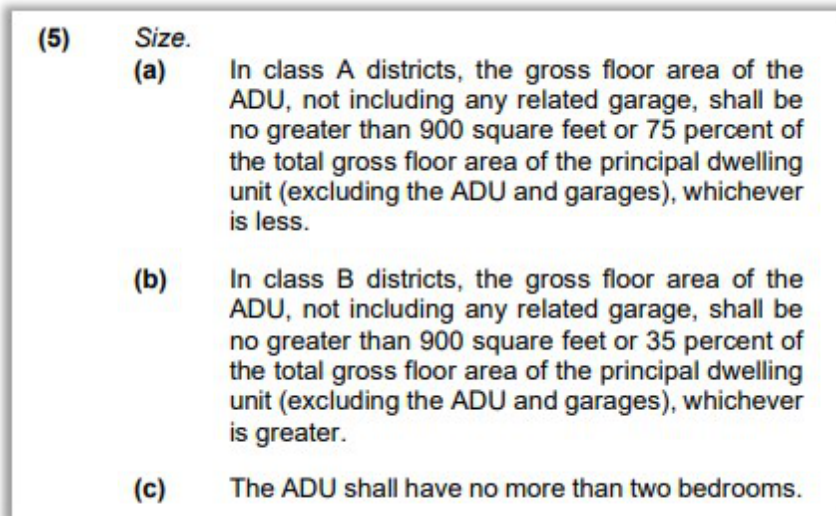
**From:** [Mckenna-Foster, Daniel R.](#)  
**To:** [Samantha Peters](#)  
**Subject:** RE: ADU question  
**Date:** Tuesday, March 22, 2022 11:55:00 AM  
**Attachments:** [image004.png](#)

---

Hi Samantha,

Here is some information about the ADU questions. I don't recall—is your lot in Anchorage or Eagle River? In any case:

- You can build the ADU first (as principal structure) and then build the larger structure second (and then convert *that* to being the principal structure)
- If you build an ADU with a shop, it
- Beware of these rules in planning your ADU and then house:



- If you plan to convert your ADU into an ADU after the other house gets built, you would have to keep it under 25'
- A garage counts for lot coverage, but not necessarily against allowed square footage for the ADU. So if you build an ADU with "shop", you might want to call it a garage.

These were the notes I took, but let me know if there's anything I've missed.

Sincerely,  
Daniel Mckenna-Foster

---

**From:** Samantha Peters <samantha.peters@akreba.com>  
**Sent:** Tuesday, March 22, 2022 10:20 AM  
**To:** Mckenna-Foster, Daniel R. <daniel.mckenna-foster@anchorageak.gov>  
**Subject:** Re: ADU question

**[EXTERNAL EMAIL]**

Thank you

Thank you,

Samantha Peters  
Real Estate Brokers of Alaska  
907-727-2960

On Mar 22, 2022, at 9:57 AM, Mckenna-Foster, Daniel R. <[daniel.mckenna-foster@anchorageak.gov](mailto:daniel.mckenna-foster@anchorageak.gov)> wrote:

Hi Samantha,

I am writing to let you know that I still have your query on my list but we are a bit short staffed at the moment so it might be a day or two before I can get back to you. My apologies for any delay.

Sincerely,  
Daniel Mckenna-Foster



Daniel McKenna-Foster  
Senior Planner • Planning Department  
Long-Range Planning Division  
Email: [daniel.mckenna-foster@anchorageak.gov](mailto:daniel.mckenna-foster@anchorageak.gov)  
Phone: (907) 343-7918  
4700 Elmore Road, Anchorage, AK 99507  
[www.muni.org/planning](http://www.muni.org/planning)

**From:** [Mckenna-Foster, Daniel R.](#)  
**To:** [Whitfield, David R.](#); [Bunnell, Kristine R.](#)  
**Subject:** FW: ADU project  
**Date:** Tuesday, March 15, 2022 1:43:00 PM

---

FYI

---

**From:** Dan and Kristy <rosenberg@gci.net>  
**Sent:** Tuesday, March 15, 2022 1:11 PM  
**To:** Mckenna-Foster, Daniel R. <daniel.mckenna-foster@anchorageak.gov>  
**Subject:** Re: ADU project

**[EXTERNAL EMAIL]**

Hi Daniel,

Thanks for the reply. I'm disappointed that you are unwilling to expand the work group to allow for new perspectives and more diversity of ideas. As you explained yesterday, the non-government portion of it is composed of housing advocacy groups without representation from homeowners. AEDC is both a housing and building advocacy group. Housing advocacy groups generally do not adequately consider the values, use, and enjoyment of neighboring property owners. Developing ADUs and while simultaneously respecting the values of neighbors are not mutually exclusive. Any process will be stronger and better if it includes a wide range of views from the beginning.

The Live. Work. Play. Housing Area of Focus states that ADUs are a form of urban infill housing, so it's a best practice "to be respectful of neighbors and not infringe on their privacy". AO- 2018 43(S) recognized a consideration of neighborhood character and the privacy and rights of neighbors. Yet in practice the current siting, design, and dimensional building standards assure little in that regard.

Most jurisdictions around the country recognize that Detached Accessory Dwelling Units are subordinate to the principal structure. Anchorage (Title 21) does as well. Contrary to what you assert, the "maximum" height of a principal structure in R1 zoning is greater than an accessory structure which includes detached ADUs (see Title 21.06 Table of Dimensional Standards - Residential districts).

The difference is that Anchorage, the most northerly major city in North America, with the lowest angle of sun and the longest shadows, shortest growing season, and least amount of incident shortwave solar energy, allows for the tallest accessory structures without regard for shadowing. Portland, Vancouver, Seattle, cities that successfully promote and develop ADUs and have higher rents and housing prices do not allow accessory structures as tall as Anchorage. So it begs the question why does Anchorage need such tall detached ADUs? And how is that respectful of neighbors? Your own long range planning division recommended less gross floor area and height than what was put in the current ordinance because it was more compatible with the character of the neighborhood.

In any endeavor it is best to learn from the successes and mistakes of others. It is contrary to any planning effort not to look at what has been done in other jurisdictions and incorporate that information in the context of Anchorage. That's why your planning department did exactly that in

2017 when it recommended smaller detached ADUs.

Comparing trees with buildings is a false analogy. No other jurisdiction does this. I'm not going to take the time right now to explain this. But cities like Portland and Vancouver and others have tree preservation and tree planing requirements when permitting ADUs. The much greater issue is the lack of ability of the planning department to conduct cumulative building shadow analysis.

The challenge for the public and policy-makers is to find the right balance between a community's need for more housing opportunities and respect for the quality of life currently valued by residents of existing zoning districts. Again I'd be happy to participate in the ADU Working Group to help you achieve that goal.

I hope we can continue our conversation.

Sincerely,

Dan Rosenberg  
242-4518

On Mar 15, 2022, at 9:06 AM, Mckenna-Foster, Daniel R. <[daniel.mckenna-foster@anchorageak.gov](mailto:daniel.mckenna-foster@anchorageak.gov)> wrote:

Good morning Dan,

My apologies for not getting back to you yesterday. I think for now we are keeping the working group to its existing size so we can maintain a keep on track with both the survey/outreach side and the code technical side.

Ultimately there will be plenty of opportunities to comment on any proposal we put together at both the Planning & Zoning Commission work session, regular meeting, and assembly meeting levels (if it gets to that). We are aiming to provide some sort of ordinance proposal to the Planning Commission for a work session/regular meeting this fall.

To round out our conversation from yesterday, I don't know the history of the existing ADU ordinance or where the existing height limits came from, although generally speaking the most fair approach to ADUs is to allow them to reach the same height as a house in the same district. If a person could build a house that casts a shadow, it is very difficult to justify why someone couldn't build a similar structure that is in many ways the same as (or part of) the house which casts the exact same shadow. Similarly, if

shadows are truly the problem, then that suggests that we should probably also be looking at limiting tree heights, species of trees, etc (which we are). People often point out to our office that “Anchorage isn’t Seattle/Portland/[name a city]”, so I do my best to avoid too many direct comparisons.

Like anything in planning however, ultimately it will all come down to a mediation of values. Which is more important—additional housing units, or someone’s view/access to the sun? Does a person on a northern lot have a stronger right to add solar panels than a person on a southern lot has a right to build upwards? These are difficult questions, the resolution of which will ultimately depend on the policy makers at the PZC or Assembly level. Finally, while ADUs will not be the silver bullet that solves housing issues in Anchorage, they may be a tool in the toolbox that some people find useful, and our outreach so far does appear to suggest that there is a good portion of the population that is interested in making use of this tool further.

Sincerely,  
Daniel Mckenna-Foster  
<image003.png>





# Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4311 • Fax: (907) 343-4313 <http://www.muni.org/assembly>

## Anchorage Assembly - District 4, Members Rivera and Zaletel

April 11, 2022

Daniel Mckenna-Foster, Senior Planner  
Long Range Planning, Planning Department  
Re: Request to add community members to Accessory Dwelling Unit (ADU) working group

It is come to our understanding that you have been in communication with Dan Rosenberg, Chair of the Rogers Park Community Council ADU Committee, regarding the currently established ADU working group.

Specifically, Mr. Rosenberg has requested that he be added to the working group to provide neighborhood-specific commentary and advice as the Municipality considers bringing forward a comprehensive ADU ordinance for the Anchorage Assembly to consider.

As you are likely aware, several neighborhoods and Community Councils had strong opposition to the 2018 ADU ordinance, AO 2018-43(S). Since then, a dislike of ADUs has grown within these neighborhoods.

In order to better meet the concerns in the community, and especially among Midtown residents which we represent, we strongly encourage the current ADU working group to create space and add three community representatives chosen by the Community Councils most likely impacted by ADUs, including Rogers Park, South Addition, and Fairview Community Councils.

We firmly believe that creating this space will engender stronger dialogue and understanding of the community concerns and lead to better solutions and outcomes when this ordinance eventually makes its way to the floor of the Anchorage Assembly. We request a written response to this letter by Wednesday, April 20. We are more than happy to discuss this issue in-person, virtually, or over the phone in the interim.

Sincerely,

Felix Rivera  
Midtown Assembly Member

Meg Zaletel  
Midtown Assembly Member

Cc Craig Lyon, Planning Director  
Adam Trombley, Community Development Director  
Amy Demboski, Municipal Manager  
Rogers Park Community Council Leadership

## Perry, Susan

---

**From:** Perry, Susan  
**Sent:** Tuesday, April 19, 2022 4:05 PM  
**To:** Rivera, Felix; Zaletel, Meg  
**Cc:** Lyon, Craig H.; Trombley, Adam R.; Demboski, Amy; Bunnell, Kristine R.; Mckenna-Foster, Daniel R.; RogersParkCC@gmail.com; Jones, Barbara A.; Veneklasen, Jennifer O.; Sleppy, Karissa M.  
**Subject:** ADU Working Group Response  
**Attachments:** ADU Working Grp Response to Rivera & Zaletel\_2022-04-19.pdf; April 11 2022 LTR to Daniel M-F re ADU work group (002).pdf

Assembly Members Rivera and Zaletel:

Attached is the response to the April 11 letter (attached also) to Daniel Mckenna-Foster regarding the ADU Working Group.

Sue



Planning Department  
MUNICIPALITY OF ANCHORAGE

**Susan Perry**  
Principal Office Associate •  
Planning Department  
Long-Range Planning Division

Email: [susan.perry@anchorageak.gov](mailto:susan.perry@anchorageak.gov)  
Phone: (907) 343-7921  
4700 Elmore Road, Anchorage, AK 99507  
[www.muni.org/planning](http://www.muni.org/planning)

# MUNICIPALITY OF ANCHORAGE



Planning Department

Phone: (907) 343-7931

*Mayor Dave Bronson*

April 19, 2022

Assembly Members Felix Rivera and Meg Zaletel  
Municipality of Anchorage  
P. O. Box 196650  
Anchorage, AK 99519-6650

Dear Assembly Members Rivera and Zaletel:

I am writing in response to the April 11, 2022, letter request to add community members to the Accessory Dwelling Unit (ADU) working group. The ADU Working Group is staffed and managed by the Planning Department.

## **Establishment of the Work Group**

The ADU Working Group was established in November 2021 by the MOA Planning Department as an ad hoc working group with the express intent of identifying obstacles to development for Accessory Dwelling Units. The group consists of representatives from the following agencies, non-profits, or the development community:

- MOA Planning Department
- Neighborworks Alaska
- CIHA
- UAA
- A Design/Build Firm
- A Construction Firm and member of the Homebuilders Association
- AARP

Members were selected based on their commitment to exploring solutions for more housing in Anchorage. The group represents a broad range of public, private, commercial, and civic interests, including both people who rent homes and people who own homes. One of the major shared goals of all members is an interest in helping Anchorage meet its need for a wider range of housing options. The working group has been successful at staying on track to complete its primary task, and as a result the Planning Department hasn't seen a need to add additional members.

We appreciate the Assembly Members' letter in support of additional representatives to participate. However, we have found that involvement from community council representatives is usually most helpful on neighborhood-specific projects. This working group is focusing on ADU regulations that impact the entire Anchorage Bowl. We would not want to include some but not others, which could result in some councils feeling left out.

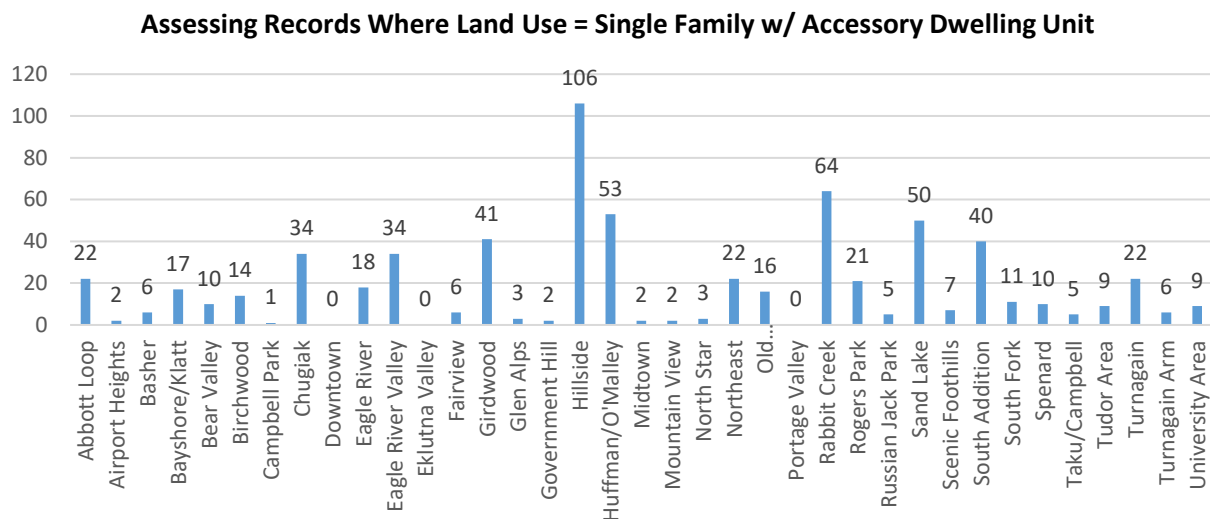
**Working Group Progress**

The working group’s primary task has been to (1) identify obstacles in the current code that inhibit ADU production and (2) produce a code amendment proposal for public review. The group has held three meetings since November 2021 and is nearing the completion of its tasks. Work has included evaluating local data, researching best practices and code from other jurisdictions, and conducting a survey of citizens that has provided additional data for analysis. One of our members has been working on a capstone project regarding housing issues in the Anchorage Bowl, and this research has been useful in providing a broader context for the project.

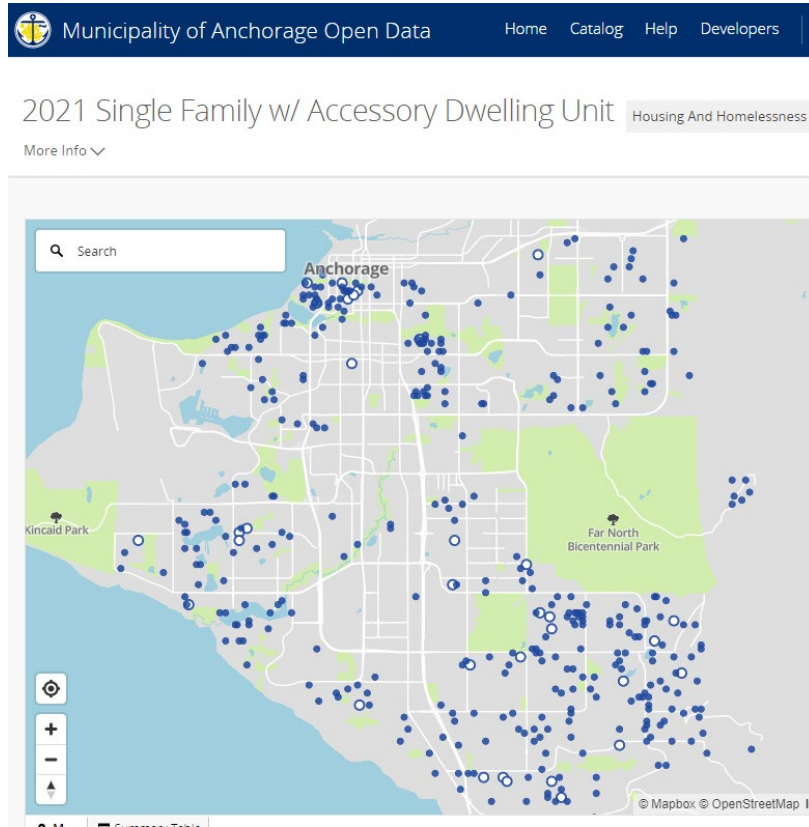
A representative of the group will present progress and findings at the April 20, 2022, Federation of Community Councils meeting. We plan to present to all community councils that request information before the item goes to the Planning and Zoning Commission later this fall. Ultimately, there will be multiple opportunities to comment on any proposal formulated for the Planning and Zoning Commission and Assembly. As with other code amendments, our department produces recommendations, but policy makers have the ultimate say over what regulations get adopted.

**ADU Data and Analysis**

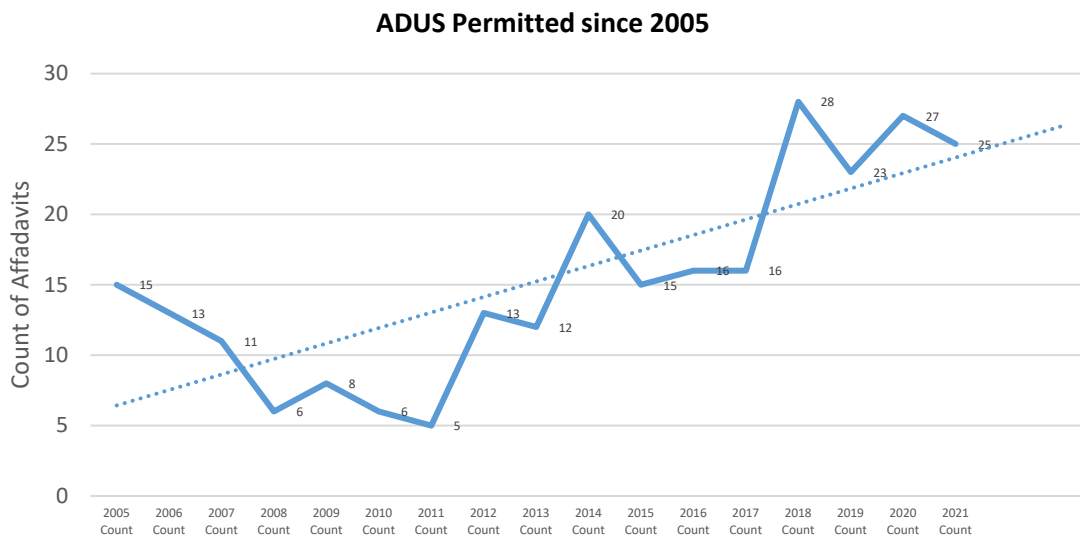
ADUs are a subject that many people feel strongly about, and we would like to take this opportunity to address some of the comments made in your letter related to positive or negative sentiment. As we work on updating this section of code, we have endeavored to use current data and a wider range of data whenever possible, all of which we are glad to share with you here. First, the Municipality’s assessment records indicate that both permitted and unpermitted ADUs exist in many council areas throughout the Municipality:



This data, [when mapped](#), indicates that existing ADUs are spread fairly widely throughout the Municipality and Bowl area, including some in Fairview, South Addition, and Rogers Park.



Second, the record of owner-occupancy affidavits (a requirement of new ADU construction) suggests that legal ADU construction is increasing overall:



Third, as mentioned previously, in the fall of 2021 the Planning Department and work group conducted a survey on perceived obstacles to ADUs, for which we received 330 responses. (The survey was posted on the MOA webpage and distributed on the FCC listserv.) Slightly under half (49.7%) of respondents said they had not considered adding an ADU to their property, while slightly more than half indicated they either had added an ADU (6.1%) or had considered it (44.2%). This data, coupled with policy guidance from the 2040 Land Use Plan, appears to support empowering property owners to produce more accessory housing if they should wish to.

### **Conclusion**

Although these numbers might not appear that substantial overall, ten new ADUs in a neighborhood could mean ten older households able to downsize but stay in their neighborhood; ten new households able to start out on their own but remain close to their family; ten workers able to find housing closer to their place of employment; or any other variation of lifecycle housing needs. Focusing on the need for a variety of housing for a variety of age groups has been a significant interest of [AARP](#), one of our partners in the working group. As housing is a municipal-wide issue and need, the working group will remain focused on addressing this at the broader level.

Sincerely,



Craig H. Lyon  
Planning Director

cc: Daniel Mckenna-Foster, Senior Planner  
Kristine Bunnell, Long-Range Planning Manager  
Adam Trombley, Community Development Director  
Amy Demboski, Municipal Manager  
Rogers Park Community Council Leadership

# Chugiak-Eagle River Advisory Board Resolution 2022-1

February 19, 2022

**DRAFT**

Meeting Re: Accessory Dwelling Units; Retail Marijuana Business

Whereas, the Chugiak Eagle River Advisory Board (the Board) is established in Title 21 by Section 21.10.030B and is constituted in order to review and make recommendations on actions regarding potential changes in land use that impact multiple Community Councils in the Chugiak Eagle River area, and

Whereas, the Board, with representation from South Fork, Eagle River Valley, Chugiak, Birchwood, Eagle River and Eklutna Valley Community Councils met on February 19 to hear local testimony and discuss the above issues, and

Whereas, the Board is interested in the impact to our community of potential changes to code 21.45.035, Accessory Dwelling Units (ADUs). Many concerns were discussed, including density, housing availability, and public water/ septic impacts. We anticipate further discussion as potential changes move forward., but are now able to agree that,

We, the CHUGIAK EAGLE RIVER ADVISORY BOARD RESOLVE that municipal code be changed to give greater freedom and flexibility to placement of detached ADUs on lots larger than two acres.

Respectfully,

Debbie Ossiander

Chugiak Eagle River Advisory Board

Acting Chair

**From:** [Daniel George](#)  
**To:** [Mckenna-Foster, Daniel R.](#)  
**Subject:** Re: ADUs in R2M  
**Date:** Tuesday, April 26, 2022 12:12:30 AM  
**Attachments:** [image003.png](#)

---

**[EXTERNAL EMAIL]**

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.

Thanks again,  
Daniel George  
FCC Chair / MVCC & RJCC

On Thu, Apr 21, 2022 at 8:05 AM Mckenna-Foster, Daniel R. <[daniel.mckenna-foster@anchorageak.gov](mailto:daniel.mckenna-foster@anchorageak.gov)> wrote:

Good morning Daniel,

Following up on your question last night:

Our intent in putting forward this ADU proposal is to have one set of regulations that apply to the entire bowl in a uniform way, so don't aim to interfere with the specifics of any particular zone unless absolutely necessary. Referring to existing code for R2M, a new ADU in that zone would be subject to the following:

- Setbacks: 20' front, 5' side, 10' rear
- 30' height (same as principal) (and thank you for bringing this up—I see that chapter 6 of the code currently limits accessory buildings to 25' or 12'. The intent with this ADU proposal would be to allow ADUs to function exactly the same as any other residence, so we might have to amend this language actually).



Lot coverage up to 45% (5% increase from 40%).

Please let me know if there are any other questions I can help with.

Sincerely,

Daniel McKenna-Foster



Planning Department  
MUNICIPALITY OF ANCHORAGE

Daniel McKenna-Foster  
Senior Planner • Planning Department  
Long-Range Planning Division

Email: [daniel.mckenna-foster@anchorageak.gov](mailto:daniel.mckenna-foster@anchorageak.gov)  
Phone: (907) 343-7918  
4700 Elmore Road, Anchorage, AK 99507  
[www.muni.org/planning](http://www.muni.org/planning)

**From:** [Bunnell, Kristine R.](#)  
**To:** [Mckenna-Foster, Daniel R.](#)  
**Subject:** FW: Downtown CC Alert -Accessory Dwelling Unit Code Update Project  
**Date:** Friday, May 6, 2022 12:46:33 PM

---

You will want to print this for your outreach process documentation.

**From:** Community Councils Center <info@communitycouncils.org>  
**Sent:** Thursday, May 5, 2022 4:00 PM  
**To:** Bunnell, Kristine R. <kristine.bunnell@anchorageak.gov>  
**Subject:** Downtown CC Alert -Accessory Dwelling Unit Code Update Project

**[EXTERNAL EMAIL]**

[Having trouble viewing?](#)

---



## Informational Alert!



Accessory Dwelling Unit Code Update Project - May 4, 2022 DT  
CC Meeting.

[CLICK HERE](#) to download the presentation.

Please contact Daniel if any additional information as needed.

Silvia



---

## ***Upcoming Meetings***

- Community Council general meeting: Wednesday, June 1, 2022
  - Marijuana & Alcohol Committee: May 18, 2022.
- 

## ***Community Council information***

For more information, contact:

Silvia Villamedes, President

Downtown Community Council

e: [downtown.c.council@gmail.com](mailto:downtown.c.council@gmail.com)

Visit the Downtown Community Council [homepage](#) to learn more about us or our facebook page with updates and events for the Downtown Community Council area.

Find the page online at <https://www.facebook.com/AnchorageDowntownCouncil/>

---

This communication is being sent by the Federation of Community Councils, Inc. on behalf of the Downtown Community Council. The contents of the communication are the responsibility of the Downtown Community Council, and not of the Federation of Community Councils, Inc.

Community Councils Center

[www.communitycouncils.org](http://www.communitycouncils.org)  
[info@communitycouncils.org](mailto:info@communitycouncils.org)  
277-1977  
/js

Federation of Community Councils | 1057 West Fireweed Lane, Suite 100, Anchorage, AK 99503

[Unsubscribe bunnellkr@muni.org](#)

[Update Profile](#) | [Constant Contact Data Notice](#)

Sent by [info@communitycouncils.org](mailto:info@communitycouncils.org) powered by



[Try email marketing for free today!](#)

**From:** [Daniel Clift](#)  
**To:** [Anchorage2040](#); [daniel.mckennafoster@anchorageak.gov](mailto: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!

--  
Daniel Clift - SFCC President  
907 339 9100

**From:** [Mckenna-Foster, Daniel R.](#)  
**To:** [Ann Rappoport](#)  
**Cc:** [annr.rccc@gmail.com](mailto:annr.rccc@gmail.com); [Ann Rappoport](#)  
**Subject:** 5/12/2022 RCCC Meeting Follow Up  
**Date:** Friday, May 13, 2022 10:16:00 AM  
**Attachments:** [image002.png](#)  
[image006.png](#)

---

Hello,

Thank you again for having me at your meeting last night. I wanted to follow up with a number of items which came up:

1. **Well Capacity:** when applied for, all development permits are vetted through our planning and development services departments, which includes a review of both zoning and building requirements. Well capacity is included in this review based on information the Muni has on file through the Certificate of On-Site Systems Approval (COSA) system. This information is all public record and you can search for COSA information for any property here:

<https://onsite.muni.org/WebLink/Welcome.aspx?cr=1> (You will need to know the legal description (for example FESLER LT 1A) to find associated information for these properties).

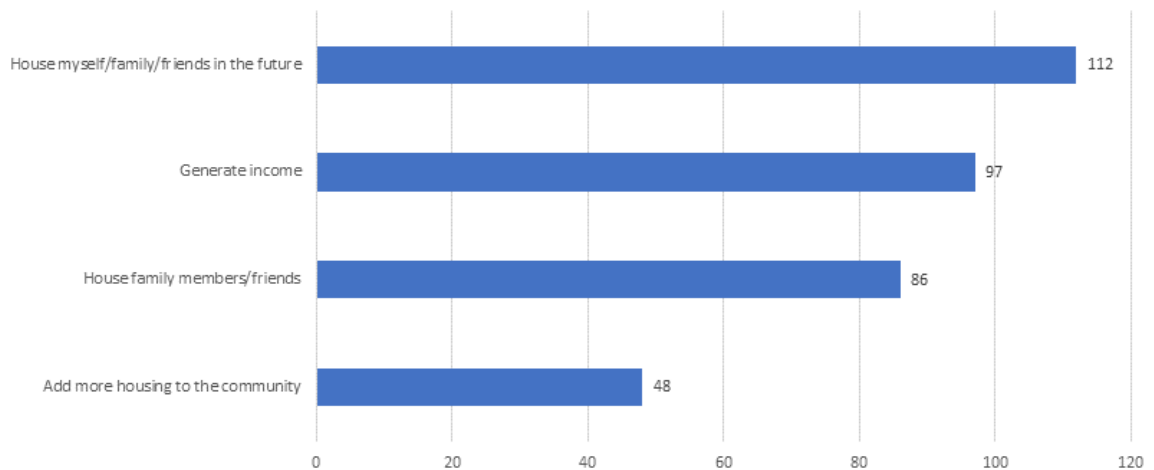
If you believe a well is being over-used or there is some other violation, please [submit a service request or enforcement complaint](#). Finally, [here's what the state says about private wells](#).

2. **Housing for Whom?** The long range planning department is tasked in this project with proposing code amendments which facilitate the production of compact housing—but not necessarily housing specifically intended for any income level or group. Our division is more focused on housing types rather than housing inhabitants. The 2040 Plan states (page 12):

*“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.”*

We know there is interest in building ADUs, and we have some data on how property owners would like to use them—although how they will actually use them is unknowable at this time. From our fall 2021 survey:

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



The ADU project page, with the rest of the survey results like the chart above, can be found [here](#).

3. **Short Term Rentals (STRs) & Owner Occupancy** This is obviously a contentious issue, with many similar discussions playing out across the country. On the one hand ADUs could be used for short term rentals, on the other hand the ability to rent out for shorter terms might also help homeowners cover the costs of adding an additional unit, or supplement financial stability. To what degree, and through what method STRs ultimately get regulated will probably be out of the purview of this project, and much of it will depend on public appetite for enforcement (which, under a complaint-based system, might lead to apparent inconsistency across the Municipality). The long-range planning department’s proposal removes owner-occupancy as a requirement because the code does not have the same requirement for single family homes—someone could just as easily rent out a single family home as a party house as an ADU as a party house, so it is difficult to justify from a fairness perspective. Whether an owner occupies or is even present in the primary dwelling next to an ADU may or may not have any effect on noise, vehicle use, or other impacts created by short term guests,

and the code already has provisions for regulating noise and street space. However, as with all code, many of these may ultimately be policy decisions to be decided by the Assembly.

- Municipal Roles:** I wanted to clarify a few remarks I made about the roles of various divisions in the Municipality, to which someone mentioned something about silos. My intent was to suggest that long range planning is not focused on enforcing zoning regulations because that isn't our role, just as code enforcement isn't focused on long range plans and data analysis because that isn't their role. I mentioned this because in long range planning we are most concerned with the realities on the ground, and whether or not codes are performing and meeting the variety of community needs. Code enforcement is concerned with addressing citizen complaints and apply appropriate enforcement action as necessary. If someone comes to me with an enforcement issue, I will also direct them to the [enforcement complaint portal](#) and encourage them to note their concerns to the full extent of their satisfaction. The code is the code, and everyone is subject to it equally, but when long range talks to people about ADUs, we are less interested in whether someone is breaking the rules than if the code as-written is solving the problems it is supposed to. But if someone is breaking the rules and it is causing problems we will be glad to help address any concern.

Speaking to the silos comment specifically, within the planning department, the long-range, current, and development services divisions do work closely together especially when it comes to applying and testing the code. As I mentioned in #1 above, new development permits (including for ADUs) are subject to internal review by multiple people in different divisions to make sure there are no outstanding issues in terms of slopes, fire safety, building safety, zoning issues, or well/septic capacity. Of course there is always room for improvement, so we welcome any feedback.

Please let me know if you have any additional questions.

Sincerely,  
Daniel McKenna-Foster



**Daniel McKenna-Foster**  
Senior Planner • Planning Department  
Long-Range Planning Division  
Email: [daniel.mckenna-foster@anchorageak.gov](mailto:daniel.mckenna-foster@anchorageak.gov)  
Phone: (907) 343-7918  
4700 Elmore Road, Anchorage, AK 99507  
[www.muni.org/planning](http://www.muni.org/planning)

**Kimmel, Corliss A.**

---

**From:** Walters, Michael S.  
**Sent:** Monday, August 22, 2022 7:16 AM  
**To:** Blake, Lori A.; Kimmel, Corliss A.  
**Subject:** 2022-0090 Request for Reviewing Agency Comments

RECEIVED

All:

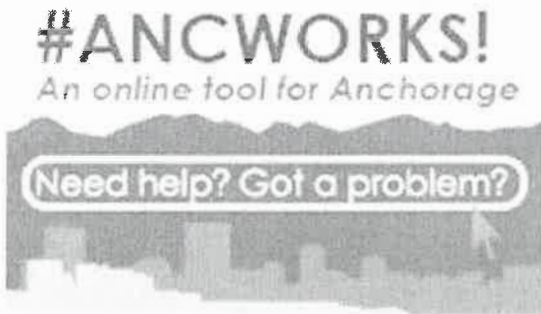
AUG 22 2022

ROW has the following comments for case number 2022-0090:

ROW has no comment or objections on the proposed action.

Regards,

Michael S Walters  
Senior Plan Reviewer  
Right of Way Section  
[michael.walters@anchorageak.gov](mailto:michael.walters@anchorageak.gov)  
Office: 907-343-8226  
Cell: 907-727-7637  
Fax: 907-249-7910





# MEMORANDUM

RECEIVED

AUG 19 2022

**DATE:** August 19, 2022  
**TO:** Dave Whitfield, Planning Manager, Planning Section, Planning Division  
**FROM:** Seth Wise, Engineering Technician III, Planning Section, AWWU  
**RE:** Zoning Case Comments  
Decision date: September 19, 2022  
Agency Comments due: August 22, 2022

AWWU has reviewed the materials and has the following comments:

**2022-0090 PZC Case No. 2022-0090, Review and Recommendation by the Planning and Zoning Commission of an Ordinance of the Anchorage Assembly amending AMC Code Title 21, Land Use Planning, to review the proposed text amendments to Accessory Dwelling Unit regulations.**

1. When planning siting for Accessory Dwelling Units, landowners should be aware of potential existing AWWU water and sanitary sewer easements to avoid encroachment(s).
2. AWWU has no further comments or objections to this Review and Recommendation.

If you have any questions pertaining to public water or sewer, please call 564-2757 or send an e-mail to [seth.wise@awwu.biz](mailto:seth.wise@awwu.biz).





August 18, 2022

RECEIVED

AUG 18 2022

David Whitfield, Current Planning Manager  
MOA, Community Development Department  
Planning Division  
P.O. Box 196650  
Anchorage, Alaska 99519-6650

[Sent Electronically]

Re: MOA Zoning Review

Dear Mr. Whitfield:

The Alaska Department of Transportation and Public Facilities (DOT&PF) has reviewed the following zoning cases and has the following comments:

- **2022-0090 – Amendment to AMC Code Title 21 – Accessory Dwelling Unit Standards**
  - No objection to the proposed Title 21 code changes for Accessory Dwelling Units (ADUs).
  - DOT&PF supports ADUs that are designed and developed in a way that utilizes available alternative access and doesn't cause increased density of access and conflicts to DOT&PF maintained arterials and major collector roads.
  - DOT&PF supports ADUs that are designed and developed to continue to allow the original lot to function as a whole and do not effectively divide lots into separate entities requiring additional access and utility requirements.
  - DOT&PF does not support ADUs that are designed and developed to allow the landowner to potentially subdivide their property that would require the ADU to take access from a DOT&PF maintained arterial or major collector or that would require additional utility service connections impacting the DOT&PF right of way for arterials and major collectors.
- **2022-0103 – 810 W Tudor Rd – Landscape Variance**
  - No objection to the proposed landscape variance.
  - If the city does require landscaping, any landscaping should not interfere with sight distance triangles at driveways onto Tudor Road. Sight distances should be verified in site design.

*"Keep Alaska Moving through service and infrastructure."*

- o DOT&PF requests that if the applicant has not done so they apply for a driveway permit to perfect access to Tudor Road. Driveway permits can be applied for online at DOT&PF's online ePermit portal, <https://dot.alaska.gov/row/Login.po>. Please contact ROW Agent Gabe Kutcher (907) 269-0691 email: [gabe.kutcher@alaska.gov](mailto:gabe.kutcher@alaska.gov) with any questions concerning driveway permits.

All properties accessing DOT&PF roads must apply to Right-of-Way for a driveway permit, subject to provisions listed in 17 AAC 10.020. Any previously issued driveway permits become invalid once the property undergoes a platting action and must be reissued.

We recommend the petitioner verify all section line easements and DOT&PF road rights-of-way adjacent to their property. For assistance, the petitioner may contact the Engineering group within the Right of Way section in DOT&PF at (907) 269-0700. The petitioner is liable to remove any improvements within the easements and rights-of-way that impede the operation and maintenance of those facilities even if they are not shown on the plat, so it is in the petitioner's best interest to identify the exact locations and widths of any such easements or rights-of-way before they improve the property.

If any section line easements or road rights-of-way exist within the bounds of their plat, we recommend the petitioner dedicate them. If there is an existing right-of-way or easement, the petitioner is unable to develop that portion of the property yet continues to pay property taxes on it; dedicating will remove that cost to the petitioner.

If there are any questions regarding these comments, please feel free to contact me at (907) 269-0522 or [mark.eisenman@alaska.gov](mailto:mark.eisenman@alaska.gov).

Sincerely,



Mark Eisenman  
Anchorage Area Planner, DOT&PF

cc: Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety and Utilities, DOT&PF  
Sean Baski, P.E., Highway Design Group Chief, DOT&PF  
Paul Janke, P.E., Regional Hydrologist, Hydrology DOT&PF  
James Starzec, AMATS Transportation Planner, DOT&PF  
Danika Simpson, Property Management Supervisor, Right of Way, DOT&PF  
Corliss Kimmel, Office Associate, Current Planning, MOA

From: McKenna-Foster, Daniel R.  
 To: ahccresident@hotmail.com; cramey@alaska.net  
 Cc: karlbarbara@hotmail.com; jroverwhitlock@gmail.com; chetsew@gmail.com; Bunnell, Kristine R.  
 Subject: ADU Project Comment Response for Airport Heights  
 Date: Tuesday, August 16, 2022 9:03:00 AM  
 Attachments: imaoe024.png

Good Morning Carolyn,

I wanted to respond to some of the items you brought up in our call yesterday and encourage you or anyone else in Airport Heights to continue to submit comments as well. For reference, the ADU project page can be found [here](#).

1. **Process:** Here is how we got to where we are:

- A working group convened several times between November 2021 and July 2022 composed of local developers, community development staff, and non-profit organizations (AARP, Neighborworks).
- A survey sent to all community councils which collected over 330 responses between November and December 2021.
- 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.
- Presentations to 9 community councils and the federation of community councils between April and June of 2022:

	Council	Presentation Date
1	FCC	4/20/2022
2	Downtown CC	5/4/2022
3	Rogers Park CC	5/9/2022
4	Birchwood CC	5/11/2022
5	Rabbit Creek CC	5/12/2022
6	Fairview CC	5/12/2022
7	Hillside CC	5/16/2022
8	Chugiak	5/18/2022
9	Spenard	6/1/2022
10	South Addition	6/22/2022

- The proposal is currently out for public comment and agency review
- The proposal will go before the [Planning & Zoning Commission](#) on 9/19/2022.

2. **Project Purpose:** This project implements the 2040 land use plan (adopted in 2016), specifically goals 2 (Infill and redevelopment meets the housing and employment needs of residents and businesses in Anchorage) and 4 (Anchorage's neighborhoods provide a range of places to live, meeting the housing needs of residents at all income levels, household sizes, interests, ages, abilities, and races and ethnicities).

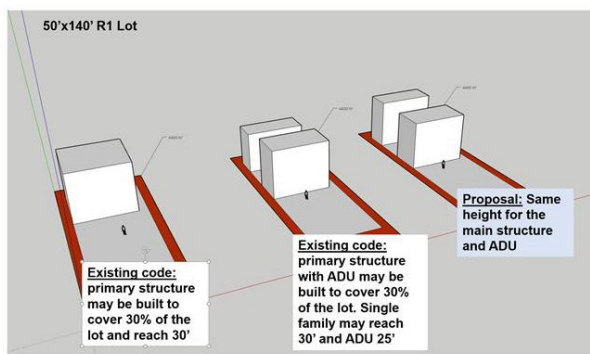
3. **Survey:** for reference, during the survey we heard from 17 people who indicated they lived in Airport heights. Of these, 8 indicated they have considered an 8, one had added an ADU already, and 8 reported not considering it. All survey data can be found on the project page linked above:

7	Airport Heights	No	8
8		Yes, I have already added an ADU to my proj	1
9		Yes, I have considered adding an ADU, but h	8
10	Airport Heights Total		17

Of those who were interested in building an ADU or had built one already, below are their responses about obstacles they had faced:

Airport Heights	Construction costs/Materials costs	1
	Construction costs/Materials costs, Future tax burden	1
	Construction costs/Materials costs, Limitations of the zoning district ( i.e maximum lot coverage, se	1
	Construction costs/Materials costs, Permitting costs, Constricted property access and complicated	1
	Construction costs/Materials costs, Permitting costs, Limitations of the zoning district ( i.e maximu	1
	Limitations of the zoning district ( i.e maximum lot coverage, setback requirements, etc)	1
	Limitations of the zoning district ( i.e maximum lot coverage, setback requirements, etc), Property	1
	Not Applicable	1
	Not sure how to get started	1

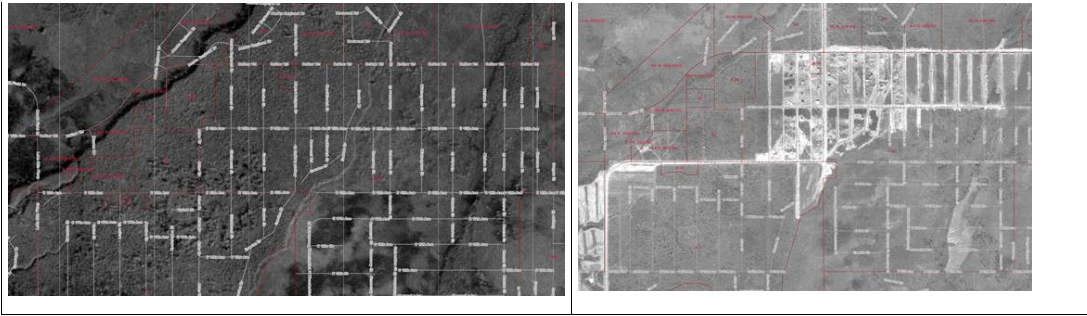
4. **Height:** The ADU code proposal allows ADUs to be the same height as the principal structure in the zone, but does not allow changes to lot size coverage. This means that a new ADU can simply be built in the same foot print allowed for an existing structure today. An R1-zoned lot currently allows a 30' height limit and 30% lot coverage.



If there are widespread concerns with the existing 30' height in some of the zones of Airport heights, the most appropriate way to address this would be by amending the R1 or R2D zones to limit those property rights collectively rather than selectively.

5. **Concerns about people parking on the public street:** The ADU proposal does not mandate vehicle storage with ADUs for a number of reasons; one because this increases the cost of housing, and two because mandating off-street parking does not solve the issues of snow plowing or street maintenance. Unless otherwise posted, it is not illegal to store private vehicles in the public street, and if this becomes problematic the only way to resolve the problem is through right-of-way management. Unfortunately mandating parking spaces does not provide any guarantee that people will not still park on a free, unmanaged public street. Fortunately there are currently underway other initiatives to look at how the Muni can better manage its public rights of way.

6. **Change:** The 2040 land use plan states: "To ensure efficient and equitable growth within our limited geographic area, Anchorage must maximize land use efficiencies while protecting and enhancing valued neighborhood characteristics and natural resources." Good or bad, the reality is that it is the nature of cities, especially first ring suburbs like Airport Heights, to change over time. Planning is the practice of managing this change, and the 2040 land use plan directs us how to do that work (here is the [2040 plan](#) for reference). We can't say definitively whether or not the code changes would actually result in huge numbers of more dwelling units, although I suspect they won't to the extent that people might hope (or fear). Experience in other cities suggests that the cost of ADUs (often at least \$100,000 or more for new detached construction) precludes their widespread proliferation. And ultimately it's just a matter of people choosing to use their property for that purpose or not.



Please let me know if you have any additional questions.

Sincerely,



Daniel McKenna-Foster  
Senior Planner • Planning Department  
Long-Range Planning Division  
Email: [daniel.mckenna-foster@anchorageak.gov](mailto:daniel.mckenna-foster@anchorageak.gov)  
Phone: (907) 343-7918  
4700 Elmore Road, Anchorage, AK 99507  
[www.muni.org/planning](http://www.muni.org/planning)

**From:** [Kristen Collins](#)  
**To:** [Mckenna-Foster, Daniel R.](#)  
**Subject:** Question about ADU's  
**Date:** Tuesday, August 23, 2022 1:54:09 PM

---

[EXTERNAL EMAIL]

Hello,

My name is Kristen Collins and my partner and I are property owners in Girdwood. I'm reaching out about code changes to ADUs in the Municipality and am curious if there are any changes for Girdwood.

We own a .36 acre property in Girdwood with an existing 455 sq ft cabin in the front corner of the lot.

Ideally, we would like to build a larger home in the center of the property and rent our current cabin out for help with the mortgage.

I believe I've read in the building codes that a lot under .4 acres in Girdwood must have an attached dwelling unit instead of a detached dwelling unit. Is this correct? Do upcoming changes of ADUs for the Municipality include Girdwood? Is there any information you can share about building ADUs in Girdwood or building new homes on a property with an existing small/ADU like house?

Thanks for your help! We are a couple years away from applying for any construction permits and we are interested in learning more about what we can do on our property.

Best,  
Kristen



---

## MEMORANDUM

DATE: August 22, 2022

TO: Current Planning Division Supervisor,  
Planning Department

THRU: Kristen A. Langley, Traffic Safety Section Supervisor,  
Traffic Engineering Department

FROM: Randy Ribble PE; Assistant Traffic Engineer

**SUBJECT: 2022-0090 Amendments to Accessory Dwelling Units (ADU's) regulations in  
AMC 21.05.070 and 21.10.050**

Traffic Engineering has reviewed the proposed modifications to AMC Title 21 regarding Accessory Dwelling Unit (ADU) requirements and has the following comments.

Traffic Engineering is not supportive of the recommendation to remove the off-street parking requirement of one parking space per ADU in addition to the required parking of the primary unit. Removal of this requirement shifts the needed parking space onto the public right of way. AMC Title 9.30 has regulations that limit the amount of time and location of parking within the public right of way. The owners of the vehicles associated with ADUs will be at risk for enforcement of AMC Title 9 parking regulations by Anchorage Police Department similar to the adjacent properties without accessory dwellings. Parking along public rights of way does not guarantee parking in front of the parcel with ADUs. The owners of the ADUs should not have expectations that the portion of the public right of way is available exclusively for the tenants of the ADU.

Traffic Engineering would recommend that the single space requirement of existing code (page 6, Lines 13 -29) remain in place until the Municipality make specific changes to Title 9 and establish parking districts or provide resources to appropriate agencies responsible for the management and operations of the public rights of way. The proposed justification "Embedding transportation cost in housing cost makes housing more expensive" just switches the cost onto the government agencies that currently have limited manpower and resources to manage potential problems created with the removal of this requirement.

Traffic Engineering is supportive of removing the affidavit requirement associated with the parking requirement exception (Page 6, Lines 30-42, Page 7 Lines 1-20). Enforcement of the required affidavit is difficult or nonexistent due to existing manpower and resources. If the one space requirement is to remain, the affidavit requirement is not needed.



**DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS, 673D AIR BASE WING  
JOINT BASE ELMENDORF-RICHARDSON, ALASKA**

**MEMORANDUM FOR MUNICIPALITY OF ANCHORAGE PLANNING DEPARTMENT  
CURRENT PLANNING DIVISION**

**FROM:** 673 CES/CENPP  
724 Quartermaster Road  
JBER AK 99505

**SUBJECT:** Response to Municipal Planning Case 2022-0090

1. Thank you for the opportunity to review the Municipal Planning Case 2022-0090, whereas the Planning Department is seeking public, and agency review proposed amendments to Accessory Dwelling Unit Standards in Title 21. We understand that overlay districts are considered for residentially zoned districts within the Municipality of Anchorage. Because the land in question is not owned by Joint Base Elmendorf-Richardson (JBER), the information provided below is advisory in nature and provided to assist the Planning Department with making an informed decision on the proposed zoning changes.

2. JBER has a responsibility to the community to provide information when a proposed development may create a conflict with Department of Defense (DoD) land-use guidance intended to protect the public safety. Portions of the following Anchorage communities are located within the Accident Potential Zones I and II (APZ) for the north/south runway at Elmendorf Airfield (see figure below):

- Mountainview community, north of Glenn Highway;
- Russian Jack Park community, south of Glenn Highway and west of Boniface Parkway;  
and
- Northeast community, south of Glenn Highway and east of Boniface Parkway

Based on studies, the DoD has identified Clear Zones (CZ) and APZs as areas where an aircraft accident is most likely to occur if an accident were to take place; however, it should be noted that CZs and APZs are not predictors of accidents. The Air Force has guidelines on land use intensity in APZs.

3. This APZ footprint defines the minimum recommended area for which land use controls are needed to enhance the health, safety, and welfare of those living near Air Force installations and to preserve the JBER mission. 2022-0090 will impact areas within the APZ and is depicted on the AICUZ APZ map in below.

4. 2022-0090 is likely to result in higher density of residences in residential zoning districts, including the areas inside the APZ. According to AICUZ guidelines, future residential



developments or increases in density of residences are classified as incompatible land use in these zones.

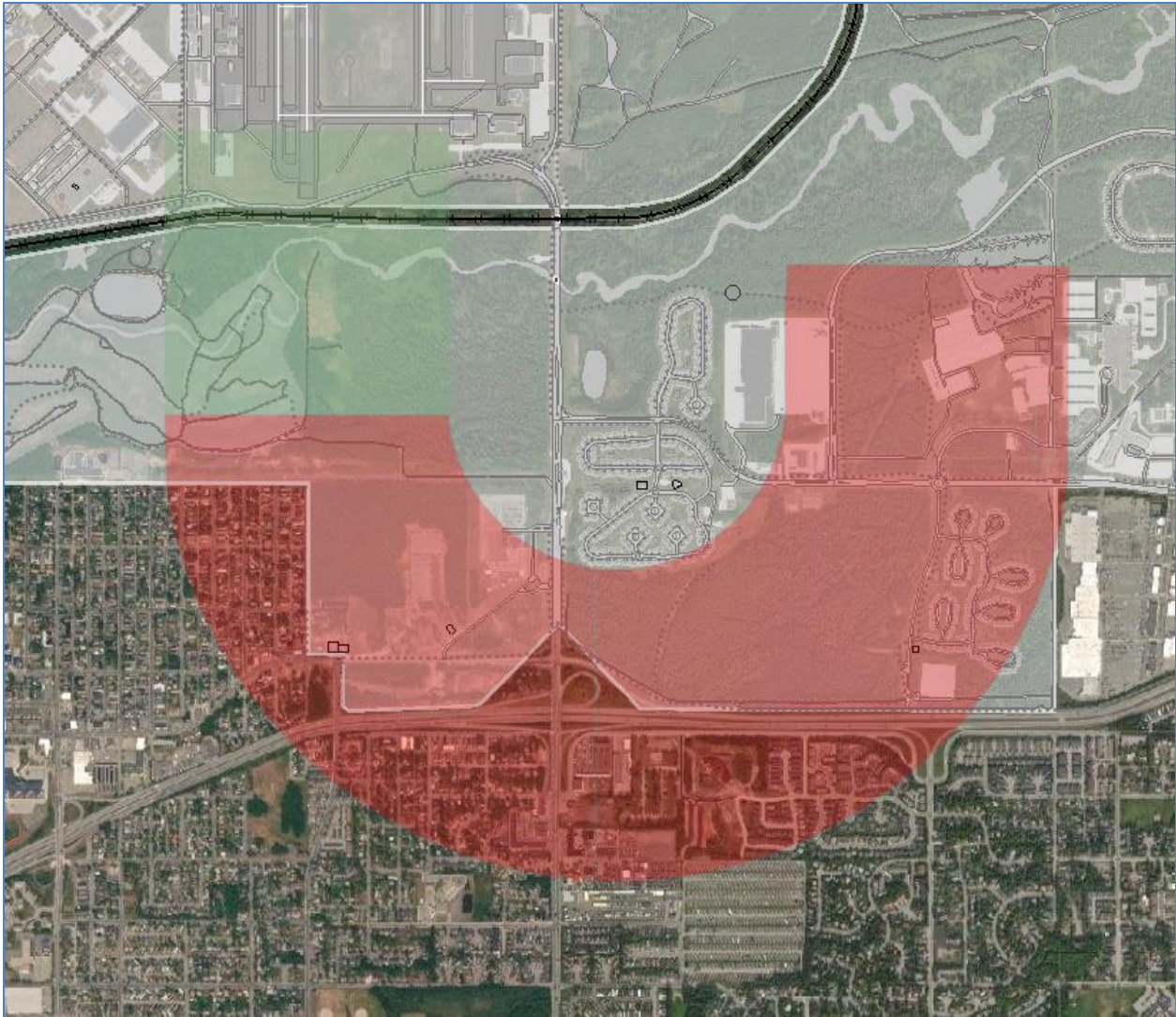
5. We ask that the APZ areas outlined in the image below are excluded from the proposed overlay district.

6. The land use recommended for APZ is certain manufacturing, transportation, trade; and resource production. Details regarding these land uses can be found in the 2019 AICUZ Study, Appendix A, Land Use Compatibility Tables, SLUCM NO. 24; 25; 26; 27; 39; 41-48; 49-52; 55; 63.7; 64; 66; 81-89. The 2019 AICUZ Study can be obtained at <https://www.jber.jb.mil/portals/144/jberhome/AICUZ/pdf/jber-AICUZ-Study.pdf>. An overview of APZs can be found in section 5.1. Chapter 6 discusses land use and recommendations for addressing incompatibility issues within APZs for an airfield.

7. If you have questions or would like to discuss the AICUZ or Air Force land use guidance, my contact information is (907) 384-3083, or [tor.anderzen@us.af.mil](mailto:tor.anderzen@us.af.mil).

*Tor JS Anderzen*

TOR ANDERZEN, P.E. GS-12  
Community Planner, JBER



**From:** [Anna Bosin](#)  
**To:** [Mckenna-Foster, Daniel R.](#)  
**Cc:** [Constant, Christopher](#); [Daniel Volland](#); [John Thurber](#)  
**Subject:** Accessory Dwelling Unit - proposed changes to Title 21.  
**Date:** Tuesday, August 30, 2022 10:45:34 AM

---

**[EXTERNAL EMAIL]**

Hi Daniel, Thanks for presenting this to the SACC meeting earlier this summer!

Below are the items of the proposed changes that I support and think are reasonable asks towards providing additional housing in Anchorage:

- Remove owner occupancy requirement
- Change the definition of ADU to allow them to be placed with single family homes.
- Allow ADU floor area to be either up to 900 SF or 40% of the principal structure, whichever is larger.
- No minimum parking requirement-**Yay!**
- Up to 5% increase in lot coverage allowed for ADUs
- Remove different standards for ADUs in Class A and Class B districts
- Setbacks: Same as the rest of the zone

I have concerns with structures that would look way different than the primary structure. Building costs are already expensive so if a developer wants to construct an ADU, ensuring that basics like the house siding and roof match seems reasonable to ask. I am not sure if there is a way to cover this easily in the code that wouldn't kick up the process to architectural boards. My concern are for the "extreme" scenarios such as "poor taste" (very subjective, I know!) or trailers dragged onto lots that look disheveled. If there is a way to "match" the existing structure in siding and roofing materials, that would capture the majority of the concern.

I also have concerns adding ADUs to multi-plex lots already setup for denser living. the goal of the ADU is to add living space to lots that traditionally do not have multi-plex.

I don't plan to stand in the way of this progress because overall i recognize that Anchorage NEEDS more housing and this is one piece of the solution.

Best, Anna Bosin  
1413 N St.

**From:** [Cindee Karns](#)  
**To:** [Mckenna-Foster, Daniel R.](#)  
**Subject:** Comment on ADU proposal  
**Date:** Tuesday, August 30, 2022 2:15:20 PM

---

**[EXTERNAL EMAIL]**

Hi Daniel--

I live in EAgle River so my comments might not count...but I was on the Title 21 committee back in the day and there weren't any upgrades to water and sewer then to accommodate the new amount of people. Has that been settled? Is there money to upgrade?

Also, I'd HATE to see owner occupancy removed if it means that people can just rent out their places on the same lot for Airbnb and go live somewhere else. Airbnb is threatening to take over affordable homes for people who live here year 'round. It's happening in other places already. Anchorage needs housing, not just more Airbnbs.

Lastly, we would like to do this at our house in the Eagle River Valley, but things aren't up to code---it looks like that is a HUGE problem for some of the folks who have tried in Anchorage. Can you send me a link to where the info is? I can't find it. How big is a greenhouse allowed to be in Eagle River? Can it share a wall with a detached garage? We live on 2 acres, so there's plenty of room for an ADU, but we wouldn't want to tear down our greenhouse to do it.

Thanks,  
Cindee Karns



**RABBIT CREEK COMMUNITY COUNCIL (RCCC)**  
A Forum for Respectful Communication & Community Relations



**1057 West Fireweed Lane, Suite 100 / Anchorage, AK 99503**

August 31, 2022

Planning and Zoning Commission  
Daniel Mckenna-Foster  
[daniel.mckenna-foster@anchorageak.gov](mailto:daniel.mckenna-foster@anchorageak.gov)  
Long Range Planning, MOA  
4700 Elmore Rd  
Anchorage, AK 99507

RE: 2022-0090 Title 21.05.070.D.1 Amendment to ADU Regulations

Thank you for accepting our comprehensive comments. Please note our main concerns that we have supported at the end with documentation from T-21 and other land use plans, including how the MOA can regulate STRs.

At our May 2022 meeting, Rabbit Creek Community Council reviewed potential changes to Title 21's Accessory Dwelling Unit (ADU) regulations during Mr. Mckenna-Foster's presentation. RCCC also reviewed the ADU changes during Land Use and Transportation Committee meetings.

Rabbit Creek Community Council acknowledges the benefits to individuals and to the city of a well-drafted policy for Accessory Dwelling Units. However, RCCC finds the following shortcomings in the proposed amendments to 21.05.070.D:

1. Home ownership and neighborhood stability. 21.05.070.D says that the purpose of ADUs is to support continued homeownership and protect neighborhood stability and character. The provisions to remove the requirement for owner-occupancy, and to increase the bulk and prominence of the ADU, work against continued homeownership and residential stability.
2. Targeted infill. The proposed amendments also appear to contradict the intent of the 2040 Land Use Plan to promote targeted infill and redevelopment, supported by public investment in infrastructure and services. Instead, the ADU regulation change allows a random doubling of housing density, creating pockets of density without additional services or infrastructure.
3. Substantive amendment. In addition, the proposed ADU amendments are substantive enough to require one or more comprehensive plan amendments. The ADU amendments pose a potentially large shift in residential neighborhood character and use patterns: the amendments will allow a doubling in density, and will accelerate short-term visitor rentals by absentee owners as a commercial use in residential neighborhoods. The Municipality should follow the process of 21.03.070.C, Procedure for Substantive Amendments. If the Municipality follows this due process, the proposed ADU revisions will likely not pass the test of 21.03.070.C.2.b through e.
4. Lack of need. Staff Analysis does not offer evidence or data that there is any need for the proposed amendments, particularly the dimensional amendments. The general impediment to any residential is cost and financing. The staff analysis provides no evidence that increases in height and setbacks and size of ADU are necessary to reduce costs or improve financing.

5. Potential backfire: decrease in resident housing capacity. In many cities that are tourist destinations (like Anchorage), conversion of homes to short-term rentals has reduced the resident housing capacity and driven up rents and housing prices. Short-term rentals are already aggravating the Girdwood housing shortage. There is high potential for this in the core areas of Anchorage. The removal of the owner-occupancy requirement for ADUS would pour fuel on this trend.

For reasons further stated below, RCCC requests the following action from P&Z on the proposed amendments to Title 21.05.070.D:

- A. Retain the current requirement that at least one landowner will occupy the principal dwelling or the accessory unit.
- B. Adopt into 21.05.070.D a process for annual verification that properties with ADU have owner-occupancy; and prescribe sufficient penalties to achieve compliance.
- C. Retain the current proportionality in size of the ADU in the Class B district: maintain a maximum of 35 rather than 40 percent of the square footage of the primary dwelling
- D. Retain the 2-bedroom limit in the Class B District, and add a reference to site-specific capacity limits from onsite septic and well systems, and to site development envelopes that may exist on steep-slope lots.
- E. Adopt into 21.05.070 a requirement, or at least offer a strong incentive, for owners of a new ADU to sign a covenant, enforceable by penalties, not to engage in short-term rentals of less than 30 days for a period of 10 years (as Portland Oregon has started to do). Include a process for verification and penalties. The covenant should run with the property, if the owner sells within 10 years.
- F. Recalculate the neighborhood densities to determine current and projected ADU housing stocks for Municipal planning purposes. Land use plans include periodic reviews of neighborhood density as part of zoning and Title 21 changes. The MOA needs a process for calculating ADUs so they will be included in future land use reviews.

### **Supporting Reasons**

Retain owner-occupancy requirement to ensure continuity of ownership, neighborhood stability, and human capital

- 21.05.070.D1.b.i.B notes that the purpose and intent of ADU is to “provide a means for homeowners a, particularly the elderly, single parents, and families with grown children *to remain in their homes and neighborhood* and obtain extra income, security, companionship and services.
- 21.05.070.D1.b.i.E notes that the purpose and intent of ADU is to “*improve the affordability of homeownership* and enhance property values through rental income opportunity”
- Owner occupancy correlates to lower crime and nuisance calls. Neighborhoods where residents stay put for a long time tend to be associated with lower crime rates, according to the U.S Department of Housing and Urban Development. (from habitat.org)
- There is no evidence that owner-occupancy has limited the construction of new ADUs *by homeowners*, and that is one of the purposes of the ordinance.
- Renters are much more transient than homeowners. The median homeowner occupancy duration nationwide is 13.3 years (National Association of Realtors.) Median tenure has increased by 3 years since 2008. (nar.realtor). Only 6% of owners move within a year. Compare that to 26% of renters moving in less

than one year. A single-family rental tenancy on average lasts 3 years and a multi-family tenant roughly 2.5 years in the US (tenantplanet.com)

- The 2040 Land Use Plan Action 4-10 calls to “reduce restrictions that currently deter construction of compact housing types...[while] including development standards for neighborhood compatibility.” *The proposed amendments strip away the development standards that would ensure neighborhood compatibility: lower height, setback from the principal dwelling, continued requirement for owner occupancy of either the principal dwelling or ADU.*

#### The ADU changes would promote random infill versus targeted infill that can be supported by services

- The 2040 Land Use Plan calls for compact infill and redevelopment in targeted locations where services can be intensified: transit, active transportation, etc. The effect of the ADU is to increase density randomly, at the whim of unpredictable individual investment decisions.
- *Random* infill does not support the efficient provision of municipal services that are integral to higher-density living: transit, active transportation, public open spaces, emergency services, etc. The need for these services is clearly stated in Policy 12 of the 2020 Anchorage Bowl Land Use Plan: “

New higher density residential development...shall be accompanied by access to...transit and safe pedestrian facilities; and...adequate public or private open space, parks or other public recreation facilities on site or in close proximity... Instead of zones of opportunity and coordinated public/private investment envisioned in the Land Use Plan, the random implementation of this ADU ordinance will create pockets of conflict.

- Higher density requires higher investment in public spaces and public services. “Research has found that increasing the number of spaces for informal contact between neighborhoods is linked to a greater sense of safety for people in urban areas. This speaks to the purpose of investing in “third places”—such as parks, cafes, community centers—within areas that lack them as a means to further the social cohesion that helps prevent crime. (Brookings.edu, citing Sullivan, W.D. “the Fruit of Urban Nature: vital neighborhood spaces).

#### Re-zoning without due process

- The approval of second housing unit is a de facto doubling of future housing density. This density increase may occur in patches or over a period of years: but the intent and the outcome are to double the housing density of residential areas
- The Hillside District Plan (Map 2.1) clearly states that the intent is for limited intensity of residential use, with 0 to 1 dwelling units per acre (DUA). Doubling the housing density in the rural and peripheral parts of the Anchorage Bowl has potential negative impacts to the entire community, and therefore a density change of this magnitude requires a re-zoning consideration.

#### Potential Negative Impacts from ADU in the Class B District

- **Septic system capacity:** Much of the Hillside relies on individual wells and septic systems. Septic systems are rated for a certain number of bedrooms. For this reason, the number of bedrooms in any ADU must be within the septic system capacity; and a maximum of two bedrooms helps to ensure that ADU occupancy will not overstress the septic capacity of rural lots.

- Water capacity: The Municipality currently has no groundwater capacity data, and no regulations to protect and ensure groundwater recharge. The Municipality is blind with regard to the sustainability of the well water resources on the Hillside; but groundwater recharge and quality is negatively impacted by increased lot coverage and increased well usage.
- The Anchorage Hillside has are slopes, natural hazard areas, and access constraints on the Hillside which make some areas unsuited for higher density.
- Wildfire at the urban-rural interface is a concern in all communities. A higher density of homes at the rural edge creates a higher risk of to life and property.
- New residences on the Hillside are almost certainly auto-dependent. They perpetuate a “sprawl” pattern of development, with a very high per capita rate of vehicle miles traveled. This is contrary to the goals of Anchorage 2020, the Anchorage Climate Action Plan, and the 2040 Metropolitan Transportation Plan. This draws away infrastructure resources that are needed for infill and redevelopment of the core areas of Anchorage.
- Neighborhoods where residents stay put for a long time tend to be associated with lower crime rates, according to the U.S Department of Housing and Urban Development. (from habitat.org)

#### ADU square footage

Keeping an ADU to a certain maximum square footage (with conditions that include consideration for soils and steep slopes) is more reasonable than stating they can be 40% of the main structure. There are large homes in the MOA that are on comparatively small lots with steep slopes, such as one house in Prominence Pointe where a 5,274 sq. foot house is situated on a 4,000 sq. foot sloped lot (PARID: 02010132000). Using the 40% formula, means an ADU could be 2,100 square feet. That would not constitute good land use planning to allow an ADU of that size on a compromised lot with such a large residence.

#### Affordability of ADU

- 21.05.070.D1.b.i.D notes that the purpose and intent of ADU is to: “provide a broader range of accessible and more affordable housing within the municipality”.
- The Staff Analysis offers no evidence that de-regulating ADU in the Municipality will result in lower rental prices. Housing supply is largely a matter of *affordable housing*. The City of Portland, an innovator in ADU policies, found that 80 percent of ADU charged market rates.
- Short-term rentals of less than 30 days can generate much higher revenues than long-term rentals (monthly or longer). Short term rentals thus can displace resident housing with visitor housing.
- Portland is trying to ensure more ADUS are available for resident housing by offering development fee waivers in return for a 10-year covenant not to offer short-term rentals (less than 30 days) (portland.gov)
- Size of units correlates closely with rental rates. Allowing larger ADU in all areas reduces the likelihood of small, and thus cheaper, units..
- Availability of rental units is not the most critical housing pressure: it’s the *affordability* of rental units. Nationwide, 54% of renters spend over 30% of their household income on rent. By comparison, only 28% of homeowners who spend more than 30% of their household income on mortgage payments. (ipropertymanagement.com, “Housing affordability among homeowners vs. renters). Meanwhile, rental



vacancy nationwide is 5.8% as of 2022 First Quarter, which is 86.2% higher than homeowner vacancy of 0.8%.

#### Short-term rentals and possible drop in resident housing capacity and affordability

- Staff Analysis does not explain how the proposed amendments would achieve an increase in affordable housing capacity in Anchorage; and what would prevent a widespread conversion of properties to absentee-landowner short-term rentals in core areas of Anchorage.
- Short-term rentals disrupt the social cohesion of a residential neighborhood.
- A robust body of evidence demonstrates the relationship between social cohesion and violent crime, with neighborhood attachment (residents' feeling of belonging to a neighborhood) and social cohesion associated with lower violent crime rates (Brookings.edu, US HUD (2016) Neighborhoods and Violent Crime.
- Short-term rentals drain a neighborhood of its human capital. They drive up rental costs and property taxes; and thus they drive out locally-employed residents as well as old-timers who invest their money, energy, and ideas in the community.
- Conversion to short-term rentals is most likely in core areas of Anchorage: areas where Municipal land use policy calls for increased resident housing that is proximate to job locations.
- It is spurious to claim that the Municipality can't regulate short-term rentals (STR). Short-term rentals are a hospitality enterprise, yet they fall through a loophole in the hospitality business regulation. Short-term rentals avoid the neighborhood protections placed on Bed and Breakfast operations. Regulations for Bed and Breakfast operations are a time-proven framework for ensuring compatibility with surrounding residential use. *Owner occupancy is a key component. With Bed and Breakfast establishments, number of occupants (number of beds or "pillows" is regulated.*
- Certain small-scale home-based businesses are allowed in residential areas, and they are strictly regulated to avoid impacts to neighbors.

In summary, the Rabbit Creek Community Council wants to emphasize the importance of urging retaining the owner-occupancy requirement as a key purpose of the ADU program: to promote continued home ownership and neighborhood stability. This will safeguard neighborhood safety and deter a total conversion of ADU properties to short-term rentals and displacement of residents.

Dianne Holmes, Board Member  
Submitted on behalf of co-chairs:  
Ann Rappoport & Michelle Turner

cc: C. Lyons,  
D. Whitfield  
Long Range Planning Dir

# Planning and Zoning Commission

September 19, 2022

Case #: **2022-0090**

Case Title: Review and Recommendation by the Planning and Zoning Commission of an Ordinance of the Anchorage Assembly amending Anchorage Municipal Code Title 21 on Accessory Dwelling Units, Section 21.05.070, Accessory Uses, and 21.10,050, Use Regulations

Agenda Item #: **G.1** Supplementary Packet #: **1**

Comments submitted after the packet was finalized

Additional information

Other:

Sent by email:  yes  no

## Public Comments: 2022-0090

Commenter	Email	Phone Number	Submitted
Krysta Gard 19844 Lace Road Chugiak, AK 99567	krysta.gard@gmail.com	9072500995	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?		

## Rogers Park Community Council

(Including Anchor Park, College Village, Woodside East and Rogers Park)

Pete Mjos, President  
Ph (907) 306-4231  
Email: rogersparkcc@gmail.com

Scott McMurren, Vice President  
Cassandra Raun, Secretary  
Sara Dykstra, Treasurer

RECEIVED

SEP 15 2022

Date: September 15, 2022

To: Anchorage Assembly  
Anchorage Planning Department  
Anchorage Planning and Zoning Commission

**Resolution of the Rogers Park Community Council (RPCC) for improving siting and dimensional building standards for Detached Accessory Dwelling Units in R1-1 and R-1A Zoning Districts to better reflect the intent of the Anchorage Planning Process, respect neighbors, and improve opportunities for affordable housing.**

Whereas the Anchorage Assembly adopted Municipal Ordinance No. AO- 2018 43(S) on June 12, 2018, to allow building Detached Accessory Dwelling Units (DADUs) in R-1 and R-1A zoning districts;

Whereas the Municipal Planning Department (Planning Department) has recently submitted a proposal to the Planning and Zoning Commission (PZC, Case No. 2022-0090) to amend Accessory Dwelling Unit regulations promulgated in AO- 2018 43(S) and codified in Title 21;

Whereas the Rogers Park Community Council (RPCC) respects the Municipal Planning Process, the values of our neighbors, and the Assembly's desire for DADUs to help alleviate Anchorage's housing shortage;

Whereas the Anchorage Housing Survey Report stipulated a best practice for DADU development is to consider and be respectful of neighbors and not infringe on their privacy and AO- 2018 43(S) recognized a consideration of neighborhood character and the privacy and rights of neighbors;

Whereas Title 21.15.040 does not define character but defines "Compatible (or Compatibility)" as "The characteristics of different uses, activities, or designs which allow them to be located near or next to each other in harmony. Some elements affecting compatibility include the height, scale, mass, bulk, and setbacks of structures. ... compatibility refers to the sensitivity of development... and avoiding adverse impacts on neighboring uses;

Whereas Accessory dwelling units are defined as small, subordinate, attached or detached housing units on the same property as an existing single-family dwelling;

Whereas the Planning Department stated that “Limitations on detached ADU’s and their size exist ... to ensure that ADU development is compatible with the intended scale and character of single-family neighborhoods in the R-1 and R-1A districts ...”;

Whereas by adopting larger dimensional standards for DADUs than proposed by the Planning Department in 2017, neither the PZC or Assembly presented information to support how these larger structures in R1 and R1-A Zoning districts would “allow more efficient use of residential property, allow development that is more compatible with existing neighborhoods, create more affordable housing alternatives or respect the rights and values of neighbors;

Whereas a priority of the Anchorage Climate Action Plan and Climate Action Strategy is to “Increase opportunities for residents ... to implement clean energy technology,” and Solarize Alaska is facilitating efforts to make residential solar energy systems more accessible and affordable;

Whereas Anchorage has the lowest angles of sun (longest shadows) throughout the year of any major North American city; shadows cast by a building on a neighboring lot is a function of latitude, proximate location to neighbors, its height and bulk, roof type and orientation, and type and number of appurtenances;

Whereas increased shadowing reduces the efficiency and return-on-investment (if not feasibility) of existing and future solar installations; access to direct sunlight for food production (backyard gardens), passive solar radiation for lighting and heating, spring snowmelt, and backyard use and enjoyment;

Whereas other major cities with higher sun angles and less shadow effect have successfully implemented DADU development with smaller building dimensional standards and respectful design and siting requirements; and

Whereas much of our current housing shortage is being driven by conversion of homes and rentals to short-term vacation rentals (Alaska Department of Labor September 2022 and ADN 9-4-2022);

Now therefore be it *resolved*, that RPCC emphasizes its desire for: a) proper siting, or positioning on the lot, for least impact on neighbors’ access to the sun; b) privacy; c) reasonable height restrictions; d) restricting parking to no more than 2 vehicles per ADU; and e) retaining the owner-occupancy requirements in R-1 zoning, all to minimize adverse impacts to neighbors’ enjoyment of their land. The RPCC proposes the following actions for consideration by the PZC and Assembly:

1. Ensure that the size of all accessory structures remains in scale with the designated single-family development pattern. In pursuit of this goal, AO- 2018 43(S) should be amended to avoid bulk and appearance of a second full-sized house on the lot, with reduced gross floor area and height consistent with the Anchorage 2040 Land Use Plan and the recommendations of the Planning Division (Memorandum from Tom Davis to Dave Whitfield October 25, 2017)<sup>1</sup>;
2. Measures to protect neighbors' privacy and solar access with lower building height, better design and siting on the lot, and restrictions on balcony and window design and placement; and
3. For R-1 Zoning, retain the current requirement that at least one landowner will occupy the principle dwelling or DADU and developing provisions for verification and penalties.
4. Implement strategies identified in the Action Plan (Section 3 of the 2040 LUP, 2017) to facilitate ADU construction. This should include developing a permit review assistance program, applicant guidance materials, improved tracking of ADU development trends, and public information” and seek remedies to overcome obstacles to financing the design and construction of ADUs which has been identified as one of the most significant barriers to ADU construction.<sup>2</sup>

Mover: Mark Foster

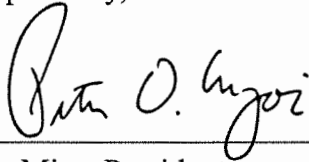
Secunder: Linda Chase

Yeas: 17

Nays: 0

Abstentions: 1

Respectfully,



---

Pete Mjos, President

Rogers Park Community Council

Resolution 2022-3

---

<sup>1</sup> 82.5% of Anchorage households are composed of 1 or 2 people and the average number of people in Anchorage households (2.51 in 2021) has been steadily declining since 1960 (source: U.S. Census Bureau, Current Population Survey, March and Annual Social and Economic Supplements, 1960 to 2021).

<sup>2</sup> Chapple, K. 2017. Jumpstarting the market for accessory dwelling units. UC Berkeley. <https://blogs.berkeley.edu/2017/05/23/jumpstarting-the-market-for-accessory-dwelling-units/>

# Planning and Zoning Commission

September 19, 2022

Case #: **2022-0090**

Title: **Title 21 Text Amendment to Sections 21.05.070 and 21.10,050 regarding Accessory Dwelling Units (ADUs)**

Agenda Item #: **G.1.** Supplementary Packet #: **2**

Comments submitted after the packet was finalized.

Additional information

Other:

- Cook Inlet Housing Comments

Sent by email:   **X**   yes            no



Sept. 19, 2022

Re: PZC Case 2022-0090, Ordinance Regarding Proposed Text Amendments to Accessory Dwelling Unit Regulations

To the members of the Anchorage Planning and Zoning Commission,

Please accept this letter of support for the Municipality of Anchorage's proposed text amendments to Accessory Dwelling Unit regulations. Cook Inlet Housing Authority (CIHA) is an Alaska Regional Housing Authority and Tribally Designated Housing Entity in the CIRI region. CIHA owns and manages more than 1,700 housing units in Anchorage and the Mat-Su Valley, as well a number of commercial properties. We support policies and regulations that encourage increased housing affordability and accessibility, balanced with responsible development practices that enhance neighborhoods and community wellbeing.

To be clear, ADUs are not necessarily affordable housing and will not alone address Anchorage's long-term housing supply challenges. But the proposed changes make it far more likely that this existing development tool will serve its intended purpose — to add units and choice to the city's housing stock. These proposals align with national best practices as well as local comprehensive planning goals. We particularly support the updates to owner occupancy and ADU size, which appear to be practical and fair.

Accessory units have long been woven into the fabric and culture of Anchorage's built environment because of the distances many of us live from our families. It's well past time to remove the restrictions that make it unduly difficult to develop these units legally.

We appreciate the opportunity to provide feedback. Thank you for your time,

Sincerely,

A handwritten signature in blue ink, appearing to read "Tyler Robinson".

Tyler Robinson  
V.P., Community Development and Real Estate  
Cook Inlet Housing Authority

A handwritten signature in blue ink, appearing to read "Devin Kelly".

Devin Kelly  
Community Development Planner  
Cook Inlet Housing Authority





**PLANNING AND ZONING COMMISSION  
Assembly Chambers  
Z.J. Loussac Library  
3600 Denali Street  
Anchorage, Alaska**

**MINUTES OF  
September 19, 2022  
6:30 PM**

*A work session on an ordinance regarding proposed text amendments to Accessory Dwelling Unit (ADU) regulations (Case 2022-0090) was held prior to the meeting and conducted by Daniel Mckenna-Foster with the MOA Long-Range Planning Division.*

*Due to the expected absence of Chair Gardner, Vice Chair Krishna acted as Chair.*

**A. ROLL CALL**

Present André Spinelli, Greg Strike, Jim Winchester, Radhika Krishna (Vice Chair),  
Jeff Raun, Scott Pulice  
Excused Jared Gardner (Chair), Brandy Eber  
Staff Daniel Mckenna-Foster

**B. MINUTES - None**

**C. SPECIAL ORDER OF BUSINESS / EXECUTIVE SESSIONS**

**1. Disclosures**

COMMISSIONER SPINELLI disclosed in Case 2022-0090 that he had participated in meetings with the Accessory Dwelling Unit (ADU) working group and he is also a residential homebuilder. He has built ADUs in the past and will again in the future.

COMMISSIONER STRIKE moved to direct Commissioner Spinelli to participate in Case 2022-0090. COMMISSIONER PULICE seconded.

AYE: Strike, Winchester, Krishna, Raun, Pulice  
NAY: None  
ABSTAINED: Spinelli

**PASSED**

COMMISSIONER RAUN disclosed in Case 2022-0090 that, as previously disclosed, he is a resident of the Rogers Park Community Council area and his spouse is the secretary of that community council. The Commission has before them Supplementary Packet #1, which is a resolution from the Rogers Park Community Council. He was not engaged in the meeting and/or involved with the development of that resolution. This is the first time he is seeing it and did not believe his disclosure rose to the level of a conflict of interest.

COMMISSIONER STRIKE moved to direct Commissioner Raun to participate in Case 2022-0090. COMMISSIONER WINCHESTER seconded.

AYE: Spinelli, Strike, Winchester, Krishna, Pulice

NAY: None

ABSTAINED: Raun

**PASSED**

**D. CONSENT AGENDA - None**

- 1. Resolutions for Approval**
- 2. Introduction for Public Hearings**
- 3. Site / Landscape Plan Approval**
- 4. Time Extensions; Expedited Hearing Requests; Minor Conditional Use Amendments**
- 5. Other**

**E. UNFINISHED BUSINESS AND ACTIONS OF PUBLIC HEARINGS - None**

**F. REGULAR AGENDA - None**

- 1. Resolutions for Approval**
- 2. Introduction for Public Hearings**
- 3. Site / Landscape Plan Approval**
- 4. Time Extensions; Expedited Hearing Requests; Minor Conditional Use Amendments**
- 5. Other**

**G. PUBLIC HEARINGS**

- 1. CASE: 2022-0090 (DM)  
PETITIONER: Municipality of Anchorage – Long-Range Planning  
REQUEST: Recommendation by the Planning and Zoning  
Commission of an ordinance amending Anchorage Municipal Code  
Title 21 regarding proposed text amendments to Accessory Dwelling  
Units.**

DANIEL MCKENNA-FOSTER presented the staff report and recommendations on behalf of the Municipality's Long-Range Planning Division.

The Commission discussed unattended consequences; higher concentrations of ADUs in certain areas; smaller communities possibly experiencing greater impacts than larger communities; and a quantified analysis.

VICE CHAIR KRISHNA opened the hearing to public testimony. The following individuals testified:

BOB BUTERA  
PETER TAYLOR, Habitat for Humanity - Anchorage  
CLAY PORTER  
DIANNE HOLMES  
TERESA HOLT, AARP Alaska  
JEANETTE LEE, Sightline Institute  
LINDSEY HAJDUK  
MARCELA PENA

*Telephonically:*

NANCY PEASE, Rabbit Creek Community Council

MR. MCKENNA-FOSTER provided rebuttal testimony.

VICE CHAIR KRISHNA closed the public hearing.

The Commission discussed building height regulations; adequate septic systems for the number of proposed bedrooms; and additional parking space requirements for an internal ADU conversion.

COMMISSIONER RAUN moved in Case 2022-0090 to recommend to the Anchorage Assembly approval of an ordinance amending Title 21 Accessory Dwelling Unit regulations. COMMISSIONER WINCHESTER seconded.

COMMISSIONER RAUN intends to support the motion and noted the following findings:

1. As heard during public testimony, a great deal of work has been done since the 1970s, if not earlier, on this issue.

2. The reason why it is still being worked on is because, as also heard from a member of the public, there is no silver bullet.
3. He did see this as a step in a better direction that advances a path the community has been on.
4. Not saying that it is the perfect fix, but it does speak to the root of what the word “accessory” means - increased access to dwelling units.
5. The Department has made some great attempts at simplifying some of the issues that existed in prior wording of the Code.
6. We heard from members of the public on both sides of the issue with 2 to 1 in support versus against. That is not to say that those against did not bring arguments that weigh on his mind – they do.
7. He liked enough of what he saw presented to put it in play and see where it goes.

COMMISSIONER WINCHESTER intends to support the motion noting that Commissioner Raun was very succinct and spoke to a lot of his same feelings. He stated the following findings:

1. There was a significant amount of well-reasoned, thought-out testimony this evening. More so than we have had in quite a while.
2. Whether this degrades the neighborhood feel of owners or whether it allows an elderly person to stay in their house and pay their property taxes through the income generated from a unit remains to be seen.
3. He agreed with Commissioner Raun’s definition of the word “accessory” to make dwelling units more available, so this is a modest step in the direction on the continuum of our housing needs.
4. It is important and a move in the right direction.

COMMISSIONER PULICE supports 99 percent of everything in this proposal noting the following:

1. His one major concern is negating the required parking space for an ADU. Both Right-of-Way Enforcement and the Traffic Department requested that it not be changed and he felt he should support those departments.
2. He originally was in opposition, but there is a lot of positive support from the community.
3. He also understood the height and setback questions, but a lot of that will work itself out through the permitting process.
4. Adding units to Anchorage is a little more important right now than the enforcement of 300 units that might park one car in the street over the next five years.
5. He intends to support the motion and let the traffic problem work itself out.

*Due to technical difficulties, the Commission recessed at 8:05 p.m. and reconvened shortly thereafter.*

COMMISSIONER STRIKE commented that he supports 88 percent of the proposal adding that if it is not broken, what are we trying to fix? He noted the following:

1. The changes that are being promoted here are not going to lower the cost of building these ADUs.
2. It is going to create a widespread change across the whole municipality of basically codifying what is allowed and not allowed. Certain items he had no capitulation. Height is no problem. If you build it higher, it is going to cost more, not less.
3. With regard to homeownership, the annual reviews brought up by Ms. Pease with Rabbit Creek Community Council and promoting the hospitality units and not long-term dwelling units are unintended consequences, and some of these particular changes have an impact.
4. The current code, as written, still works. It was brought forth in 2018. All of us know what happened at the end of 2019 with COVID-19. We have not had a chance to have this run through the process and let the ADUs that were pending, come forth.
5. A lot of things were not built for many reasons, such as cost. Today it is interest rates. This is not going to lower the interest rate and is not going to lower the cost.
6. With regard to parking with an in-house ADU versus an external ADU being built. They each have different parking requirements. One, you did not increase the square footage of that 2,000 square foot home, as Commissioner Spinelli indicated. All you did was convert an existing housing to that level. The other one you increased the footprint. Yes, there is an increase for that parking depending on what part of the city you are in.
7. Again, unintended consequences. As a whole, these changes are not addressing the fundamental needs of the ADU to create long-term housing solutions for the city. It was either the statement from Rabbit Creek or Rogers Park Community Council that resonated that these current changes are promoting hospitality units, not long-term dwelling units.
8. The reason he is not supporting this motion is that the current regulations actually create more strength within the community and neighborhoods than these changes will make.

COMMISSIONER SPINELLI intends to support the motion and noted the following findings:

1. A lot of work and thought has gone into this and he participated in some of these conversations.
2. He did not see the parking changes becoming a huge problem because the amount of investment to build a new standalone ADU is a major investment. To add the needed parking, if you anticipate you will have a need for parking, he did not see as a cost you would forego. In the grand scheme of things, it is a small percentage compared to the overall budget required to build one of these ADUs.
3. There have been examples given of people who knew, for a fact, they were not going to need parking for an ADU, but wanted to build the most affordable ADU possible. That was a financial burden in that instance.
4. Some of these rule changes allow for the creation of ADUs out of existing buildings. What we currently have is a special set of rules, different heights, and different setbacks for ADUs.
5. He had heard stories the past couple of years about people trying to create, for example, a detached garage with room above it that is in the front yard of a house. An ADU, currently, if it is not attached to the principal structure, then it needs to be

40 feet back. Someone was trying to turn what was already there into an ADU and they could not do it.

6. Bringing ADU codes in line with standard zoning codes is a good idea.

AYE: Spinelli, Winchester, Krishna, Raun, Pulice

NAY: Strike

**PASSED**

**H. APPEARANCE REQUEST - None**

**I. REPORTS - None**

1. Chair

2. Secretary

3. Committee

**J. TITLE 21 DISCUSSION - None**

**K. COMMISSIONERS' COMMENTS - None**

**L. ADJOURNMENT**

COMMISSIONER PULICE moved to adjourn. COMMISSIONER WINCHESTER seconded.

AYE: Spinelli, Strike, Winchester, Krishna, Raun, Pulice

NAY: None

**PASSED**

The meeting adjourned at 8:13 p.m.



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY INFORMATION MEMORANDUM

No. AIM 245-2022

Meeting Date: December 20, 2022

1 **FROM: MAYOR**

2  
3 **SUBJECT: SUPPLEMENTAL INFORMATION ON ACCESSORY DWELLING**  
4 **UNITS, AO NO. 2022-107.**  
5  
6

7 This AIM transmits supplementary information on the accessory dwelling unit code  
8 update project. Staff has received an influx of comments after the item was  
9 approved by the Planning and Zoning Commission (PZC) and sought to provide  
10 additional background for these questions.  
11

12 The Planning Department has been working on code amendments related to  
13 Accessory Dwelling Units since the fall of 2021. Public outreach has included:  
14

- 15 • A survey to all community councils, with over 330 respondents.
- 16
- 17 • Access to a concurrent survey of over 500 residents by NeighborWorks Alaska.
- 18
- 19 • An ADU Working Group to advise on code amendments throughout 2022.
- 20
- 21 • A presentation on March 10, 2022, to the Community and Economic  
22 Development Committee.
- 23
- 24 • A walking tour of known compact housing with South Addition residents on  
25 May 5, 2022.
- 26
- 27 • A PZC work session and public hearing on September 19, 2022, with a  
28 favorable vote to recommend approval to the Assembly.
- 29
- 30 • Presentations to 10 community councils between April and June of 2022, then  
31 7 more following PZC approval.
- 32

### 33 **Overview of ADU Comments Received**

34

35 This project generated substantial interest throughout the community. Planning  
36 received many questions from both people concerned about the changes as well  
37 as people supporting amendments that would allow for more ADUs. The ADU

1 amendment has appeared on several community council agendas after the PZC's  
2 recommendation of approval on September 19, 2022, and planning staff attended  
3 as many of those community council meetings as possible. Below are some of the  
4 issues which came up most frequently.

### 5 6 **Why is this happening now?**

- 7
- 8 • Anchorage has a housing crisis. Refining code to allow for more housing  
9 through ADUs is one more way Anchorage can be proactive in supporting new  
10 housing units.
  - 11
  - 12 • This project helps implement the *Anchorage 2040 Land Use Plan* (2040 Plan)  
13 adopted in 2017.
  - 14
  - 15 • The 2040 Plan set a target of 1,000 new ADUs in the Bowl by 2040 and  
16 included an action item that stated: "Amend Title 21 to ease restrictions that  
17 currently deter construction of accessory dwelling units (ADUs). Determine  
18 appropriate measures through a meaningful, collaborative public process and  
19 include development standards for neighborhood compatibility."
  - 20
  - 21 • A.O. 2018-43 simplified standards for ADUs, but not enough to reach housing  
22 targets from the 2040 Plan.
  - 23
  - 24 • The ADU code update project kicked off in the summer of 2021 for a full year  
25 of collaborative process including a two-month survey of all Muni residents,  
26 presentations of multiple community council meetings, outings, follow up  
27 sessions, and collaboration with Neighborworks Alaska to obtain additional  
28 qualitative research. The project also relied on several meetings of a  
29 multidisciplinary workgroup with Neighborworks Alaska, AARP, CIHA, Andre  
30 Spinelli of Spinell Homes, Clai Porter of NCP Design Build, Visser Construction,  
31 Professor Ian Hartman of UAA, Drew Cason, and Jeannette Lee from the  
32 Sightline Institute.

### 33 34 **Will this solve the "affordable" housing crisis?**

- 35
- 36 • Anchorage's housing issues are multifaceted, and a variety of actions that  
37 result in provision of all housing types are needed to resolve them.
  - 38
  - 39 • The Municipality's 2021 ADU survey revealed property owners interested in  
40 building ADUs face several obstacles, some of which relate to zoning, and  
41 some of which (such as materials costs) are out of municipal control.
  - 42
  - 43 • Simplifying zoning rules to allow people to build more housing on their property  
44 is a proven, cost-effective solution for facilitating more housing where people  
45 desire it.
- 46



- 1 • This code proposal removes purpose statements about affordability because  
2 purpose statement language carries no regulatory weight, and “affordable  
3 housing” has a specific meaning in 21.15.040. Leaving this section in code  
4 would invite confusion during implementation of building requirements.  
5
- 6 • To the extent of staff’s knowledge, none of the ADUs built under existing  
7 purpose statement language have had affordability or income restrictions  
8 attached to them.  
9

### 10 **What about short-term rentals?**

- 11
- 12 • The project team has received consistent feedback about short-term rentals  
13 (STRs).  
14
- 15 • STRs are an important issue that may warrant attention in the future in a  
16 separate code amendment.  
17
- 18 • Regulating ADUs specifically with the intent of regulating short-term rentals is  
19 not the most fair or effective way to resolve the problem.  
20
- 21 • There is no owner-occupancy requirement for other types of housing units  
22 (such as single-family homes, townhomes, or duplexes), which can also be  
23 used as STRs.  
24
- 25 • Short-term rentals are not defined as either a primary or accessory use in Title  
26 21, while similar uses like Bed and Breakfasts are.  
27

### 28 **Will these proposed changes impact neighborhood character?**

- 29
- 30 • Assessor data shows that ADUs already exist in all neighborhoods throughout  
31 the Bowl, indicating this housing has contributed to the community’s character  
32 for many decades.  
33
- 34 • According to affidavit data, the community council areas with the greatest  
35 numbers of existing ADUs are Hillside and Rabbit Creek.  
36
- 37 • Zoning plan review staff reported that they have not seen any complaints or  
38 special issues related to ADUs in Hillside and Rabbit Creek.  
39
- 40 • The code uses design standards in Chapter 7 to define neighborhood  
41 compatibility. The proposed ADU amendments do not exceed existing design  
42 standards such as lot coverage, height, or setbacks.  
43
- 44 • For an example of possible changes under the proposal, if the R-1 zoning  
45 district allows a 10,000 lot to have 30% lot coverage up to 30’ for a principal  
46 structure, the property owner could now have 1) a 2,800 SF house that was 30’

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

tall or 2) a 2,000 SF house that was 30’ tall and an 800 SF ADU that was 30’ tall.

- Some comments mentioned “neighborhood stability.” The 2040 Plan does not define “neighborhood stability” or speak to it directly. The Municipality does not have a way of measuring or tracking stability, or how code amendments encouraging housing types might affect this in a negative or positive way.
- The ADU proposal focuses on facilitating a type of housing, not a type of tenure. There is no meaningful relationship between the intrinsic properties of various physical forms of housing and how often people move in or out of that housing.

**Does this increase density?**

- Several letters or comments received have referenced a “random doubling of density.” The existing code (21.05.070D.1.b.iii.(E).) states: “ADUs are not included in the density calculations for a site” and this proposal does not change that.
- As noted above, ADUs already exist throughout the Municipality, including in some neighborhoods which have on paper one dwelling unit per acre or less.

**Will this override covenants, deed restrictions, or HOA rules in my neighborhood?**

- No. Covenants, deed restrictions, and HOA rules are private contracts which the Muni does not enforce. This code proposal allows more flexibility to build more housing, not less.

**How does this amendment impact solar access?**

- This amendment is not intended to impact solar access between properties.
- The amendment does not allow for greater building heights than what is already allowed for a principal structure in each zoning district.

**Final Points to Consider**

This code amendment is the result of extensive outreach, research into best practices, and regular feedback from a working group of experts in the field. Project partners Neighborworks Alaska and AARP Alaska provided substantial background on how ADUs can play a role in providing more stable housing to vulnerable and especially to older members of our community. Due to their size, ADUs are often an economical way for people to stay in the neighborhoods they love as they age, their needs change, or they seek to accommodate the needs of intergenerational families. Some specific points for older residents and Anchorage specifically:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

- ADUs can generate rental income to help homeowners cover mortgage payments or simply make ends meet. The income provided by an ADU tenant can be especially important for older people on fixed incomes.
- Around 24% of Anchorage residents are 55 or older.
- Over one-third of Anchorage residents between age 55 and 75 are likely to move out of Anchorage in the future.
- Residents 65 and older account for 12% of Anchorage’s population and collectively account for about \$1.2 billion in household income.
- Residents likely to move within Anchorage were most interested in single-family, stand-alone homes with a yard and indoor parking. Desired home sizes are modest (three-quarters want a home under 2,000 square feet). New housing developments meeting these criteria would most attract residents aged 55 to 75.
- ADUs can help provide housing flexibility to people of all ages at the scale that meets their needs.

Prepared by: Daniel Mckenna-Foster, Senior Planner  
Planning Department  
Approved by: Craig H. Lyon, Planning Director  
Concur: Lance Wilber, Acting Community Development Director  
Concur Amy Demboski, Municipal Manager  
Respectfully submitted: Dave Bronson, Mayor



**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY INFORMATION MEMORANDUM**

No. AIM 252-2022

Meeting Date: December 20, 2022

1 **From: Chair LaFrance**

2  
3 **Subject: RABBIT CREEK COMMUNITY COUNCIL COMMENTS**  
4 **REGARDING AO 2022-107.**

5  
6 Please see the attached comments from the Rabbit Creek Community Council for  
7 your review and information.

8  
9 Prepared by: Jenna Brister, Executive Administrative Assistant

10 Approved by: Barbara A. Jones, Municipal Clerk

11 Respectfully submitted: Suzanne LaFrance, Chair



**RABBIT CREEK COMMUNITY COUNCIL (RCCC)**  
A Forum for Respectful Communication & Community Relations



**1057 West Fireweed Lane, Suite 100 / Anchorage, AK 99503**

December 1, 2022

MOA Assembly  
PO Box 196650  
Anchorage, AK 99519

RE: 2022-170: S-version for Title 21.05.070.D.1 Amendment to ADU Regulations

Thank you for accepting our comprehensive comments and our redline edits to AO 2022-170 (S) version.

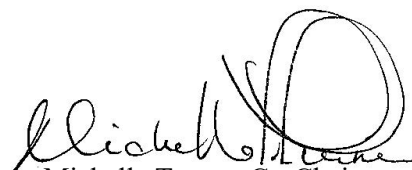
Please note a main concern--regulating Short Term Rentals (STRs)--is supported at the end of our August letter to PZC, with documentation from Title-21 and other land use plans.

We believe the need to regulate STRs is critical to implementing the *Intent and Purpose* statement of the current ADU ordinance, which is to expand resident and affordable housing. If the Assembly decides to regulate STRs in another Title or another section of Title 21, we ask that STR codes and AO 2022-170 be passed concurrently.

In summarizing some of our comprehensive comments, components of the current ADU ordinance that we have explained in detail in the August letter to PZC, and which we believe should not be deleted, changed or which should be added to fulfill land use policies are:

- Retain all *Intent and Purpose* Statements
- Retain home ownership for one of the structures for at least six months per year
- Regulate STRs as a commercial business, as have Sitka, Oregon, Hawaii and Washington D.C.
- Encourage or regulate Long Term Rentals (LTR) to fulfill intent for resident housing
- Do not increase square footage or height of ADUs.
- Follow 21.03.070.C, Procedure for Substantive Amendments. The proposed ADU revisions will likely not pass the test of 21.03.070.C.2.b through e.
- ADUs double the density. Develop a process for calculating ADUs so they will be included in future land use reviews.

Copies of the Rabbit Creek Community Council comment letter dated August 31, 2022 and our redline edits to AO 2022-170 (S) are attached. Thank you for considering these comments.

  
Michelle Turner, Co-Chair



**RABBIT CREEK COMMUNITY COUNCIL (RCCC)**  
A Forum for Respectful Communication & Community Relations



**1057 West Fireweed Lane, Suite 100 / Anchorage, AK 99503**

August 31, 2022

Planning and Zoning Commission  
Daniel Mckenna-Foster  
[daniel.mckenna-foster@anchorageak.gov](mailto:daniel.mckenna-foster@anchorageak.gov)  
Long Range Planning, MOA  
4700 Elmore Rd  
Anchorage, AK 99507

RE: 2022-0090 Title 21.05.070.D.1 Amendment to ADU Regulations

Thank you for accepting our comprehensive comments. Please note our main concerns that we have supported at the end with documentation from T-21 and other land use plans, including how the MOA can regulate STRs.

At our May 2022 meeting, Rabbit Creek Community Council reviewed potential changes to Title 21's Accessory Dwelling Unit (ADU) regulations during Mr. Mckenna-Foster's presentation. RCCC also reviewed the ADU changes during Land Use and Transportation Committee meetings.

Rabbit Creek Community Council acknowledges the benefits to individuals and to the city of a well-drafted policy for Accessory Dwelling Units. However, RCCC finds the following shortcomings in the proposed amendments to 21.05.070.D:

1. Home ownership and neighborhood stability. 21.05.070.D says that the purpose of ADUs is to support continued homeownership and protect neighborhood stability and character. The provisions to remove the requirement for owner-occupancy, and to increase the bulk and prominence of the ADU, work against continued homeownership and residential stability.
2. Targeted infill. The proposed amendments also appear to contradict the intent of the 2040 Land Use Plan to promote targeted infill and redevelopment, supported by public investment in infrastructure and services. Instead, the ADU regulation change allows a random doubling of housing density, creating pockets of density without additional services or infrastructure.
3. Substantive amendment. In addition, the proposed ADU amendments are substantive enough to require one or more comprehensive plan amendments. The ADU amendments pose a potentially large shift in residential neighborhood character and use patterns: the amendments will allow a doubling in density, and will accelerate short-term visitor rentals by absentee owners as a commercial use in residential neighborhoods. The Municipality should follow the process of 21.03.070.C, Procedure for Substantive Amendments. If the Municipality follows this due process, the proposed ADU revisions will likely not pass the test of 21.03.070.C.2.b through e.
4. Lack of need. Staff Analysis does not offer evidence or data that there is any need for the proposed amendments, particularly the dimensional amendments. The general impediment to any residential is cost and financing. The staff analysis provides no evidence that increases in height and setbacks and size of ADU are necessary to reduce costs or improve financing.

5. Potential backfire: decrease in resident housing capacity. In many cities that are tourist destinations (like Anchorage), conversion of homes to short-term rentals has reduced the resident housing capacity and driven up rents and housing prices. Short-term rentals are already aggravating the Girdwood housing shortage. There is high potential for this in the core areas of Anchorage. The removal of the owner-occupancy requirement for ADUS would pour fuel on this trend.

For reasons further stated below, RCCC requests the following action from P&Z on the proposed amendments to Title 21.05.070.D:

- A. Retain the current requirement that at least one landowner will occupy the principal dwelling or the accessory unit.
- B. Adopt into 21.05.070.D a process for annual verification that properties with ADU have owner-occupancy; and prescribe sufficient penalties to achieve compliance.
- C. Retain the current proportionality in size of the ADU in the Class B district: maintain a maximum of 35 rather than 40 percent of the square footage of the primary dwelling
- D. Retain the 2-bedroom limit in the Class B District, and add a reference to site-specific capacity limits from onsite septic and well systems, and to site development envelopes that may exist on steep-slope lots.
- E. Adopt into 21.05.070 a requirement, or at least offer a strong incentive, for owners of a new ADU to sign a covenant, enforceable by penalties, not to engage in short-term rentals of less than 30 days for a period of 10 years (as Portland Oregon has started to do). Include a process for verification and penalties. The covenant should run with the property, if the owner sells within 10 years.
- F. Recalculate the neighborhood densities to determine current and projected ADU housing stocks for Municipal planning purposes. . Land use plans include periodic reviews of neighborhood density as part of zoning and Title 21 changes. The MOA needs a process for calculating ADUs so they will be included in future land use reviews.

### **Supporting Reasons**

Retain owner-occupancy requirement to ensure continuity of ownership, neighborhood stability, and human capital

- 21.05.070.D1.b.i.B notes that the purpose and intent of ADU is to “provide a means for homeowners a, particularly the elderly, single parents, and families with grown children *to remain in their homes and neighborhood* and obtain extra income, security, companionship and services.
- 21.05.070.D1.b.i.E notes that the purpose and intent of ADU is to “*improve the affordability of homeownership* and enhance property values through rental income opportunity”
- Owner occupancy correlates to lower crime and nuisance calls. Neighborhoods where residents stay put for a long time tend to be associated with lower crime rates, according to the U.S Department of Housing and Urban Development. (from habitat.org)
- There is no evidence that owner-occupancy has limited the construction of new ADUs *by homeowners*, and that is one of the purposes of the ordinance.
- Renters are much more transient than homeowners. The median homeowner occupancy duration nationwide is 13.3 years (National Association of Realtors.) Median tenure has increased by 3 years since 2008. (nar.realtor). Only 6% of owners move within a year. Compare that to 26% of renters moving in less

than one year. A single-family rental tenancy on average lasts 3 years and a multi-family tenant roughly 2.5 years in the US (tenantplanet.com)

- The 2040 Land Use Plan Action 4-10 calls to “reduce restrictions that currently deter construction of compact housing types...[while] including development standards for neighborhood compatibility.” *The proposed amendments strip away the development standards that would ensure neighborhood compatibility: lower height, setback from the principal dwelling, continued requirement for owner occupancy of either the principal dwelling or ADU.*

#### The ADU changes would promote random infill versus targeted infill that can be supported by services

- The 2040 Land Use Plan calls for compact infill and redevelopment in targeted locations where services can be intensified: transit, active transportation, etc. The effect of the ADU is to increase density randomly, at the whim of unpredictable individual investment decisions.
- *Random* infill does not support the efficient provision of municipal services that are integral to higher-density living: transit, active transportation, public open spaces, emergency services, etc. The need for these services is clearly stated in Policy 12 of the 2020 Anchorage Bowl Land Use Plan: “

New higher density residential development...shall be accompanied by access to...transit and safe pedestrian facilities; and...adequate public or private open space, parks or other public recreation facilities on site or in close proximity... Instead of zones of opportunity and coordinated public/private investment envisioned in the Land Use Plan, the random implementation of this ADU ordinance will create pockets of conflict.

- Higher density requires higher investment in public spaces and public services. “Research has found that increasing the number of spaces for informal contact between neighborhoods is linked to a greater sense of safety for people in urban areas. This speaks to the purpose of investing in “third places”—such as parks, cafes, community centers—within areas that lack them as a means to further the social cohesion that helps prevent crime. (Brookings.edu, citing Sullivan, W.D. “the Fruit of Urban Nature: vital neighborhood spaces).

#### Re-zoning without due process

- The approval of second housing unit is a de facto doubling of future housing density. This density increase may occur in patches or over a period of years: but the intent and the outcome are to double the housing density of residential areas
- The Hillside District Plan (Map 2.1) clearly states that the intent is for limited intensity of residential use, with 0 to 1 dwelling units per acre (DUA). Doubling the housing density in the rural and peripheral parts of the Anchorage Bowl has potential negative impacts to the entire community, and therefore a density change of this magnitude requires a re-zoning consideration.

#### Potential Negative Impacts from ADU in the Class B District

- Septic system capacity: Much of the Hillside relies on individual wells and septic systems. Septic systems are rated for a certain number of bedrooms. For this reason, the number of bedrooms in any ADU must be within the septic system capacity; and a maximum of two bedrooms helps to ensure that ADU occupancy will not overstress the septic capacity of rural lots.



- Water capacity: The Municipality currently has no groundwater capacity data, and no regulations to protect and ensure groundwater recharge. The Municipality is blind with regard to the sustainability of the well water resources on the Hillside; but groundwater recharge and quality is negatively impacted by increased lot coverage and increased well usage.
- The Anchorage Hillside has are slopes, natural hazard areas, and access constraints on the Hillside which make some areas unsuited for higher density.
- Wildfire at the urban-rural interface is a concern in all communities. A higher density of homes at the rural edge creates a higher risk of to life and property.
- New residences on the Hillside are almost certainly auto-dependent. They perpetuate a “sprawl” pattern of development, with a very high per capita rate of vehicle miles traveled. This is contrary to the goals of Anchorage 2020, the Anchorage Climate Action Plan, and the 2040 Metropolitan Transportation Plan. This draws away infrastructure resources that are needed for infill and redevelopment of the core areas of Anchorage.
- Neighborhoods where residents stay put for a long time tend to be associated with lower crime rates, according to the U.S Department of Housing and Urban Development. (from habitat.org)

#### ADU square footage

Keeping an ADU to a certain maximum square footage (with conditions that include consideration for soils and steep slopes) is more reasonable than stating they can be 40% of the main structure. There are large homes in the MOA that are on comparatively small lots with steep slopes, such as one house in Prominence Pointe where a 5,274 sq. foot house is situated on a 4,000 sq. foot sloped lot (PARID: 02010132000). Using the 40% formula, means an ADU could be 2,100 square feet. That would not constitute good land use planning to allow an ADU of that size on a compromised lot with such a large residence.

#### Affordability of ADU

- 21.05.070.D1.b.i.D notes that the purpose and intent of ADU is to: “provide a broader range of accessible and more affordable housing within the municipality”.
- The Staff Analysis offers no evidence that de-regulating ADU in the Municipality will result in lower rental prices. Housing supply is largely a matter of *affordable housing*. The City of Portland, an innovator in ADU policies, found that 80 percent of ADU charged market rates.
- Short-term rentals of less than 30 days can generate much higher revenues than long-term rentals (monthly or longer). Short term rentals thus can displace resident housing with visitor housing.
- Portland is trying to ensure more ADUS are available for resident housing by offering development fee waivers in return for a 10-year covenant not to offer short-term rentals (less than 30 days) (portland.gov)
- Size of units correlates closely with rental rates. Allowing larger ADU in all areas reduces the likelihood of small, and thus cheaper, units..
- Availability of rental units is not the most critical housing pressure: it’s the *affordability* of rental units. Nationwide, 54% of renters spend over 30% of their household income on rent. By comparison, only 28% of homeowners who spend more than 30% of their household income on mortgage payments. (ipropertymanagement.com, “Housing affordability among homeowners vs. renters). Meanwhile, rental

vacancy nationwide is 5.8% as of 2022 First Quarter, which is 86.2% higher than homeowner vacancy of 0.8%.

### Short-term rentals and possible drop in resident housing capacity and affordability

- Staff Analysis does not explain how the proposed amendments would achieve an increase in affordable housing capacity in Anchorage; and what would prevent a widespread conversion of properties to absentee-landowner short-term rentals in core areas of Anchorage.
- Short-term rentals disrupt the social cohesion of a residential neighborhood.
- A robust body of evidence demonstrates the relationship between social cohesion and violent crime, with neighborhood attachment (residents' feeling of belonging to a neighborhood) and social cohesion associated with lower violent crime rates (Brookings.edu, US HUD (2016) Neighborhoods and Violent Crime).
- Short-term rentals drain a neighborhood of its human capital. They drive up rental costs and property taxes; and thus they drive out locally-employed residents as well as old-timers who invest their money, energy, and ideas in the community.
- Conversion to short-term rentals is most likely in core areas of Anchorage: areas where Municipal land use policy calls for increased resident housing that is proximate to job locations.
- It is spurious to claim that the Municipality can't regulate short-term rentals (STR). Short-term rentals are a hospitality enterprise, yet they fall through a loophole in the hospitality business regulation. Short-term rentals avoid the neighborhood protections placed on Bed and Breakfast operations. Regulations for Bed and Breakfast operations are a time-proven framework for ensuring compatibility with surrounding residential use. *Owner occupancy is a key component. With Bed and Breakfast establishments, number of occupants (number of beds or "pillows" is regulated.*
- Certain small-scale home-based businesses are allowed in residential areas, and they are strictly regulated to avoid impacts to neighbors.

In summary, the Rabbit Creek Community Council wants to emphasize the importance of urging retaining the owner-occupancy requirement as a key purpose of the ADU program: to promote continued home ownership and neighborhood stability. This will safeguard neighborhood safety and deter a total conversion of ADU properties to short-term rentals and displacement of residents.

Dianne Holmes, Board Member  
Submitted on behalf of co-chairs:  
Ann Rappoport & Michelle Turner

cc: C. Lyons,  
D. Whitfield  
Long Range Planning Dir

#2022-107 S version by RCCC for ADU (Accessory Dwelling Unit) Regulations:  
Title 21.05.070.D.

See red-lined S version of AO below.

The proposed changes would erase the intent that ADU should support neighborhood stability, neighborhood character, and homeownership.

The RCCC is concerned that the regulations will:

- decrease neighborhood stability. The regulations would abandon the requirement for homeowner occupancy.
- decrease resident housing capacity. The regulations would allow conversion of both principal and accessory dwellings to short-term rentals, which is the highest return on investment in central neighborhoods such as Downtown and Midtown.
- fail to supply smaller and more affordable resident housing, because of the larger size allowances
- detract from solar access and privacy in existing neighborhoods, by expanding the square footage and height and reducing setbacks
- create random pockets of high density, rather than following the 2040 Land Use Plan of targeted infill where there is public investment in infrastructure and services.

These concerns are further explained in RCCC's comments and resolution by Rogers Park Community Council submitted to the Planning and Zoning Commission. The PZC chose not to revise the proposed amendments.

**ANCHORAGE, ALASKA**  
**AO NO. 2022-107**

**AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE, TITLE 21 SECTION 21.05.070, ACCESSORY USES, AND 21.10.050, USE REGULATIONS.**

(Planning and Zoning Commission Case No. 2022-0090)

---

**WHEREAS**, Goal 4 of the 2040 Land Use Plan (LUP) calls for neighborhoods to provide a range of places to live and meet the housing needs of residents at all income levels, household sizes, interests, ages, abilities, and races and ethnicities; and

**WHEREAS**, the 2040 LUP encourages 1,000 new Accessory Dwelling Units (ADUs) in the Bowl by 2040; and

**WHEREAS**, 2040 LUP policy 4.2 allows for and encourages innovative compact housing types and a variety of housing options that respond to changing preferences; and

**WHEREAS**, 2040 LUP Action 4-7 states an amendment to Title 21 is needed to ease restrictions that deter the construction of ADUs; and

~~**WHEREAS**, building permits since the most recent changes to Accessory Dwelling Unit zoning regulations in 2018 do not indicate substantial increases in the number of ADUs produced; and~~

~~WHEREAS the intent of ADUs is to increase resident housing; and not to contribute to the supply of Short Term Rentals, which have increased from 5,000 to 7,000 units in the past two-and-a-half years;~~

~~WHEREAS the city benefits from supporting homeownership and homeowner investment, which reduces the transience in neighborhoods and builds social capital as well as personal capital,~~

~~WHEREAS increasing density of housing adds value if done incrementally, with attention to building scale, and apace with increased infrastructure and public services; and~~

~~WHEREAS there is a continued need for affordable resident housing and for small housing units for small households;~~

**WHEREAS**, between 2021 and 2022, the Planning Department has conducted outreach, hosted a work group, and conducted a survey of community councils on perceived obstacles within the zoning code and developed a proposal ~~to address needed changes to improve ADU production~~ **availability for resident housing while also supporting homeownership and the stability and character of neighborhoods** ; now, therefore,

**THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** Anchorage Municipal Code 21.05.070 is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

**21.05.070 Accessory Uses and Structures**

\*\*\*      \*\*\*      \*\*\*

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. Accessory uses shall comply with the applicable use-specific standards in this subsection, in addition to complying with the general standards in subsection B.

1. *Accessory Dwelling Unit (ADU).*

a. *Definition.* A subordinate dwelling unit added to, created within, or detached from a detached single-family or two-family dwelling 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.

b. *Use-specific Standards.*

i. *Purpose and Intent.* The purpose and intent of this section is to:

(A) Fulfill housing policy #15 of Anchorage 2020: Anchorage Bowl Comprehensive Plan, which provides that accessory housing units shall be allowed in certain residential zones;

[(B) *(RETAIN THIS PURPOSE)* provide a means for homeowners, particularly the elderly, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services;

[B[C)] Allow more efficient and flexible use of existing housing stock, land supply, and infrastructure;

[(D) *(RETAIN THIS PURPOSE)* respond to changing family needs and smaller households by providing a mix of housing;

(E) *(RETAIN THIS PURPOSE)* improve the affordability of homeownership and enhance property values through rental income opportunity;

(F) *(RETAIN THIS PURPOSE)* provide a broader range of accessible and more affordable housing within the municipality; and

(G) *(RETAIN THIS PURPOSE)* 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*

(A) Any landowner operating or seeking to establish an ADU shall obtain a building or land use permit from the Development Services Department. The permit shall constitute an ADU permit.

[(B) 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, AND THAT THE ADU WILL CONFORM TO THE REQUIREMENTS OF THE PERMIT AND THE REQUIREMENTS OF THIS SECTION. ANY OTHER RESTRICTIONS OR OBLIGATIONS RELATED TO THE ADU USE AND REQUIRED TO BE RECORDED SHALL BE INCLUDED IN THE AFFIDAVIT.]

(C) THE PERMIT AND THE AFFIDAVIT SHALL BE FILED AS A DEED RESTRICTION WITH THE ANCHORAGE RECORDING DISTRICT TO INDICATE THE PRESENCE OF THE ADU, THE REQUIREMENT OF OWNER-OCCUPANCY, AND CONFORMITY WITH THE REQUIREMENTS OF THE PERMIT AND THE REQUIREMENTS OF THIS CHAPTER.]

[B[D)] For purposes of securing financing, potential landowners may request and receive a letter of pre-approval from the municipality indicating the property is eligible for an ADU permit if the potential landowner completes the application process and construction in accordance with this section.

iii. *Requirements.* All ADUs shall meet the following requirements:

[(A) *RETAIN THIS PURPOSE: purpose. requirements for accessory dwelling units address the following purposes:*

(1) *ensure that accessory dwelling units maintain and are compatible with the appearance and character of the principal residence, lot, and neighborhood;*

- (2) ensure that accessory dwelling units are smaller in size than the principal dwelling on the lot, and preserve underlying lot coverage limits;
- (3) MINIMIZE NEGATIVE IMPACTS TO ON-STREET PARKING IF ALLOWED BY THE TRAFFIC ENGINEER, AND MINIMIZE THE AMOUNT OF PAVED SURFACE ON A SITE; AND
- (4) PROVIDE CLEAR AND FLEXIBLE STANDARDS THAT MAKE IT PRACTICAL AND ECONOMICAL TO DEVELOP ACCESSORY DWELLING UNITS THAT ARE IN COMPLIANCE WITH THIS CODE.]

(A[B]) *Allowed Zoning Districts.* ADUs are allowed in all residential zoning districts.

(B[C]) *Requirements for Developing an ADU.*

- (1) *One Principal Structure.* One ADU may be added to or created within a [DETACHED SINGLE FAMILY DWELLING ON A LOT, TRACT, OR PARCEL, BUT ONLY IF THE DETACHED SINGLE-FAMILY DWELLING IS THE SOLE PRINCIPAL STRUCTURE ON THAT LOT, TRACT, OR PARCEL]dwelling or two-family dwelling on a lot, tract, or parcel.
- (2) *Detached ADU.* One ADU detached from a single-family or two-family dwelling is permitted on a lot, tract, or parcel in all residential zoning districts.
- (3) *Lot Coverage.* The lot coverage of the principal dwelling unit and all accessory structures combined, including but not limited to the ADU, shall be less than or equal to the maximum lot coverage allowed by the zoning district.
- (4) RETAIN THIS CONDITIONUSES. 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.]Building Code Requirements. All ADUs shall be built to the adopted municipal building code standards.

- (5) Size. ADUs shall be subordinate in size to the primary structure on the lot. The gross floor area of the ADU, not including any related garage, shall be up to 900 square feet or 40 percent of the total gross floor area of the principal dwelling unit (excluding the ADU and garages), whichever is greater.

[(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.

(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.

(C) THE ADU SHALL HAVE NO MORE THAN TWO BEDROOMS.]

- (6) Setbacks. [AN ADU SHALL NOT ENCROACH INTO ANY REQUIRED SETBACK, EXCEPT THAT ]ADUs are subject to the same setbacks of the underlying zone except that a[A]n 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.]



[(7) PARKING. 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. NOTWITHSTANDING THE PROVISIONS OF CHAPTER 21.13, NONCONFORMITIES, ALL OFF-STREET PARKING DEFICIENCIES SHALL BE CORRECTED. EXCEPTIONS:

(A) NO ADDITIONAL PARKING SHALL BE REQUIRED FOR THE ACCESSORY DWELLING UNIT IF THE LANDOWNER OF THE REAL PROPERTY EXECUTES A COVENANT, INCLUDED AS A PROVISION IN THE AFFIDAVIT REQUIRED FOR THE ADU PERMIT ON A FORM PROVIDED BY THE MUNICIPALITY, THAT PROHIBITS THE PERSON OCCUPYING AND RESIDING IN THE ADU FROM OWNING, LEASING, OR HAVING A RIGHT TO USE A MOTOR VEHICLE; EXCEPT THE PERSON MAY OWN OR LEASE A MOTOR VEHICLE THAT IS NOT INTENDED FOR USE BY THE PERSON OCCUPYING AND RESIDING IN THE ADU AND NOT REGULARLY PARKED AT THE SITE. THE COVENANT SHALL INCLUDE AN AGREEMENT BY THE LANDOWNER TO REQUIRE ANY LEASE, RENTAL AGREEMENT, OR OTHER ARRANGEMENT WITH THE TENANT OF THE ADU TO INCLUDE THE PROHIBITION, WITH THE RIGHT OF EVICTION IF SUCH PERSON ACQUIRES ONE. FOR PURPOSES OF

THIS SECTION, A “MOTOR VEHICLE” IS A SELF-PROPELLED VEHICLE DESIGNED TO TRAVEL ON THREE OR MORE WHEELS IN CONTACT WITH THE GROUND.

(8) DESIGN AND APPEARANCE.

(A) THE CONSTRUCTION OF AN ADDITIONAL ENTRY DOOR ON THE SIDE OF A PRINCIPAL STRUCTURE FACING A STREET FOR ENTRANCE INTO AN ACCESSORY DWELLING UNIT IS PROHIBITED, UNLESS NO OTHER ENTRY DOOR ALREADY EXISTS ON THAT SIDE. ENTRANCES ARE PERMITTED ON NON-STREET-FACING SIDES OF THE PRINCIPAL STRUCTURE. DETACHED ADUS ARE EXEMPT FROM THIS STANDARD.]

~~(Z[9])~~ *Utilities.* To the extent allowed by law and utility tariff, the ADU shall be connected to the water, sewer, gas, 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.

[(D) ADDITIONAL REQUIREMENTS FOR DETACHED ADUS

(1) ~~(retain this condition)~~ 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.

(2) ~~(retain this condition)~~ the maximum height of a detached adu shall be 25 feet.]

~~(C) — Height. ADUs shall be subject to the same height limits as the principal structure on the lot.~~

~~(D[E])~~ *Density.* ADUs are ~~not~~ included in the density calculations for a site. ADUS are also included in the calculations of housing stocks and for determining levels of infrastructure and public services.

(E[F]) *Expiration of Approval of an ADU.* Approval of an ADU expires when:

(1) The ADU is altered and is no longer in conformance with this code;

[(2) THE PROPERTY CEASES TO MAINTAIN ALL REQUIRED PARKING SPACES;

(3) *(RETAIN THIS CONDITION)* a landowner of the property does not reside in either the principal or the accessory dwelling unit; or]

(2[4]) The ADU is abandoned by the landowner through written notification to the municipality on a form provided by the municipality.

[(G) *(RETAIN THIS CONDITION)* [transfer. when a property with an adu is sold or otherwise transferred, the new landowner shall file an affidavit of owner-occupancy with the department within 30 days of the transfer, and pay a processing fee. failure to file an affidavit by the due date constitutes failure to have a permit, in violation of this section. transfers from one landowner to another landowner do not require a new affidavit so long as the recipient landowner signed the original affidavit.]

(G[H]) *Prior Illegal Use.*

(1) All structures which meet the definition of accessory dwelling unit which are not recognized as legal nonconforming structures or uses of structures under chapter 21.13 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 six 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 six months to bring the unit into conformance.
- (3) In addition to any other remedies provided in this code, failure to legalize an existing unit under this subsection shall result in civil penalties as provided at AMC section 14.60.030. *RETAIN THIS CONDITION: [All landowners of illegal units shall also be required to either legalize the unit or remove it.]*
- (4) This subsection does not apply to existing legal nonconforming uses of structures established pursuant to chapter 21.13.

\*\*\*      \*\*\*      \*\*\*

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2015-131, § 4, 1-12-15; AO No. 2015-142(S-1), § 5(Exh. C), 6-21-16; AO No. 2016-3(S), § 10, 2-23-16; AO No. 2016-136, § 3, 11-15-16; AO No. 2017-10, § 1, 1-24-17; AO No. 2017-160, § 2, 12-19-17; AO No. 2017-176, § 5, 1-9-18; AO No. 2018-43(S), §§ 1(Exh. B), 2, 6-12-18; AO No. 2020-38, § 6, 5-28-20; AO No. 2021-26, § 1, 3-9-21; AO No. 2021-89(S), §§ 3—8, 21, 2-15-22)

**Section 2.** Anchorage Municipal Code 21.10.050 is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

## **21.10.050      USE REGULATIONS**

\*\*\*      \*\*\*      \*\*\*

### **H.      *Accessory Uses and Use-Specific Standards.***

Except for those uses listed below, see section 21.05.070. For those uses listed below, the use-specific standards or applicable portions of such standards of this chapter shall apply instead of the use-specific standards of chapter 21.05.

- 1.      *Accessory Dwelling Unit (ADU).*
  - a.      Size. 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.

- [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).)]

\*\*\*      \*\*\*      \*\*\*

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2013-139, § 2, 1-28-14; AO No. 2014-40(S), §§ 2(Att. A), 3, 4, 5-20-14; AO No. 2014-58, § 4(Att. C), 5-20-14; AO No. 2015-133(S), § 5, 2-23-16; AO No. 2015-142(S-1), §§ 8, 9, 6-21-16; AO No. 2016-3(S), §§ 15—17, 2-23-16; AO No. 2016-54, § 1, 6-7-16; AO No. 2016-136, § 4, 11-15-16; AO No. 2017-10, § 2, 1-24-17; AO No. 2017-57, § 2, 4-1-17 AO No. 2017-160, § 6, 12-19-17; AO No. 2019-11, § 5, 2-12-19; AO No. 2021-89(S), § 17, 2-15-22)

**Section 3.** This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Chair of the Assembly

ATTEST:

\_\_\_\_\_  
Municipal Clerk

(Planning and Zoning Commission Case No. 2022-0090)



**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY INFORMATION MEMORANDUM**

No. AIM 2-2023

Meeting Date: January 10, 2023

1 **From:** Chair LaFrance

2  
3 **Subject:** MIDTOWN COMMUNITY COUNCIL RESOLUTION REGARDING  
4 2022-0090 TITLE 21.05.070.D.1 AMENDMENT TO ADU  
5 REGULATIONS.  
6

7 Please see the attached resolution from the Midtown Community Council for your  
8 review and information.  
9

10 Prepared by: Jenna Brister, Executive Administrative Assistant

11 Approved by: Barbara A. Jones, Municipal Clerk

12 Respectfully submitted: Suzanne LaFrance, Chair

**Midtown Community Council**  
1057 West Fireweed Lane, Suite 100 Anchorage, AK 99503  
**Resolution 2022-01**

November 15, 2020

Reason: 2022-0090 Title 21.05.070.D.1 Amendment to ADU Regulations

The Mid-Town Community Council (MTCC) supports the building and benefits of Accessory Dwelling Units (ADU's) to individuals in order to increase low-cost housing, but feel a well-drafted policy is necessary. The MTCC finds the following shortcomings in the Proposed amendments to 21.05.070.D.1:

**Home ownership and neighborhood stability.** Whereas, 21.05.70.D states the purpose of ADU's is to support continued homeownership and protect neighborhood stability and character. The provisions to remove the requirement for owner-occupancy, works against continued homeownership and residential stability; and

**Targeted infill.** Whereas, the proposed amendments appear to contradict the intent of the 2040 Land Use Plan to promote targeted infill and redevelopment, supported by public investment in infrastructure and services. Instead, the ADU regulation changes allow for a random doubling of housing density and will create pockets of density without additional services or infrastructure; and

**Substantive amendment.** Whereas, the proposed ADU amendments are substantive enough to require one or more comprehensive plan amendments. The ADU amendments pose a potentially large change in residential neighborhood character and use patterns: the amendments will allow a doubling in density, and will accelerate short-term visitor rentals by absentee owners as a commercial use in residential neighborhoods; and

**Lack of need.** Whereas, the city has not offered evidence or data that there is any need for the proposed amendments, particularly the dimensional amendments. The general impediment to any residential change is cost and financing. The staff analysis provides no evidence that increases in height, decreasing setbacks, and increasing the size of ADU's are necessary to reduce costs or improve financing and

**Decrease in resident housing capacity.** Whereas, in many cities that are tourist destinations (like Anchorage), conversion of homes to short-term rentals has reduced the resident housing capacity and driven up rents and housing (Girdwood is a perfect example). The removal of the owner-occupancy requirement for ADU's would increase this possibility; and

**Parking.** Whereas, one or more parking spaces should be available for tenants so they are not forced to park in the streets. Parking on the street is a safety hazard because there is no room for the removal and storage of snow, especially with increased population density; and

**Covenants.** Neighborhood covenants should not be overridden with subject ordinance. If a home owner decides they want to participate in building an ADU, they can go through the process of changing an applicable covenant with their HOA and

Whereas, these concerns are further explained in the comments and resolution by the Rabbit Creek and Rogers Park Community Councils submitted to the Planning and Zoning Commission.

Therefore, the Mid-Town Community Council encourages the Municipality to amend the Substitute Amendment to retain the existing intent to support neighborhood stability, support home ownership, and create low-cost resident housing. It should also count the existing ADU's for the purposes of assessing housing density and the need for infrastructure and services.

Therefore, the Administration has proposed radical changes to the regulations for Accessory Dwelling Units. The changes would erase the intent that ADU should support neighborhood stability, neighborhood character, and home ownership.

*Kristine Stoechner*

Kristine Stoechner  
907-240-4324  
President  
Mid-town Community Council

CC: Anchorage Mayor and Assembly  
Rogers Park Community Council  
Rabbit creek Community Council





**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY INFORMATIONAL MEMORANDUM**

No. AIM 11-2023

Meeting Date: January 10, 2023

1 **From: Chair LaFrance**

2  
3 **Subject: UNIVERSITY AREA COMMUNITY COUNCIL MOTION STATING**  
4 **UACC POSITION RELATED TO ACCESSORY DWELLING UNIT**  
5 **(ADU) PROPOSED ZONING CODE AMENDMENTS.**

6  
7 Please see the attached resolution from the University Area Community Council for  
8 your review and information.

9  
10 Prepared by: Jenna Brister, Executive Administrative Assistant

11 Approved by: Barbara A. Jones, Municipal Clerk

12 Respectfully submitted: Suzanne LaFrance, Chair

**UNIVERSITY AREA COMMUNITY COUNCIL (UACC)**  
**FORMAL ACTION: 2022-04**

**MOTION TO STATE UACC POSITION RELATED TO ACCESSORY DWELLING UNIT (ADU) PROPOSED ZONING CODE AMENDMENTS**

The Anchorage Assembly plans to hold a public hearing on December 20, 2022 related to a proposed ordinance making amendments to Accessory Dwelling Unit regulations.

At its December 7 meeting, the following summary of proposed ADU changes were presented to the UACC:

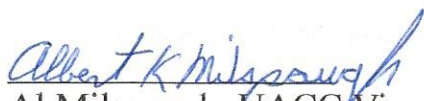
- The ADU can be up to 900 square feet in size, or 40 percent of the gross floor area of the main structure, whichever is larger. In Chugiak-Eagle River, ADUs can be a bit larger, up to 1,000 square feet.
- You can build any number of bedrooms that you can fit into an ADU, though this will be practically limited by size.
- Your ADU can be the same height as your house and have the same setbacks.
- You do not have to provide a separate parking space for the ADU.
- ADUs can be added to any existing use, for example a duplex or fourplex, not just a single family home. Think of it like what is allowed in zoning plus one.

**The following motion was made and seconded:**

The UACC supports the majority of proposed changes to Accessory Dwelling Unit zoning regulations. The exception is that the UACC does not support the removal of the requirement for the landowner to reside in either the principal dwelling unit or the ADU as his or her primary resident.

**Resolution Vote:** For: 8      Against: 0      Abstain: 2

This motion was approved by the University Area Community Council this 7<sup>th</sup> day of December, 2022.

  
Al Milspaugh, UACC Vice President