

March 17, 2023



Dave Windsor's 'Alaska Real Estate'

as published in the Anchorage Daily News

New ADU Rules Provide Opportunity

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When Title 21 was finally nailed down in 2014 to codify the intentions of the 2001 Comprehensive Plan, the Municipality of Anchorage (MOA) developed a goal to create more housing in existing space because of the obvious restrictions on new building space created by the State Park on one side, JBER on another and Ocean water elsewhere, all preventing the city to expand. Vacant land for development was disappearing fast.

The goal was to create 1000 Accessory Dwelling Units (add-ons to existing homes) by the year 2040. By last year, city records revealed 121 ADU's were actually signed up by homeowners in Anchorage over the 8 years since 2014.

The rules for an ADU in 2014 restricted ADU's to certain parameters such as you had to owner/ occupy the house you were extending, parking had to be adequate, and the ADU could not be detached from the main structure.

A couple of years ago it became obvious that the plan had not succeeded, so city planners worked with the Assembly to create the new rules enacted on February 7, 2023. The relaxed regulations provide an

opportunity that many will now seize upon.

The gross floor area can be up to 900 square feet or 40% of the total gross floor area of the existing home (not including the garage). In any event the ADU cannot exceed 1200 square feet and may now be either attached or detached from the main structure.

Provided the ADU construction meets other zoning requirements, such as setbacks and lot coverage limitations, and does not exceed 30 feet height when attached to the primary structure (25 feet if detached) you can obtain your building permit and go for it.

In a nutshell, you can turn your single family home into a virtual duplex and start collecting rent. Another creative idea for seniors who may want to downsize is to move into the ADU and rent out their larger home for even more money to create income for their sunset years.

Since the new regulations also remove the owner/occupancy requirement, investors can do the same. The parking contingency was removed some time ago from the 2014 provisions and the add-on structure is no longer required to be 'compatible' with the original architecture.

Another bonus feature is that an ADU can be created as an attachment to a Duplex, Triplex or Fourplex. Even Commercial Zonings do not preclude owners from creating an ADU if there is an existing home on it. Girdwood provisions are slightly different with variations on size and height, with owner/occupancy still being essential.

The MOA has a helpful link at www.muni.org/Departments/OCPD/Planning/Projects/AnchLandUse/Pages/ADU.aspx, or you may call city planning department -Daniel McKenna-Foster at 907-343-7918 for further clarification.

The relaxed regulations will certainly make the 1000 unit goal by 2040 a lot more probable and put money in savvy peoples' pockets. The addition of an ADU will also substantially enhance the value of your real estate asset.

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