

TABLE OF CONTENTS

1

2

3 **CHAPTER 21.08: SUBDIVISION STANDARDS421**

4 **21.08.010 Purpose..... 421**

5 A. General 421

6 B. Specific 421

7 **21.08.020 Applicability..... 421**

8 A. Generally 421

9 B. Approvals Required 421

10 **21.08.030 Design Standards..... 421**

11 A. Subdivision Layout and Design Generally..... 421

12 B. Phasing Schedule..... 422

13 C. Maintenance of Existing Natural Drainage 422

14 D. Drainage Design 422

15 E. Legal and Physical Access 423

16 F. Streets 423

17 G. Block Arrangement 425

18 H. Subdivisions on Slopes 425

19 I. Lot Dimensions 426

20 J. Lot Frontage and Access..... 427

21 K. Landscaping 427

22 L. Reserve Strips 428

23 M. Electrical and Telecommunication Utilities 428

24 N. General Subdivision Standards Are Minimum Standards 428

25 **21.08.040 Dedication..... 428**

26 A. Streets 428

27 B. Alleys 428

28 C. Walkways..... 429

29 D. Trails 429

30 E. Access to Chugach State Park..... 429

31 F. Riparian Protection and Maintenance Easements 429

32 G. Reserve Tracts 430

33 H. Utility Easements 431

34 **21.08.050 Improvements..... 431**

35 A. General Requirements 431

36 B. Improvement Areas Defined..... 431

37 C. Improvement Requirements by Improvement Area 432

38 D. Interior Streets 433

39 E. Optional Residential Interior Streets..... 435

40 F. Access Streets, Peripheral Streets, and Half Streets..... 435

41 G. Curbs and Gutters 436

42 H. Sidewalks..... 436

43 I. Walkways..... 437

44 J. Street Lighting 437

45 K. Traffic Control Devices 437

46 L. Monuments 437

47 M. Drainage System 437

48 N. Telecommunication and Electric Facilities 438

49 O. Water Supply Facilities 438

50 P. Sanitary Sewer Facilities 439

51 Q. Erosion and Sedimentation Control..... 439

52 R. Landscaping 439

53 S. Natural Gas Facilities 439

54 **21.08.060 Subdivision Agreements..... 440**

55 A. Agreement Required; Application; Contents 440

1	B. Approval by Assembly	441
2	C. Time Limit for Completion of Improvements.....	441
3	D. Payment of Costs of Required Improvements.....	441
4	E. Guarantee of Completion of Improvements Required; Amount; Methods	445
5	F. Release of Guarantee of Improvements	447
6	G. Improvement Warranty	447
7	H. Correction of Deficiencies Under Warranty	448
8	I. Release of Warranty	448
9	J. Default	448
10	K. Standards May Not Be Altered; Enforcement of Chapter	448
11	21.08.070 Conservation Subdivisions.....	449
12	A. Purpose	449
13	B. Applicability.....	449
14	C. Conservation Design Process	449
15	D. Reduction in Minimum Lot Area Allowed.....	449
16	E. Lot Coverage Allowed	450
17	F. Minimum Open Space.....	450
18	G. Dedication and Recording	450
19		

1 **CHAPTER 21.08: SUBDIVISION STANDARDS**

2 **21.08.010 PURPOSE**

3 **A. General**

4 These standards are enacted generally to promote the health, safety, convenience,
5 order, and welfare of the present and future inhabitants of the municipality; to ensure
6 adequate and convenient open spaces, minimized traffic, and adequate utilities and
7 public safety facilities; to provide recreation opportunities, light, and air; and to avoid
8 congestion of the population.

9 **B. Specific**

10 Planning, layout, and design of a subdivision are of the utmost concern. The subdivision
11 must provide safe, efficient, and convenient movement to points of destination or
12 collection. Modes of travel to achieve this objective should not conflict with each other or
13 abutting land uses. Lots and blocks should provide appropriate settings for the buildings
14 that are to be constructed, make use of natural contours and protect the views, afford
15 privacy for the residents, and protect residents from adverse noise and vehicular traffic.
16 Natural features and vegetation of the area should be preserved. Schools, parks,
17 churches, and other community facilities should be planned as an integral part of the
18 area.

19 **21.08.020 APPLICABILITY**

20 **A. Generally**

21 This chapter shall be applicable to all subdivision of land within the municipality that
22 results in the partitioning, dividing, combining, or altering of any lot, parcel, or tract of
23 land, including subdivisions created by an exercise of the power of eminent domain by an
24 agency of the state or municipality.

25 **B. Approvals Required**

26 **1. General**

27 Before a preliminary plat for a subdivision shall be granted, the owner or his or
28 her authorized agent shall apply for and secure approval under the provisions of
29 section 21.03.060, *Subdivisions and Plats*.

30 **2. Before Certificate of Zoning Compliance**

31 A certificate of zoning compliance shall not be issued, and a building or structure
32 shall not be occupied, until and unless all dedications and improvements required
33 by this chapter have been installed or agreements/guarantees made in a
34 satisfactory manner and approved by the municipality.

35 **21.08.030 DESIGN STANDARDS**

36 **A. Subdivision Layout and Design Generally**

37 No subdivision shall be approved unless it complies with all of the following standards:

38 **1. Name of Subdivision**

39 The title under which the subdivision will be recorded shall not duplicate the
40 name of any existing subdivision in the municipality.

1 **2. Compliance with Comprehensive Plan**
2 The design of subdivisions shall be consistent with the appropriate elements of
3 the comprehensive plan.

4 **3. Compliance with Other Provisions of this Title**
5 All subdivisions shall comply with all other applicable zoning, design, and
6 development regulations set forth in this title, including but not limited to:

7 a. The requirements of the zoning district in which the property is located
8 (see chapter 21.04); and

9 b. Applicable development and design standards (see chapter 21.07).

10 **B. Phasing Schedule**
11 The platting authority may require that a subdivision conform to a phasing schedule
12 based upon the scheduled availability of infrastructure to serve the subdivision.
13 Submittals for the initial phase of a subdivision shall indicate utility easements and
14 transportation connections to adjacent and undeveloped land/areas that are not part of
15 the initial phase yet are under the same ownership.

16 **C. Maintenance of Existing Natural Drainage**
17 The general lot configuration and layout of proposed rights of way, open space tracts,
18 and development setbacks shall be consistent with naturally occurring drainage features
19 and historical drainage patterns within the subdivision and surrounding areas. Every
20 effort shall be made to mitigate the damming and/or diversion of natural and historical
21 drainageways or watercourses. The subdivision design shall ensure that neighboring
22 parcels, adjacent rights of way, water bodies, wetlands, and existing storm drainage
23 facilities are in no way adversely impacted by new or altered drainage resulting from the
24 development.

25 **D. Drainage Design**
26 Submittals for new subdivisions shall comply with the following standards:

27 1. Any and all waters of the United States, including wetlands, streams, lakes, and
28 marine waters, located either in whole or in part within the proposed development
29 shall be surveyed and mapped.

30 2. All pre- and post-development points of drainage entrance and exit to the
31 development, and all site drainage receiving waters shall be clearly identified.

32 3. All existing and proposed drainageways affected by the proposed development,
33 natural or constructed, shall be clearly identified.

34 4. Plans for proposed development must demonstrate provision for integrated
35 contiguous drainage for all entrance drainage and site drainage, including the
36 drainage from individual lots.

37 5. Estimates for watercourse flow rates contributed by groundwater from subdrains,
38 ditching, or natural features that may convey shallow groundwater to the existing
39 and/or proposed drainage network shall be provided.

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3. Street Alignment

- a. Arterial and collector streets shall be aligned to continue existing streets from adjoining areas into the proposed subdivision. Local streets shall be aligned to discourage their use by through traffic. This provision is not intended to encourage cul-de-sacs or dead-end streets. Stub streets with temporary turnaround areas shall be extended to the boundaries of the proposed subdivision where appropriate to provide future street connections to adjacent unsubdivided areas.
- b. Grade or median separations of street lanes may be permitted to preserve natural features, provide space for landscaping, or facilitate access in subdivisions containing hillside lots.
- c. In areas subject to extreme winds, the minimizing of potential wind damage shall be considered in aligning streets.

4. Street Intersections

Streets shall intersect at or as near as is feasible to a 90-degree angle and in no event at less than a 75-degree angle. The distance between intersection centerlines shall be at least 150 feet. Corner roundings at intersections shall conform to the standards of the department.

5. Cul-de-Sacs

- a. Where topography and traffic circulation permit, the length of a cul-de-sac shall not exceed 900 feet in the RL-1, RL-2, RL-3, RL-4, and TA zoning districts, and 600 feet in all other zoning districts. The platting authority may approve longer cul-de-sacs when necessary to accommodate natural features.
- b. The length shall be measured from the centerline of intersecting through streets to the radius point of the cul-de-sac bulb.
- c. A cul-de-sac shall terminate with a turnaround having a minimum radius of 50 feet and a minimum return radius of 50 feet. Commercial/industrial cul-de-sacs shall have a minimum radius of 65 feet. The platting authority may permit a cul-de-sac street to terminate with a T-shaped or Y-shaped turnaround, or other turnaround approved by the traffic engineer, when such a design is required by extreme environmental or topographical conditions or unusually or irregularly shaped boundaries.

6. Alleys

Dead-end alleys shall be prohibited.

7. Street Names and Addresses

- a. The subdivider shall provide names for all new streets in the subdivision, which names shall neither duplicate, nor be subject to confusion with, the spelling or the pronunciation of any existing street name in the municipality. The subdivider's selection of street names shall be subject to review by the director or his designee, who may reject any proposed street name that does not conform to this section or to any regulation promulgated pursuant to this section. The municipality shall name all streets that are peripheral to the subdivision and all extensions of existing streets into the subdivision. Where a new street extends or

1 continues an existing street, the name of the existing street shall be used
 2 for the new street.

3 **b.** Pursuant to AMC chapter 3.40, the director may promulgate regulations
 4 establishing a uniform street designation terminology. All street names
 5 shall conform to the terminology so established.

6 **c.** Street names may be modified using the procedure adopted by the
 7 director.

8 **8. Street Addresses**

9 **a.** The director shall assign all official street address numbers within the
 10 municipality. A permanent address shall be assigned only for property
 11 that is subject to a plat filed in accordance with law depicting the
 12 dedicated right-of-way serving the property.

13 **b.** Pursuant to AMC chapter 3.40, the director may promulgate regulations
 14 establishing uniform street address numbering technology and
 15 procedures. All street addresses shall conform to the numbering
 16 technology and procedures adopted by regulation, unless unusual or
 17 exceptional circumstances warrant utilization of alternate technology or
 18 procedures.

19 **G. Block Arrangement**

20 **1.** Blocks shall have sufficient width to provide for two tiers of lots of depth meeting
 21 the minimum requirements of this title, except where lots back onto a collector or
 22 greater street, natural feature, or subdivision boundary, or where lots face an
 23 approved loop road or cul-de-sac.

24 **2.** Residential blocks in class A improvement areas (as defined in 21.08.050B) shall
 25 not be less than 300 feet nor more than 500 feet long. Residential blocks in
 26 class B improvement areas shall not be less than 300 feet nor more than 1,320
 27 feet long. The platting authority may approve a longer block length when
 28 necessary to accommodate natural features such as steep slopes.

29 **H. Subdivisions on Slopes**

30 **1. Lot Area**
 31 Where all or a portion of a proposed subdivision encompasses land where slopes
 32 exceed 15%, the lot area and lot width minimums in table 21.08-1 shall prevail for
 33 each lot, unless the underlying district minimums are greater.

TABLE 21.08-1: LOT AREA AND WIDTH REQUIRMENTS FOR SLOPE AFFECTED SUBDIVISIONS		
Average Slope of Lot (percent)	Minimum Lot Area or district minimum whichever is greater (square feet)	Minimum Lot Width or district minimum whichever is greater (feet)
Less than 15%	6,000	50
At least 15% but less than 17%	12,200	90
At least 17% but less than 19%	15,200	95
At least 19% but less than 21%	18,100	100
At least 21% but less than 23%	21,100	105

At least 23% but less than 25%	24,100	115
At least 25% but less than 27%	27,000	120
At least 27% but less than 29%	30,000	125
At least 29% but less than 31%	32,900	135
At least 31% but less than 33%	35,900	140
At least 33% but less than 35%	38,800	150
At least 35% but less than 37%	41,800	150
At least 37% but less than 39%	44,800	150
39% or greater	47,700	150

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2. Avalanche Zones

No lot shall be created that is completely in the “red zone” unless it is restricted to non-structural uses. For every residential lot, an adequate building site shall be located outside of the “red zone”.

I. Lot Dimensions

Subject to the lot dimensions and area requirements of chapter 21.06, all lots shall have the minimum dimensions required by this section.

1. The depth of a lot shall be at least 80 feet.
2. The width of a corner lot shall be at least 50 feet.
3. The width of a lot, except for a townhouse lot, shall be at least one-third the depth of the lot.
4. If a lot is to be served by an on-site wastewater disposal system, the lot must have the minimum area required for such a lot under AMC chapter 15.65.
5. Notwithstanding any other provision of this section, the width of the flagpole portion of a flag-shaped lot shall be no less than:
 - a. Thirty feet when both public water and sewer systems are to serve such a residential lot.
 - b. Forty feet when both public water and sewer systems are to serve such a commercial or industrial lot.
 - c. Twenty-four feet when only a public water or a public sewer system is to serve such a lot.
 - d. Twenty-four feet when the lot is located in the RL-1, RL-2, RL-3, RL-4, or TA districts and will not be served by either the public water or the public sewer system.
6. The length of the flag pole portion of the lot shall not exceed 200 feet in the RL-1, RL-2, RL-3, RL-4, or TA districts or 100 feet in all other districts, and all other measurements shall be consistent with other sections of this title.
7. To the extent feasible, side lot lines shall be perpendicular to straight streets and radial to curved streets.

- 1 8. Lots tracted out for open space or for undevelopable areas such as wetlands, are
2 exempt from these dimensional requirements.

3 **J. Lot Frontage and Access**

- 4 1. Except when platted under subsection 21.03.070F., *Platting for Conditional Uses*,
5 when platted under subsection 21.03.060E., *Commercial Tract Plats*, or except
6 for lots tracted out for open space or for undevelopable areas such as wetlands,
7 all lots shall have frontage on a publicly dedicated street.

- 8 2. Unless approved by the director, access to a residential use on a residential lot
9 shall not be from a collector or greater street as designated on the *Official Streets*
10 and *Highways Plan*.

- 11 3. Subdivisions shall be designed to minimize lots with access to residential major
12 streets carrying more than 1,000 average daily trips.

- 13 4. Unless otherwise provided in this title, the total width of driveway entrances to a
14 residential lot from a street shall not exceed 40 percent of the frontage of the lot
15 on the street at the property line and 30 percent at the curb. However, a
16 driveway may always be a minimum of 14 feet wide at the curb, and the
17 maximum width of a driveway at the curb is 20 feet. This provision does not
18 apply to flag lots or townhouse lots.

19 The total width of driveway entrances to a commercial or mixed-use lot from a
20 street shall not exceed 40 percent of the frontage of the lot on the street at the
21 property line, or 34 feet, whichever is more.

- 22 5. The frontage of a lot on a cul-de-sac bulb shall be at least 35 feet, except that the
23 frontage on a cul-de-sac bulb of a lot with a side yard abated under subsection
24 21.06.020A.3., *Construction on Adjoining Lots*, shall be at least 18 feet. This
25 subsection does not apply to flag lots.

- 26 6. There shall be no more than one flag lot facing onto each cul-de-sac bulb.

27 **K. Landscaping**

- 28 1. The platting authority shall consider and require, where appropriate, landscaping
29 and screening under section 21.07.080, *Landscaping, Screening, and Fences* to
30 separate property from incompatible uses or structures, including but not limited
31 to streets designated for collector or greater capacity on the *Official Streets and*
32 *Highways Plan*, railroads, commercial, or industrial uses. The area containing
33 the landscaping shall be shown as an easement or open space area on the plat.
34 The landscaping shall be installed before final plat approval, or its installation
35 shall be guaranteed under section 21.08.060, *Subdivision Agreements*, or by
36 other performance guarantees acceptable to the authority. The landscaping shall
37 be maintained by the property owner or designee.

- 38 2. If a landscaping easement is required, no more than 50 percent of such
39 easement shall coincide with any utility easement, per the requirements of
40 21.07.080G.2.c.

1 **L. Reserve Strips**

2 Privately owned strips may not be reserved to control access to public rights-of-way.

3 **M. Electrical and Telecommunication Utilities**

4 The width and alignment of transmission easements within subdivisions shall conform to
5 the *Utility Corridor Plan*. The platting authority shall preclude structures or uses of land
6 within or beneath areas of electrical or telecommunications ground or aerial easements
7 that are incompatible with electrical distribution or transmission facilities.

8 **N. General Subdivision Standards Are Minimum Standards**

- 9 1. The design standards in this chapter are minimum standards. The platting
10 authority may impose more restrictive standards when it finds they are necessary
11 to conform the design of a proposed subdivision to the approval criteria for
12 subdivisions set forth in this title.
- 13 2. When the platting authority finds that it is not feasible to conform the design of a
14 proposed subdivision to meet the approval criteria for subdivisions set forth in
15 this title, the platting authority may reject a proposed subdivision in its entirety.

16 **21.08.040 DEDICATION**

17 **A. Streets**

- 18 1. Except as provided in section 21.03.070, *Conditional Uses*, and 21.03.080, *Site*
19 *Plan Review*, all street rights-of-way shall be dedicated to the public.
- 20 2. Street right-of-way widths shall conform to the *Official Streets and Highways Plan*
21 (OSHP). These standards are considered to be minimum standards and may be
22 increased in a particular instance, where necessary, to make a proposed street
23 conform to sound traffic engineering standards and principles. When steep
24 slopes or other terrain features dictate, slope easements that exceed normal
25 right-of-way requirements will also be required. Notwithstanding the above, the
26 maximum dedication width that may be required for an arterial or collector street
27 is 70 feet if the entire width of the street is within the subdivision, or 35 feet if the
28 street is on an exterior boundary of the subdivision.
- 29 3. The platting authority may approve the dedication of a half-street only when the
30 other half of the street has been dedicated or when the platting authority
31 reasonably anticipates that the other half of the street will be dedicated. When a
32 subdivision borders a dedicated half street, the platting authority shall require the
33 dedication of the other half of the street, unless it determines that the street
34 would be unnecessary or undesirable.

35 **B. Alleys**

36 The platting authority may require the dedication of alley rights-of-way where it finds that
37 alleys are necessary for service access, off-street loading, or parking. The minimum
38 width of an alley right-of-way shall be 20 feet.

1 **C. Walkways**

2 The platting authority shall require the dedication of pedestrian walkways where it finds
3 that pedestrian walkways are necessary to convenient pedestrian circulation or to protect
4 pedestrians from hazardous traffic. The minimum width of a walkway dedication shall be
5 10 feet. If the walkway is paved, the paving shall be a minimum of four feet and a
6 maximum of six feet wide.

7 **D. Trails**

8 The platting authority shall require the dedication of an easement for a trail designated on
9 adopted municipal plans when it finds that the trail cannot be located in an existing
10 dedicated easement or right-of-way. The platting authority may modify the alignment,
11 width, and scope of trail easements as necessary to integrate trail and subdivision
12 design.

13 **E. Access to Chugach State Park**

14 1. The platting authority shall require the dedication of a public pedestrian
15 easement for a trail designated on adopted municipal plans, and for connectivity
16 with a trail or access point identified in the most current *Chugach State Park*
17 *Access Inventory*, master plan, or trails plan, when it finds that the trail cannot
18 reasonably be located in an existing dedicated public easement or right-of-way.
19 The platting authority may modify the alignment, width, and scope of trail
20 easements as necessary to integrate trail and subdivision designs, so long as the
21 resulting trails are of comparable gradient, directness, and utility, and reflect the
22 general locations and patterns of existing public access routes. An acceptable
23 pedestrian easement shall be a 20 foot wide dedicated public easement centered
24 on an existing, recognized, new, or relocated trail.

25 2. The platting authority shall require the dedication of a vehicular right-of-way for
26 public access to trails and park access points as defined in an adopted plan. An
27 acceptable vehicular right-of-way shall be a public street that is platted,
28 constructed, and dedicated in accordance with relevant provisions of this code.

29 **F. Riparian Protection and Maintenance Easements**

30 1. The platting authority shall require the dedication of riparian maintenance and
31 protection easements where a stream, water body, or wetland traverses or is
32 adjacent to the subdivision.

33 2. The easement shall conform substantially to the line of the watercourse. The
34 width of the easement shall be that which the platting authority finds necessary to
35 provide access to widen, deepen, slope, improve, and maintain the stream, and
36 to protect the stream and adjacent property from soil erosion, flooding, water
37 pollution, and destruction of fish and wildlife habitat. At a minimum, the
38 easement shall be the same as the applicable setback required in the zoning
39 district, as set forth in section 21.07.020B.4., *Buffer/Setback Requirements*.

40 3. Section 21.07.020B., *Stream, Water Body, and Wetland Protection*, sets forth
41 additional restrictions on development and the use of land and structures within
42 the easement and, in some districts, beyond the easement.

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4. In cases where two or more easements coincide, the outer limits of the combined easement shall be measured from the outer edge of the outermost watercourse edge in either direction.
 5. Credit towards other open space dedication or private open space set-aside requirements shall be given for the dedication of riparian protection and maintenance easements at a ratio of one-to-one.
 6. For purposes of this section, maintenance shall include, but not be limited to: placement of riprap, re-vegetation, debris removal, glaciation control, grading and sediment removal, protection of adjacent or downstream land from flooding, soil stabilization, and erosion control. Access for maintenance shall be allowed within the closest 15 feet of the setback to the stream. Appropriate permits may still be required for in-stream or floodplain activities.

13 **G. Reserve Tracts**

14 **1. Sites Designated**

- 15 a. The platting authority:
- 16 i. May require that an area designated as a park, playground, or
17 open space on an officially adopted park plan, or as a school site
18 pursuant to AMC subsection 25.20.055; and
 - 19 ii. Shall require that a wetland designated for preservation in the
20 *Wetlands Management Plan*;

21 be designated as a reserve tract. The designation shall be supported by
22 a report from the department containing a statement that the municipality
23 intends to purchase the designated area within the period allowed under
24 subsection G.2 below.
- 25 b. Special, natural, or manmade features of historical or community
26 significance in a proposed subdivision which enhance or have unique
27 value to the community may be set aside in a reserve tract for
28 acquisition, or voluntarily dedicated to the public.

29 **2. Time for Acquisition**

- 30 a. Within 24 months of filing of a final plat, or the period of the school site
31 designation provided by AMC subsection 25.20.055B, whichever is
32 earlier, the municipality or any other public or private agency may
33 acquire any parcel designated as reserve tract on the plat, by purchase
34 or as otherwise authorized by law, for the purpose for which the parcel
35 was reserved under subsection G.1. above.
- 36 b. If a reserve tract is not acquired within such time, it shall be released
37 from the reserve tract designation, unless the time for acquisition is
38 extended by the reserve tract's owners, or by another provision of law.
- 39 c. In consideration of the reservation, the municipality shall pay the owners
40 of the reserve tract an amount equal to the municipal real property taxes
41 that accrue on the reserve tract during the period of reservation.

1 **H. Utility Easements**

- 2 1. Public utilities shall be placed in dedicated rights-of-way whenever possible.
- 3 2. In situations where utilities may not be placed within rights-of-way, easements
4 shall be provided for utilities, and shall be centered along or adjacent to lot lines
5 to the greatest extent practicable.
- 6 3. Utility easements shall be sized according to the standards adopted by each
7 utility.
- 8 4. The platting authority may require the dedication of utility easements when a
9 utility company demonstrates a specific need for them or an easement is needed
10 to accommodate the routing included in the *Utility Corridor Plan*.

11 **21.08.050 IMPROVEMENTS**

12 **A. General Requirements**

- 13 1. The subdivider shall construct and install improvements in accordance with this
14 section, the design standards in section 21.08.030, and the current *Design*
15 *Criteria Manual* and *Municipality of Anchorage Standard Specifications*.
- 16 2. The improvement standards in this section are minimum standards. The platting
17 authority may require additional or more extensive improvements when it finds
18 they are necessary to conform a proposed subdivision to the standards of section
19 21.08.030, or the subdivider may provide such additional or more extensive
20 improvements.
- 21 3. All improvements required under this section shall be constructed under a
22 subdivision agreement as provided in section 21.08.060, *Subdivision*
23 *Agreements*. Lots in subdivisions shall not be eligible for building permits until
24 the improvements included in this section have been accepted for warranty by
25 the municipality.
- 26 4. The subdivider shall have construction plans for the improvements required
27 under this section prepared by an engineer registered in the state, in accordance
28 with the requirements of the municipal engineer.

29 **B. Improvement Areas Defined**

30 For the purpose of this section, the municipality is divided into two distinct improvement
31 areas. The class A improvement area includes areas of more dense population and thus
32 requires a more urbanized level of improvements. The class B improvement area
33 includes areas that are less densely populated and thus requires a less urbanized level of
34 improvements. The zoning districts associated with each improvement area are listed in
35 the table below:

TABLE 21.08-2: IMPROVEMENT AREAS DEFINED		
District Type	Class A	Class B
Residential	RS-1 RS-2 RT RM-1 RM-2 RM-3 RM-4	RL-1 RL-2 RL-3 RL-4
Commercial	NC AC CBD OC	RC
Industrial	IC I-1 I-2	
Mixed Use	NMU CMU RMU MMU	
Other Districts	AD M	TA W
AF District DR District PLI District PR District RUC District	The platting authority shall place a subdivision within any of these districts in the improvement area that it finds to be most compatible with the proposed use of the parcel and the zoning district classifications of the surrounding area.	

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C. Improvement Requirements by Improvement Area

The subdivider or developer shall construct and install the required improvements prescribed by this section for the improvement area where the subdivision is located in accordance with the table below:

TABLE 21.08-3: REQUIRED IMPROVEMENTS BY IMPROVEMENT AREA		
R = Improvement Required		
Improvement	Class A	Class B
Paved Interior Streets	R	
Strip-Paved Access and Peripheral Streets	R	R
Strip-Paved Interior Streets		R
Curbs and Gutters	R	
Sidewalks	R	
Walkways	R	R
Street Lighting	R	
Traffic Control Devices	R	R
Monuments	R	R
Drainage	R	R
Telephone & Electrical Facilities	R	R
Water Supply Facilities	R	
Sanitary Sewer Facilities	R	
Landscaping	R	R

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D. Interior Streets

1. Residential Interior Streets

a. Categories

There are two categories of residential interior streets:

i. Residential Minor Streets

Residential minor streets have the sole purpose of providing frontage for service and access to individual lots. These streets carry only traffic having either an origin or a destination on the street itself, and include cul-de-sacs or small loops carrying 500 average daily trips.

ii. Residential Major Streets

Residential major streets are access streets that provide frontage for service and access to individual lots and may carry a small amount of through traffic from tributary residential minor streets. Residential major streets carry from 500 to 2,000 average daily trips. Lot frontage on residential major streets with average daily trips in excess of 1,000 should be restricted.

b. Determination of Average Daily Trips

For the purpose of classifying and designing residential streets, the average daily trips carried by a street shall be determined by applying trip rates from the most current *Institute of Transportation Engineers Trip Generation Manual*.

c. Improvement Design

Interior residential streets, except as provided in subsection 21.08.050E., shall be improved in accordance with table 21.08-4 and table 21.08-5.

TABLE 21.08-4: PAVED RESIDENTIAL STREETS, MINIMUM STANDARDS

A.D.T. (2)	Street Section (1) (feet)		Number of Lanes		Max. Design Speed (3) (mph) (4)	Right of Way (feet)	Spillover Parking (5)	Application
	Standard	Optional	Moving	Parking				
0--75 Residential minor	30		2	1	20	60	No	Cul-de-sacs, low-volume residential streets
		24	2	0	20	60	Yes	
75--300 Residential minor	30		2	1	25	60	No	Residential minor streets, cul-de-sacs and small loops
		24	2	0	25	60	Yes	
300--600 Residential minor	33		2	2	25	60	No	Residential minor streets, loop streets, high-volume cul-de-sacs
		24	2	0	25	60	Yes	
600--1,000 Residential major	33		2	2	25	60	No	Residential major streets, loop streets and high-volume cul-de-sacs
		28	2	1	25	60	Yes	
1,000--2,000	36 (6)	24 (6)	2	0	25	60	Yes	Residential limited access
			2	2	30	60	No	Residential subconnector

TABLE 21.08-4: PAVED RESIDENTIAL STREETS, MINIMUM STANDARDS

A.D.T. (2)	Street Section (1) (feet)		Number of Lanes		Max. Design Speed (3) (mph) (4)	Right of Way (feet)	Spillover Parking (5)	Application
	Standard	Optional	Moving	Parking				
		36 (6)	3 (7)	0	30	60	Yes	No on-street parking permitted

NOTES:

- (1) Street dimensions are from back of curb.
- (2) See subsection 21.08.050D.1.b., *Determination of Average Daily Trips*.
- (3) Horizontal curve design of residential streets requires best judgment of planners and engineers in addition to design analysis.
- (4) Design speed (not posted speed) for vertical and horizontal curves.
- (5) Spillover parking; homeowners' association required. See subsection 21.08.050E below.
- (6) Vertical face curb; rolled curb may be substituted when sidewalk is detached.
- (7) Center turning lane required.

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TABLE 21.08-5: STRIP-PAVED STREETS, MINIMUM STANDARDS

A.D.T.	Street Section (1) (feet) (3)	Maximum Design Speed (2) (mph)	Right-of- Way (feet)	Application
0--500	20	20	50	Residential loop streets, rural peripheral/access roads
500--1,000	24	25	50	Residential loop streets, urban peripheral/access roads
1,000--2,000	24	25	60	Major residential streets

(1) Dimensions are from edge of pavement.
 (2) Design speed (not posted speed) for horizontal and vertical curves.
 (3) Street sections require two-foot shoulders with ten- and 12-foot driving lanes, respectively.

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2. Commercial and Industrial Interior Streets

Commercial and industrial interior streets shall be improved in accordance with table 21.08-6 and table 21.08-7 below:

TABLE 21.08-6: CLASS A COMMERCIAL AND INDUSTRIAL STREETS, MINIMUM STANDARDS

Street Section (1) (feet)	Number of Lanes		Maximum Design Speed (2) (mph)	Right- of- Way (feet)	Application
	Moving	Parking			
36(V)	2	2 (3)	30	60	Commercial/industrial streets
36(V)	3(1TL)	0	35	60	Major commercial/industrial streets; no on-street parking permitted; parking must be provided off-street
40(V)	3(1TL)	0	35 ¹	60	Limited application for commercial and industrial areas for turning movements when traffic warrants

(1) Street dimensions are from back of curb.
 (2) Design speed (not posted speed) for vertical and horizontal curves.
 (3) Parking may be provided off-street when a planter strip is used.

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TABLE 21.08-7: CLASS B COMMERCIAL/INDUSTRIAL STREETS, MINIMUM STANDARDS

Street Section (1) (feet)	Design Speed (2) (mph)	Right-of-Way (feet)	Application
20	20	50	Commercial/industrial low traffic volume loop streets and cul-de-sacs, 4-foot shoulders required both sides
24	35	60	Major commercial/industrial streets, 4-foot shoulders required both sides

(1) Dimensions are from edge of pavement, or future pavement.
 (2) Design speed (not posted speed) for vertical and horizontal curves.

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E. Optional Residential Interior Streets

1. Residential interior streets shall provide for on-street parking unless the platting authority finds it is practical to substitute spillover parking for on-street parking in accordance with subsection E.2. below. If the platting authority so finds, residential interior streets may be improved in accordance with this section and table 21.08-4.
2. The platting authority may find that it is practical to substitute spillover parking for on-street parking only in residential subdivisions containing at least five acres or 25 dwelling units with a homeowners' association that is responsible for operating and maintaining spillover parking facilities.
3. Spillover parking substituted for on-street parking shall conform to the design standards in section 21.07.090, *Off-Street Parking and Loading*, shall be a designated common area owned and administered by the homeowners' association, and shall not be located within an individually owned lot or tract. The design of spillover parking areas shall be subject to approval of the traffic engineer. The spillover parking area shall be shown on the plat, and a plat note shall be provided limiting the use of that area to spillover parking. Spillover parking areas shall not be counted toward required open space requirements. Spillover parking spaces in addition to the off-street parking spaces required under section 21.07.090 shall be provided for each lot fronting on a street without on-street parking under the following formula, using the maximum residential density permitted for the lot by its zoning district.

TABLE 21.08-8: ADDITIONAL SPILLOVER PARKING SPACES REQUIRED FOR EACH LOT FRONTING ON A STREET WITHOUT ON-STREET PARKING

Housing Type	Number of Spaces
Dwelling, single-family detached	1.5
Dwelling, single-family attached (1 to 4 units)	1.0
Dwelling, multiple-family (exceeding 4 units)	0.5

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F. Access Streets, Peripheral Streets, and Half Streets

1. **Access Streets**
 The platting authority may require access streets when it finds that they are necessary for the efficient flow of traffic or for emergency vehicle access. The platting authority shall determine the length of the access street that the

1 subdivider shall improve. Access streets shall be improved in accordance with
 2 table 21.08-5.

3 **2. Peripheral Streets**

4 a. The platting authority may require the improvement of peripheral streets
 5 when it finds that they are necessary for the efficient flow of traffic or for
 6 emergency vehicle access.

7 b. Peripheral streets whose improvement is required under this subsection
 8 shall be improved in accordance with table 21.08-5, provided that
 9 peripheral streets used for access to individual lots shall be improved in
 10 accordance with tables 21.08-4 and 21.08-6.

11 **3. Half Streets**

12 The municipal engineer or the platting authority may require the improvement of
 13 a half street in the urban area to one-half of the street width specified in table
 14 21.08-4, if underground utilities will be installed before street construction.

15 **G. Curbs and Gutters**

16 Where required, the subdivider shall construct curbs and gutters in accordance with the
 17 *Design Criteria Manual* and *Municipality of Anchorage Standard Specifications* (MASS),
 18 or, in the case of a state-maintained road, the current standard specifications of the state
 19 department of transportation and public facilities. Curbs shall be of the American
 20 Association of State Highway and Transportation Officials (AASHTO) vertical type.

21 **H. Sidewalks**

22 1. The placement of sidewalks shall be determined by the transportation and
 23 connectivity standards in section 21.07.060.

24 2. All sidewalks shall be constructed of concrete.

25 3. Sidewalks shall be improved in accordance with table 21.08-9 below:

TABLE 21.08-9: MINIMUM SIDEWALK AND WALKWAY IMPROVEMENTS					
Type of material	Minimum Width (feet)	Separation from curb (50' Right-of-Way)	Separation from curb (60' Right-of-Way)	Right-of-Way (feet)	Remarks
4" PCC	5	0	0	N/A	Attached to curb
4" PCC	5	7	7	N/A	Detached*
1 1/2" AC	5	7	7	N/A	Detached*
4" PCC	5	N/A	N/A	10	Not recommended where peat is surcharged
1 1/2" AC	5	N/A	N/A	10	Paved walkways
Gravel	5	N/A	N/A	10	For Class B improvement areas or nature trails

* Additional information may be required if need demonstrated.

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1 **I. Walkways**
2 Walkways, and trails not part of required trail dedications, shall be improved in
3 accordance with table 21.08-9.

4 **J. Street Lighting**
5 Street lighting apparatus shall meet municipal standards for materials and design and be
6 provided with underground power. The location of the streetlight poles shall be approved
7 by the traffic engineer and shall comply with standards contained in the *Design Criteria*
8 *Manual*.

9 **K. Traffic Control Devices**
10 Traffic and street name signs and traffic signals shall be installed in accordance with the
11 requirements of the traffic engineer and the *Alaska Traffic Manual*, per the requirements
12 of AS 28.01.010.

13 **L. Monuments**
14 Monuments and lot corner markers for determining the boundaries of subdivisions and lot
15 corners shall be set by a professional registered land surveyor licensed by the state of
16 Alaska. Survey monumentation shall conform to such additional standards as the
17 municipal surveyor may establish by regulation under AMC chapter 3.40.

18 **M. Drainage System**
19 A drainage system approved by the municipal engineer, including necessary storm
20 drainage facilities, drain inlets, subdrains, footing drain stub-outs, manholes, culverts,
21 bridges and other appurtenances, shall be installed. The design of the drainage system
22 shall provide for the preservation of designated high-quality wetlands critical to water
23 table levels and wildlife habitat within and surrounding the subdivision, and shall comply
24 with the following standards:

25 1. No surface water drainage from the subdivision shall empty into a sanitary sewer;
26 or directly, without treatment and energy dissipation, into a creek or stream
27 channel.

28 2. The size, design, and construction of drainage structures shall conform to the
29 requirements set forth by the municipal engineer.

30 3. Where a subdivision is traversed by a watercourse, drainage way, channel, or
31 stream, a stormwater or drainage easement shall be provided that substantially
32 conforms with the lines of such watercourse, plus additional width that is
33 adequate and necessary to convey expected storm flows and/or stormwater
34 drainage facilities. Streets paralleling such easement may be required in
35 connection therewith. Lakes, ponds, creeks, and similar areas will be accepted
36 for maintenance by the municipality only if sufficient land is dedicated as a public
37 recreation area or park or if such area constitutes a necessary part of the
38 stormwater drainage control system.

39 4. The municipality shall accept no responsibility to maintain any storm drainage
40 structures, except for those lying within a municipal right-of-way or traversing
41 municipally owned property.

- 1 5. The drainage system shall comply with the standards set forth in section
2 21.07.040, *Drainage, Stormwater Runoff, Erosion Control*.
- 3 6. No more than 20 percent of the pre-development runoff volumes shall be
4 diverted from the original U.S. receiving water unless approved by the municipal
5 engineer.
- 6 7. Unless waived by the municipal engineer, footing drain stub-outs shall be
7 provided for each lot where there is a storm drain system.

8 **N. Telecommunication and Electric Facilities**

- 9 1. All new telecommunication and electric lines shall be installed in accordance with
10 the specifications of the municipality and the utility providing the service.
- 11 2. All new telecommunication and electric utility distribution lines, as defined in
12 chapter 21.13, shall be placed underground:
- 13 a. As required by section 21.07.050, *Utility Distribution Facilities*; and
- 14 b. As required by the platting authority in areas with patterns of
15 development similar to those where section 21.07.050 requires that utility
16 distribution lines be placed underground.

17 **O. Water Supply Facilities**

- 18 1. **Access to Public Water System**
- 19 a. If the platting authority requires that a subdivision be served by a public
20 water system, the subdivider shall install the system in accordance with
21 the requirements of the state department of environmental conservation
22 and the most current edition of the *Design Criteria for Sanitary Sewer*
23 *and Water Improvements* of the municipal water and wastewater utility.
- 24 b. Where connection to public water supply systems is required, such
25 systems shall be dedicated to the municipality for operation and
26 maintenance, thus allowing for the orderly expansion of the municipality,
27 its water systems, and fire protection services that protect the health of
28 the citizens of the municipality.
- 29 2. **No Access to Public Water System**
- 30 a. If the subdivision has no access to a public water system, the platting
31 authority may require the subdivider to install a water system for the
32 common use of the lots in the subdivision. The subdivider shall install
33 the system in accordance with the requirements of the state department
34 of environmental conservation and the specifications of the municipal
35 water and wastewater utility.
- 36 b. If the subdivision has no access to a public water system, and the
37 platting authority finds that a water system for the common use of lots in
38 the subdivision is not feasible and desirable, the subdivider need not
39 install water supply facilities. A well serving an individual lot shall
40 conform to the requirements of municipal on-site water and wastewater
41 program. A common water system serving a portion of the subdivision
42 shall not preclude individual wells for the remaining lots.

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P. Sanitary Sewer Facilities

1. Access to Public Sewer System

a. If the platting authority or provisions of law require that a subdivision be served by a public sewer system, the subdivider shall install the system in accordance with the requirements of the state department of environmental conservation and the most current edition of the *Design Criteria for Sanitary Sewer and Water Improvements* of the municipal water and wastewater utility.

b. Where connection to public sanitary sewer systems is required, such systems shall be dedicated to the municipality for operation and maintenance, thus allowing for the orderly expansion of the municipality and its sanitary sewer system, which protects the health of the citizens of the municipality.

2. No Access to Public Sewer System

a. If the subdivision has no access to a public sewer system, the platting authority may require the subdivider to install a sewer system for the common use of lots in the subdivision.

b. If the subdivision has no access to a public sewer system, the subdivider need not install sewer facilities. A sewage disposal system serving an individual lot shall conform to the requirements of municipal on-site water and wastewater program.

Q. Erosion and Sedimentation Control

All grading, excavating, and removal or destruction of natural topsoil, trees, or other natural vegetation shall conform to an erosion and sedimentation control plan prepared by the subdivider and approved by the department of project management and engineering before the work may commence. The plan shall conform to the requirements of section 21.07.040, *Drainage, Stormwater Runoff, Erosion Control*, as well as municipal guidelines and policies contained in *Soil Erosion and Sediment Control Manual*, and any other applicable guidelines and policies approved by the department of project management and engineering.

R. Landscaping

The subdivider shall be responsible for the provision of landscaping required under section 21.07.080, *Landscaping, Screening, and Fences*, and it shall be installed by the subdivider or guaranteed under the provisions of subsection 21.08.060E. or other performance guarantees acceptable to the authority. Landscaping shall be provided on an individual lot basis not later than the issuance of a final certificate of occupancy.

S. Natural Gas Facilities

All new natural gas facilities installed pursuant to this section shall be installed in accordance with the standard specifications of the municipality and the utility providing the service.

21.08.060 SUBDIVISION AGREEMENTS

A. Agreement Required; Application; Contents

1. Agreement Required

Before a final plat for a subdivision where improvements are required under section 21.08.050 is approved or filed, the subdivider shall enter into a subdivision agreement with the municipality in accordance with this section. The municipality reserves the right to refuse to enter into a subdivision agreement with any subdivider who fails to comply with the conditions of an active agreement, or is delinquent in the payment of any account with the municipality.

2. Application

Application for a subdivision agreement shall be made to the department of project management and engineering. The application shall include a copy of the preliminary plat, a tentative schedule of all proposed construction of public improvements and utilities, and an engineer's estimate of the cost of each required public improvement. The engineer's estimate shall be based on the most current average bid tab calculations of the municipality. The municipality may require a showing of the subdivider's financial responsibility.

3. Contents

Except as provided in subsection A.4. below, the subdivision agreement shall include but need not be limited to the following provisions:

- a. A designation of the public improvements required to be constructed.
- b. The construction and inspection requirements of the municipality or utility for which the improvements are constructed.
- c. The time schedule for completing the improvements.
- d. The guaranty required by subsection 21.08.060E.
- e. A schedule for any payments required under this section.
- f. The allocation of costs between the municipality and the subdivider for required public improvements.
- g. The warranty required by subsection 21.08.060G.
- h. The consent of the subdivider for the ownership of specified public improvements to vest with the municipality upon final acceptance by the municipality.
- i. A warranty that the subdivider has title to the subdivision property and the authority to execute the subdivision agreement.
- j. Where the subdivision is within the regulatory floodway, a requirement that the subdivider will submit certification of floodproofing, information on the elevation of the lowest habitable floor and information on the elevation to which the structure is floodproofed, for each building or structure to be constructed as part of the subdivision agreement.

1 k. A provision requiring the subdivider to submit plans, specifications,
2 descriptions of work, the limits of the work area, the methods to be
3 employed, a traffic control plan and any other pertinent data and
4 information necessary for the department of public works to evaluate the
5 proposed installation.

6 l. A provision that all work shall be performed pursuant to the *Municipality*
7 *of Anchorage Standard Specifications* (MASS), latest edition.

8 m. A provision that work shall not commence until plans have been
9 approved by the director of public works and notice to proceed is given.

10 **4. Exceptions**
11 If the subdivider elects to complete and obtain acceptance of all required public
12 improvements before the approval or filing of a final plat for the subdivision, the
13 subdivision agreement need not include the time schedule and guarantee
14 provisions specified in items 3.c. and d. above.

15 **B. Approval by Assembly**

16 Approval by the assembly shall be required to enter into those subdivision agreements
17 where municipal participation in the cost of the required public improvements is estimated
18 to be \$30,000.00 or more.

19 **C. Time Limit for Completion of Improvements**

20 1. The improvements required under the terms of the subdivision agreement shall
21 be fully completed and accepted for warranty within two years of the date of
22 execution of the agreement. However, before the expiration of the subdivision
23 agreement, the subdivider may request a time extension from the platting
24 authority under the process outlined in 21.03.060. Following a public hearing,
25 the platting authority may grant subdivision agreement time extensions, up to two
26 years in length, upon a showing of good cause by the developer and provided
27 such extension does not unreasonably impact adjacent properties or the general
28 public. In considering whether an extension should be granted, the platting
29 board shall consider the manner in which safety hazards, drainage problems,
30 sanding, snow removal, grading and other matters will be handled during the
31 extension period and may impose performance conditions on the extension to
32 ensure that such matters are adequately handled. A finding of nonconformance
33 by the department of project management and engineering shall automatically,
34 without any further action by the platting board, result in a cancellation of the
35 extension after 30 days' written notice.

36 2. The total time of any and all such time extensions shall not exceed 60 months for
37 existing subdivision agreements of record as of September 1, 1989, unless
38 further extensions are approved by the assembly. All other agreements may
39 obtain only a two-year extension before being required to be approved by the
40 assembly. All time extensions shall be conditioned to require provision of an
41 adequate performance guarantee when the existing guarantee is inadequate.

42 **D. Payment of Costs of Required Improvements**

43 The cost of any public improvement shall be defined to include the cost of design,
44 engineering, contract administration, inspection, testing, and surveillance as well as all
45 work, labor, and materials furnished for the construction of the improvement. The

subdivision agreement shall provide for the apportionment of the cost of required public improvements between the municipality and the subdivider as follows:

1. Administrative and Recording Costs Relating to Public Improvement Guaranties

The subdivider shall pay 100 percent of all costs incurred in supplying and administering any method of public improvement guaranty provided for in subsection 21.08.060.

2. Inspection, Surveillance, and Testing

The subdivider shall pay 100 percent of all costs relating to any inspection, surveillance, and testing by the municipality, necessary for final acceptance of any required public improvement or during the warranty period. Surveillance shall be performed by the municipality during the course of construction and up to the point of final acceptance of the completed project. Inspection shall be performed by the municipality during the warranty period.

3. Administration of Agreement

The subdivider shall pay 100 percent of all costs of plan review, agreement administration, and attendant costs.

4. Arterial and Collector Streets within Anchorage Roads and Drainage Service Area

Reasonable costs incurred in the construction of a street designated on the *Official Streets and Highways Plan* (OSHP) as a collector, arterial, or greater and within the Anchorage Roads and Drainage Service Area (ARDSA) shall be apportioned as specified in subsections D.4.a. through d. below. For purposes of this subsection, construction costs means only those costs associated with construction, design engineering, project administration and inspection, related bank fees and interest payments, and fair market value of right-of-way dedicated to the street in excess of 60 feet.

a. Interior Collector Streets

If a collector street lies within the subdivision, the municipality shall reimburse the subdivider a sum equal to the reasonable construction cost of building to the standard specified by the platting authority, less the estimated cost of construction in accordance with the residential standard approved by the platting authority under tables 21.08-4 and 21.08-6, provided that:

i. When the subdivision agreement is executed:

(A) The street is in the Anchorage Roads and Drainage Service Area;

(B) The street is programmed for improvement to the designated standard in the six-year capital improvement program; and

(C) Sufficient bond funds or designated state grant funds are available for reimbursement in the capital improvement budget for the current fiscal year; or

ii. When the subdivision is approved:

- 1 (A) The street is in the Anchorage Roads and Drainage
2 Service Area;
- 3 (B) Construction to the designated standard is required by
4 the platting authority; and
- 5 (C) Improvement to the designated standard is programmed
6 in the six-year capital improvement program.

7 If the conditions set forth in subsections 4.a.i. or ii. are not met at
8 the time specified, then the total cost of construction required by
9 the platting authority shall be borne by the subdivider.

10 **b. Interior Arterial Streets**
11 If an interior arterial or greater street is required to be constructed to
12 arterial standards by the platting authority, the municipality shall
13 reimburse the subdivider 100 percent of the reasonable construction cost
14 subject to the availability of bond funds appropriated for that purpose. If
15 the platting authority has not required construction to arterial or greater
16 standards, the subdivider shall construct the street to the standards
17 required under subsection 21.08.050D. and shall bear 100 percent of the
18 construction cost.

19 **c. Peripheral Streets**
20 If the subdivider is required to construct an abutting collector street, the
21 municipality shall reimburse a sum equal to the reasonable construction
22 cost of the standards specified by the platting authority less the
23 estimated cost of construction in accordance with the residential
24 standards under table 21.08-5, subject to the conditions specified in
25 subsection 4.a. above. If a subdivider is required to construct an
26 abutting arterial or greater street to arterial or greater standards, the
27 municipality shall reimburse in a manner and subject to the conditions
28 set forth in subsection b. above. If the subdivider is not required to
29 construct an abutting street to arterial or greater standards, the
30 subdivider shall construct the street to the standards required under
31 subsection 21.08.050F. and shall pay 100 percent of the cost of
32 construction.

33 **d. Access Streets**
34 If the platting authority requires the construction of an access street
35 under the authority of subsection 21.08.050D. that is designated as a
36 collector, arterial, or greater, the municipality shall reimburse a sum
37 equal to the reasonable construction cost of the standard specified by
38 the platting authority less the estimated construction cost in accordance
39 with the residential standards under table 21.08-5, subject to the
40 availability of bond funds appropriated for that purpose. If the platting
41 authority has not required construction to collector or greater standards,
42 the subdivider shall construct the street to the standards required under
43 subsection 21.08.050D. and shall pay 100 percent of the construction
44 costs.

45 **5. Other Streets**
46 Except as provided in subsection D.4., the subdivider shall pay 100 percent of
47 the cost of streets within the boundaries of the subdivision. The subdivider shall

1 additionally pay 100 percent of the cost of all peripheral streets and access roads
2 except as provided in subsection D.4. of this section whose construction may be
3 required by the municipal engineer. The property within subdivisions that is later
4 assessed by the municipality for final improvements to access and peripheral
5 streets shall receive credit for the cost of salvageable improvements to those
6 peripheral and access streets. Nonsalvageable improvements will not receive
7 credit. Credit will be provided only when:

8 a. The municipality approved the award of the contract which included the
9 work for which the credit is to be issued; and

10 b. The subdivider provided the municipality with a sworn notarized
11 statement setting forth the distribution of the costs of salvageable
12 improvements, which he utilized for purposes of establishing lot price, for
13 each lot within his subdivision to which such costs were spread.

14 The credit will be applied as a reduction of assessment to each applicable lot,
15 except that in no case will the amount of credit given to any lot exceed the
16 amount of the assessment to that lot.

17 **6. Curbs, Sidewalks, and Walkways Adjacent to Streets**

18 The subdivider shall pay the cost of constructing curbs, and sidewalks and
19 walkways adjacent to streets, in the same manner as the cost of constructing the
20 streets to which they are adjacent as provided in subsections D.4.and 5.

21 **7. Sidewalks and Walkways not Adjacent to Streets**

22 The subdivider shall pay 100 percent of the cost of constructing all sidewalks and
23 walkways not adjacent to streets.

24 **8. Storm Drains, Inlets, and Manholes**

25 The subdivider shall pay 100 percent of the cost of storm drains, inlets, and
26 manholes necessary to serve the subdivision, provided that, within areas where
27 the municipality provides drainage maintenance, the municipality shall reimburse
28 the subdivider those costs attributable to oversizing required by the municipality.
29 In those areas where the municipality does not maintain drainage facilities, the
30 subdivider shall pay all costs, including those for any required oversizing.

31 **9. Water Improvements**

32 If the subdivision is to receive water service from a public utility, the subdivider
33 shall provide water facilities, including service connections to all lots, with cost
34 participation as provided in the current approved tariff of the utility. If the
35 subdivision is to receive water service from a community water system, the
36 subdivider shall provide water facilities, including service connections to all lots,
37 and pay 100 percent of the cost of those facilities.

38 **10. Sanitary Sewer Improvements**

39 The subdivider shall provide sanitary sewer facilities, including service
40 connections to all lots, with cost participation as provided in the current approved
41 tariff of the municipal sanitary sewer utility.

42 **11. Electrical and Telecommunication Facilities**

43 The subdivider shall provide electrical and telecommunication facilities with cost
44 participation as provided in the current approved tariffs of the applicable utility
45 companies.

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a. Performance Bond

The subdivider may elect to provide a surety bond from a company authorized to do such business in the state. The bond shall be in a form acceptable to the municipal attorney and in an amount equal to the estimated cost of all required public improvements, plus an overrun allowance as provided in subsection E.2. above. The bond shall be payable to the municipality if any required public improvements are not finally accepted in accordance with the provisions of this title, and shall be posted by no person other than the subdivider or a contractor obligated by written contract to the subdivider for construction of all the required public improvements. In the event a contractor posts the bond, the subdivider and the municipality may be dual obligees under mutually agreed terms.

b. Deposit in Escrow

The subdivider may elect to deposit a cash sum equal to the estimated cost of all required public improvements plus overrun allowances as provided in subsection E.2. above either with the municipality or in escrow with a responsible financial institution authorized to do such business in the state. In the case of an escrow account, the subdivider shall file with the municipality an escrow agreement that includes the following terms:

- i. Funds of the escrow account shall be held in trust until released by the municipality and may not be used or pledged by the subdivider as security in any matter during that period other than payment for the improvements. The funds may be used for payment of improvements as made, except that the escrow holder shall withhold from disbursement so much of the funds as is estimated as being necessary to complete the construction and installation of such improvements, plus an overrun allowance as provided in E.2. above.
- ii. In the case of a failure on the part of the subdivider to complete any improvement within the required time period, the institution shall immediately make all funds in such account available to the municipality for use in the completion of those improvements.

c. Letter of Credit

The subdivider may elect to provide from a bank or other responsible financial institution authorized to do such business in the state an irrevocable letter of credit. Such letter shall be filed with the municipality and shall certify the following:

- i. That the creditor irrevocably guarantees funds in an amount equal to the estimated cost of all required public improvements plus overrun allowances as provided in subsection E.2. above for the completion of all such improvements.
- ii. That in the case of failure on the part of the subdivider to complete any specified improvements within the required time period the creditor shall pay to the municipality immediately and without further action such funds as are necessary to finance the

completion of those improvements up to the limit of credit stated in the letter.

F. Release of Guarantee of Improvements

1. The municipality shall release the obligation for performance guarantees upon the final acceptance of the improvement, together with the posting of adequate security for warranty.
2. The municipality may refuse to release the obligation for any particular public improvement if the subdivider or contractor is in present or imminent default in whole or in part on the completion of any other public improvement or warranty covered by the subdivision agreement.

G. Improvement Warranty

1. The subdivider shall warrant and guarantee that required public improvements constructed under the agreement will remain in good condition and meet operating specifications for two years, commencing with final acceptance of each public improvement when it is completed. Such warranty includes defects in design, workmanship, materials, and any damage to improvements caused by the subdivider, his or her agents or others engaged in work to be performed under the subdivision agreement. The subdivider shall not be responsible for cleaning, snow removal, ditching, grading, dust control, or similar activities during the warranty period. Nothing in this title, however, is intended to waive the requirements of AMC chapter 24.80, pertaining to miscellaneous use provisions.
2. To secure the warranty:
 - a. The guarantee of performance provided for in subsection E. shall remain in effect until the end of the warranty period. If the guarantee is a performance bond posted by a contractor, the bond cannot secure the warranty unless the subdivider and contractor, by written agreement, elected this option at the time the performance bond was posted; or
 - b. The subdivider shall furnish the municipality with a corporate surety bond, cash deposit, or letter of credit in an amount equal to a percent of the total construction costs as set forth in this subsection. This security shall guarantee the payment of any reconstruction or repair costs that may be undertaken due to failures occurring during the warranty period. Responsibility for identifying the necessity of repairs or reconstruction of the improvements shall rest with the municipality.

TABLE 21.08-11: PERCENT TO SECURE WARRANTY

Total Construction Cost	Percent to Secure Warranty
\$0.00--\$500,000.00	10
\$500,000.00--\$1,000,000.00	7 1/2
\$1,000,000.00 and higher	5

1 **H. Correction of Deficiencies Under Warranty**

2 Within 30 days, or a reasonable extension at the sole discretion of the municipal
3 engineer, of notification by the municipality of the need for repair or reconstruction, the
4 subdivider shall correct the deficiencies, satisfactory to the municipality. Such notification
5 shall be made by certified mail. If the subdivider fails to repair or reconstruct the
6 deficiency within the time specified in this section, the municipality will make the repair at
7 the subdivider's sole expense. The municipality may then bill the subdivider for the cost
8 of the repair, or declare the bond or deposit forfeited.

9 **I. Release of Warranty**

10 Inspection will be made by the municipality at the end of the warranty period and prior to
11 the release of guarantees. All deficiencies shall be corrected prior to release of the
12 warranty security. Upon satisfactory correction of all deficiencies, the municipality will
13 release the remaining security.

14 **J. Default**

15 If the subdivider defaults on any obligation to construct required public improvements or
16 the obligation to warrant and repair such improvements, the municipality may demand
17 immediate payment on the performance or warranty guarantee. In the case of a
18 performance bond, deposits in escrow, or letter of credit, the municipality may demand
19 immediate payment of a portion of all sums obligated for the performance or warranty of
20 any improvement. In the case of a deed of trust guarantee method, the municipality may
21 foreclose on the deed of trust and may also retain any sums deposited to obtain a partial
22 release of the deed of trust. All funds received by the municipality shall be used for any
23 construction, repair, or reconstruction necessary to ensure that:

- 24 1. All required public improvements are built to specifications necessary to receive
25 final acceptance; and
- 26 2. The improvements remain in good condition for the completion of the warranty
27 period. The municipality may use guarantee funds for the construction, repair, or
28 maintenance of required public improvements from the date of initial default until
29 three years after the funds have become available to the municipality for such
30 use, except that no use shall be made of the funds later than two years after
31 satisfactory completion and final acceptance of the work. Following either: (1)
32 the final acceptance of all public improvements and posting of the warranty
33 security, or (2) successful completion of the warranty period, or (3) the three-year
34 period provided for in this subsection, the municipality shall pay to the subdivider
35 all guarantee funds which were not used or obligated for the completion of the
36 improvements.

37 **K. Standards May Not Be Altered; Enforcement of Chapter**

38 All provisions of this chapter are mandatory and may not be altered by the subdivision
39 agreement. The obligations contained in this chapter shall be enforceable by methods of
40 enforcement of ordinance as well as contract.

21.08.070 CONSERVATION SUBDIVISIONS

A. Purpose

A conservation subdivision is an alternative type of residential development in which the lots are allowed to be smaller in area or narrower than otherwise required in the zoning district, but in which the overall number of lots does not exceed the maximum number of lots allowed in a conventional subdivision by the zoning district. Conservation subdivisions are intended to create a more compact residential development to preserve and maintain open areas, high value natural lands, and lands unsuitable for development, in excess of what would otherwise be required by this title.

B. Applicability

The conservation subdivision option may be used on any parcel with a minimum of at least 5 acres in any residential district in which detached single-family housing is permitted, provided that the proposal is consistent with the requirements in this section 21.08.070.

C. Conservation Design Process

Conservation subdivisions shall be approved through the procedure set forth in section 21.03.060.

D. Reduction in Minimum Lot Area Allowed

Conservation subdivisions may include one or more lots that do not conform to the minimum lot size or lot width requirements of chapter 21.06, or the lot width to depth ratio of subsection 21.08.030I.3, provided that:

1. The amount of any reduction in minimum lot size shall be used for common open space, pursuant to F. below;
2. There shall be no more than one principal single-family structure per lot;
3. Front and rear setbacks are not less than half the depth required by the underlying zoning district, but side setbacks are not less than the width required by the underlying zoning district;
4. On any lot that is less than the minimum lot size of the underlying zoning district, the principal structure shall have a maximum floor area ratio of not more than 0.5;
5. Street sections shall have vertical curbs;
6. Driveways shall have a maximum width of 14 feet at the curb;
7. Where on-street parking is allowed, a minimum 20 foot separation distance between the curb returns of adjacent driveways shall be provided; and
8. Level 4 Screening landscaping shall be provided along any lot line abutting a residential neighborhood where the average lot size is greater than 150% of the average lot size of the conservation subdivision.

1 **E. Lot Coverage Allowed**

2 The maximum lot coverage requirements for lots in a conservation subdivision, as set
3 forth in chapter 21.06, may be increased by no more than 10 percent.

4 **F. Minimum Open Space**

5 The amount of lot size reduction of each lot shall, in total, be provided as common open
6 space, except that under no circumstances shall the amount of common open space
7 provided be less than 20 percent of the property shown on the subdivision plat. Open
8 space shall be identified using the standards set forth in subsection 21.07.030B.4.,
9 *Private Open Space, Standards*, except that no portion of the land preserved as common
10 open space may be located within the boundaries of an individual lot for residential
11 development, or in a road right-of-way or utility easement, and no portion of the land
12 preserved as common open space may be less than 2,000 square feet or less than 30
13 feet in its smallest dimension.

14 **G. Dedication and Recording**

15 The required common open space shall be preserved from development in perpetuity
16 through the use of a dedication, and shall be conveyed to a property owners' association
17 or other organization with responsibility for maintenance of the open space and the ability
18 to collect assessments or dues for such purpose. The applicant shall submit proof that:

- 19 1. Such deed restriction or easement has been recorded at the district recorder's
20 office; and
- 21 2. The property owners' association or other organization has been established
22 before any building or land use permits for construction in a conservation
23 subdivision shall be issued.

24

¹ NOTE: The current code does not specify the maximum design speed and right-of-way for 40 foot streets. The draft table carries forward the standards for 36-foot streets for discussion purposes.