

TABLE OF CONTENTS

1

2

3 **CHAPTER 21.08: SUBDIVISION STANDARDS451**

4 **21.08.010 Purpose..... 451**

5 A. General 451

6 B. Specific 451

7 **21.08.020 Applicability..... 451**

8 A. Generally 451

9 B. Approvals Required 451

10 **21.08.030 Design Standards..... 451**

11 A. Subdivision Layout and Design Generally..... 451

12 B. Phasing Schedule..... 452

13 C. Maintenance of Existing Natural Drainage 452

14 D. Drainage Design 452

15 E. Legal and Physical Access 453

16 F. Streets 453

17 G. Block Arrangement 455

18 H. Lot Dimensions 455

19 I. Lot Frontage and Access..... 456

20 J. Landscaping 456

21 K. Reserve Strips 457

22 L. Electrical and Telecommunication Utilities 457

23 M. General Subdivision Standards Are Minimum Standards 457

24 **21.08.040 Dedication..... 457**

25 A. Streets 457

26 B. Alleys 458

27 C. Walkways..... 458

28 D. Trails 458

29 E. Riparian Protection and Maintenance Easements 458

30 F. Utility Easements..... 459

31 **21.08.050 Improvements..... 459**

32 A. General Requirements 459

33 B. Improvement Areas Defined..... 459

34 C. Improvement Requirements by Improvement Area 460

35 D. Interior Streets 461

36 E. Optional Residential Interior Streets..... 463

37 F. Access Streets, Peripheral Streets, and Half Streets..... 464

38 G. Curbs and Gutters 464

39 H. Sidewalks..... 464

40 I. Walkways..... 465

41 J. Street Lighting 465

42 K. Traffic Control Devices 465

43 L. Monuments 465

44 M. Drainage System 465

45 N. Telecommunication and Electric Facilities 466

46 O. Water Supply Facilities 466

47 P. Sanitary Sewer Facilities 467

48 Q. Erosion and Sedimentation Control..... 468

49 R. Landscaping 468

50 S. Natural Gas Facilities 468

51 **21.08.060 Subdivision Agreements..... 468**

52 A. Agreement Required; Application; Contents 468

53 B. Approval by Assembly 469

54 C. Time Limit for Completion of Improvements..... 470

1	D. Payment of Costs of Required Improvements.....	470
2	E. Guarantee of Completion of Improvements Required; Amount; Methods	474
3	F. Release of Guarantee of Improvements	475
4	G. Improvement Warranty	476
5	H. Correction of Deficiencies Under Warranty	476
6	I. Release of Warranty	477
7	J. Default	477
8	K. Standards May Not Be Altered; Enforcement of Chapter	477
9	21.08.070 Conservation Subdivisions.....	477
10	A. Purpose	477
11	B. Applicability.....	478
12	C. Conservation Design Process	478
13	D. Reduction in Minimum Lot Area Allowed.....	478
14	E. Lot Coverage Allowed	478
15	F. Minimum Open Space.....	478
16	G. Dedication and Recording	478
17		

CHAPTER 21.08: SUBDIVISION STANDARDS¹

21.08.010 PURPOSE²

A. General

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

B. Specific

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

21.08.020 APPLICABILITY

A. Generally³

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

B. Approvals Required

1. General

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

2. Before Certificate of Zoning Compliance

A Certificate of Zoning Compliance shall not be issued, and a building or structure shall not be occupied, until and unless all dedications and improvements required by this chapter have been installed or agreements/guarantees made in a satisfactory manner and approved by the Municipality.

21.08.030 DESIGN STANDARDS

A. Subdivision Layout and Design Generally⁴

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

- 1 **1. Name of Subdivision**
2 The title under which the subdivision will be recorded shall not duplicate the
3 name of any existing subdivision in the Municipality.
- 4 **2. Compliance with Comprehensive Plan**
5 The design of subdivisions shall be consistent with the appropriate elements
6 of the Comprehensive Plan.
- 7 **3. Compliance with Other Provisions of this Title**
8 All subdivisions shall comply with all other applicable zoning, design, and
9 development regulations set forth in this title, including but not limited to:
- 10 a. The requirements of the zoning district in which the property is
11 located (see chapter 21.04); and
- 12 b. Applicable development and design standards (see chapter 21.07).
- 13 **B. Phasing Schedule⁵**
- 14 The Platting Authority may require that a subdivision conform to a phasing schedule
15 based upon the scheduled availability of infrastructure to serve the subdivision.
16 Submittals for the initial phase of a subdivision shall indicate utility easements and
17 transportation connections to adjacent and undeveloped land/areas that are not part
18 of the initial phase yet are under the same ownership.
- 19 **C. Maintenance of Existing Natural Drainage⁶**
- 20 The general lot configuration and layout of proposed rights of way, open space tracts,
21 and development setbacks shall be consistent with naturally occurring drainage
22 features and historical drainage patterns within the subdivision and surrounding areas.
23 Every effort shall be made to mitigate the damming and/or diversion of natural and
24 historical drainageways or watercourses. The subdivision design shall ensure that
25 neighboring parcels, adjacent rights of way, waterbodies, wetlands, and existing storm
26 drainage facilities are in no way adversely impacted by new or altered drainage
27 resulting from the development.
- 28 **D. Drainage Design⁷**
- 29 Submittals for new subdivisions shall comply with the following standards:
- 30 1. Any and all waters of the United States, including wetlands, streams, lakes,
31 and marine waters, located either in whole or in part within the proposed
32 development shall be surveyed and mapped.
- 33 2. All pre- and post-development points of drainage entrance and exit to the
34 development, and all site drainage receiving waters shall be clearly identified.
- 35 3. All existing and proposed drainageways affected by the proposed
36 development, natural or constructed, shall be clearly identified.
- 37 4. Plans for proposed development must demonstrate provision for integrated
38 contiguous drainage for all entrance drainage and site drainage, including the
39 drainage from individual lots.

- 1 5. Estimates for watercourse flow rates contributed by groundwater from
2 subdrains, ditching, or natural features that may convey shallow groundwater
3 to the existing and/or proposed drainage network shall be provided.
- 4 6. Estimates of pre- and post-development peak flow rates for the 2 year 6 hour,
5 and the 10 year 3 hour design storm events for all drainage entrance and exit
6 points to the proposed development shall be provided. Post development
7 estimates for drainage exit points shall reflect proposed storm water detention
8 or retention controls.
- 9 7. Developments shall be designed such that post-development runoff volumes
10 meet both of the following criteria:
- 11 a. Post-development runoff volumes calculated from the 2 year, 6 hour
12 design storm event shall equate to a zero net increase from the pre-
13 development conditions; and
- 14 b. Post-development runoff volumes calculated from the 10 year, 3 hour
15 design storm event shall equate to no more than double the
16 calculated runoff volumes from pre-development conditions. Design
17 storm events shall be obtained from the Municipality's most current
18 standard WQ hyetograph.
- 19 **E. Legal and Physical Access**
- 20 A subdivision shall have legal and physical access.
- 21 **F. Streets**
- 22 All streets shall comply with the standards of the Design Criteria Manual and section
23 21.07.060, *Transportation and Connectivity*, and in addition shall comply with the
24 following intent and standards:
- 25 1. **Intent**
- 26 Streets shall be arranged in relation to topography to provide usable lots, safe
27 streets, reasonable gradients, and minimum damage to terrain and existing
28 vegetation.
- 29 2. **Street Grades⁸**
- 30 a. Except as provided in this section, cul-de-sac turnaround grades shall
31 not exceed five percent, and other street grades shall not exceed ten
32 percent.
- 33 b. Notwithstanding subsection a. above, residential street grades in a
34 subdivision may be up to 15 percent. However, any street grade
35 exceeding ten percent shall be on a straight alignment no more than
36 100 feet long; provided that the Municipal Engineer may allow the
37 grade to continue longer where required by topographic conditions
38 and consistent with sound design principles.
- 39 c. Streets shall comply with the standards of subsection 21.07.020.C.,
40 *Steep Slope Development*.

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3. **Street Alignment⁹**
- 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 Intersections¹⁰**
- 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.¹¹ Corner roundings at intersections shall conform to the standards of the Department.
5. **Cul-de-Sacs¹²**
- a. Where topography and traffic circulation permit, the length of a cul-de-sac shall not exceed 900 feet in the R-5, R-6, R-9, R-10, and TA zoning districts, and 600 feet in all other zoning districts.
- 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 Addresses¹³**
- 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.

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

3 b. Pursuant to AMC chapter 3.40, the Director may promulgate
4 regulations establishing a uniform street designation terminology. All
5 street names 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 Addresses¹⁴**

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

13 b. Pursuant to AMC chapter 3.40, the Director may promulgate
14 regulations establishing uniform street address numbering technology
15 and 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
18 or procedures.

19 **G. Block Arrangement¹⁵**

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

24 2. Residential blocks in Class A improvement areas (as defined in 21.08.050.B)
25 shall not be less than 300 feet nor more than 500 feet long. Residential
26 blocks in Class B improvement areas shall not be less than 300 feet nor more
27 than 1,320 feet long.¹⁶ The Platting Authority may approve a longer block
28 length when necessary to accommodate natural features such as steep
29 slopes.

30 **H. Lot Dimensions¹⁷**

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

33 1. The depth of a lot shall be at least 80 feet.¹⁸

34 2. The width of a corner lot shall be at least 50 feet.

35 3. The width of a lot shall be at least one-third the depth of the lot.

36 4. If a lot is to be served by an on-site wastewater disposal system, the lot must
37 have the minimum area required for such a lot under AMC chapter 15.65.

38 5. Notwithstanding any other provision of this section, the width of the flagpole
39 portion of a flag-shaped lot shall be no less than:

- 1 a. Thirty feet when both public water and sewer systems are to serve
2 such a residential lot.
- 3 b. Forty feet when both public water and sewer systems are to serve
4 such a commercial or industrial lot.
- 5 c. Twenty-four feet when only a public water or a public sewer system is
6 to serve such a lot.
- 7 d. Twenty-four feet when the lot is located in the R-5, R-6, R-9, R-10, or
8 TA districts and will not be served by either the public water or the
9 public sewer system.
- 10 6. The length of the flag pole portion of the lot shall not exceed 200 feet in the R-
11 5, R-6, R-9, R-10, or TA districts or 100 feet in all other districts, and all other
12 measurements shall be consistent with other sections of this title.
- 13 7. To the extent feasible, side lot lines shall be perpendicular to straight streets
14 and radial to curved streets.
- 15 **I. Lot Frontage and Access¹⁹**
- 16 1. Except when platted under subsection 21.03.070.G., *Platting for Conditional*
17 *Uses*, all lots shall have frontage on a publicly dedicated street.
- 18 2. Unless approved by the Director, access to a residential use on a residential
19 lot shall not be from a collector or greater street as designated on the
20 OS&HP.
- 21 3. Subdivisions shall be designed to minimize lots with access to residential
22 major streets carrying more than 1,000 average daily trips.
- 23 4. Unless otherwise provided in this title, the total width of driveway entrances to
24 a lot from a street shall not exceed 40 percent of the frontage of the lot on the
25 street at the property line and 30 percent at the curb. However, a driveway
26 may always be a minimum of 14 feet wide, and the maximum width of a
27 driveway is 20 feet. This provision does not apply to flag lots or townhouse
28 lots.
- 29 5. The frontage of a lot on a cul-de-sac bulb shall be at least 35 feet, except that
30 the frontage on a cul-de-sac bulb of a lot with a side yard abated under
31 subsection 21.06.020A.3., *Construction on Adjoining Lots*, shall be at least 18
32 feet. This subsection does not apply to flag lots.
- 33 6. There shall be no more than one flag lot facing onto each cul-de-sac bulb.
- 34 **J. Landscaping²⁰**
- 35 1. The Platting Authority shall consider and require, where appropriate,
36 landscaping and screening under section 21.07.080, *Landscaping, Screening,*
37 *and Fences* to separate property from incompatible uses or structures,
38 including but not limited to streets designated for collector or greater capacity
39 on the Official Streets and Highways Plan, railroads, commercial, or industrial

1 uses. The area containing the landscaping shall be shown as an easement or
2 open space area on the plat. The landscaping shall be installed before final
3 plat approval, or its installation shall be guaranteed under section 21.08.060,
4 *Subdivision Agreements*, or by other performance guarantees acceptable to
5 the authority. The landscaping shall be maintained by the property owner or
6 designee.

- 7 2. If a landscaping easement is required, no more than 50 percent of such
8 easement shall coincide with any utility easement, per the requirements of
9 21.07.080G.2.c.

10 **K. Reserve Strips²¹**

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

12 **L. Electrical and Telecommunication Utilities²²**

13 The width and alignment of transmission easements within subdivisions shall conform
14 to the Utility Corridor Plan. The Platting Authority shall preclude structures or uses of
15 land within or beneath areas of electrical or telecommunications ground or aerial
16 easements that are incompatible with electrical distribution or transmission facilities.

17 **M. General Subdivision Standards Are Minimum Standards²³**

- 18 1. The design standards in this chapter are minimum standards. The Platting
19 Authority may impose more restrictive standards when it finds they are
20 necessary to conform the design of a proposed subdivision to the approval
21 criteria for subdivisions set forth in this title.
- 22 2. When the Platting Authority finds that it is not feasible to conform the design
23 of a proposed subdivision to meet the approval criteria for subdivisions set
24 forth in this title, the Platting Authority may reject a proposed subdivision in its
25 entirety.

26 **21.08.040 DEDICATION**

27 **A. Streets²⁴**

- 28 1. Except as provided in section 21.03.070, *Conditional Uses*, and 21.03.080,
29 *Site Plan Review*, all street rights-of-way shall be dedicated to the public.
- 30 2. Street right-of-way widths shall conform to the Official Streets and Highways
31 Plan (OSHP), provided that the maximum dedication width that may be
32 required for an arterial or collector street is 70 feet if the entire width of the
33 street is within the subdivision, or 35 feet if the street is on an exterior
34 boundary of the subdivision. These standards are considered to be minimum
35 standards and may be increased in a particular instance, where necessary, to
36 make a proposed street conform to sound traffic engineering standards and
37 principles. When steep slopes or other terrain features dictate, slope
38 easements that exceed normal right-of-way requirements will also be
39 required.
- 40 3. The Platting Authority may approve the dedication of a half-street only when
41 the other half of the street has been dedicated or when the Platting Authority

1 reasonably anticipates that the other half of the street will be dedicated.
2 When a subdivision borders a dedicated half street, the Platting Authority
3 shall require the dedication of the other half of the street, unless it determines
4 that the street would be unnecessary or undesirable.

5 **B. Alleys²⁵**

6 The Platting Authority may require the dedication of alley rights-of-way where it finds
7 that alleys are necessary for service access, off-street loading, or parking. The
8 minimum width of an alley right-of-way shall be 20 feet.

9 **C. Walkways²⁶**

10 The Platting Authority shall require the dedication of pedestrian walkways where it
11 finds that pedestrian walkways are necessary to convenient pedestrian circulation or
12 to protect pedestrians from hazardous traffic. The minimum width of a walkway
13 dedication shall be 10 feet. If the walkway is paved, the paving shall be a minimum of
14 four feet and a maximum of six feet wide.

15 **D. Trails²⁷**

16 The Platting Authority shall require the dedication of an easement for a trail
17 designated on adopted municipal plans when it finds that the trail cannot be located in
18 an existing dedicated easement or right-of-way. The Platting Authority may modify
19 the alignment, width, and scope of trail easements as necessary to integrate trail and
20 subdivision design.

21 **E. Riparian Protection and Maintenance Easements²⁸**

- 22 1. The Platting Authority shall require the dedication of riparian maintenance and
23 protection easements where a stream, waterbody, or wetland traverses or is
24 adjacent to the subdivision.
- 25 2. The easement shall conform substantially to the line of the watercourse. The
26 width of the easement shall be that which the Platting Authority finds
27 necessary to provide access to widen, deepen, slope, improve, and maintain
28 the stream, and to protect the stream and adjacent property from soil erosion,
29 flooding, water pollution, and destruction of fish and wildlife habitat. At a
30 minimum, the easement shall be the same as the applicable setback required
31 in the zoning district, as set forth in section 21.07.020.B.4., *Buffer/Setback*
32 *Requirements*.
- 33 3. Section 21.07.020.B., *Stream, Waterbody, and Wetland Protection*, sets forth
34 additional restrictions on development and the use of land and structures
35 within the easement and, in some districts, beyond the easement.
- 36 4. In cases where two or more easements coincide, the outer limits of the
37 combined easement shall be measured from the outer edge of the outermost
38 watercourse edge in either direction.
- 39 5. Credit towards other open space dedication or private open space set-aside
40 requirements shall be given for the dedication of riparian protection and
41 maintenance easements at a ratio of one-to-one.

1 6. For purposes of this section, maintenance shall include, but not be limited to:
2 placement of riprap, re-vegetation, debris removal, glaciation control, grading
3 and sediment removal, protection of adjacent or downstream land from
4 flooding, soil stabilization, and erosion control. Access for maintenance shall
5 be allowed within the closest 15 feet of the setback to the stream.
6 Appropriate permits may still be required for in-stream or floodplain activities.

7 **F. Utility Easements²⁹**

- 8 1. Public utilities shall be placed in dedicated rights-of-way whenever possible.
- 9 2. In situations where utilities may not be placed within rights-of-way, easements
10 shall be provided for utilities, and shall be centered along or adjacent to lot
11 lines to the greatest extent practicable.
- 12 3. Utility easements shall not be placed in required landscaping or required open
13 space areas, except where necessary to cross such areas.
- 14 4. Utility easements shall be sized according to the Utility Corridor Plan.
- 15 5. The Platting Authority may require the dedication of utility easements when a
16 utility company demonstrates a specific need for them or an easement is
17 needed to accommodate the routing included in the Utility Corridor Plan.

18 **21.08.050 IMPROVEMENTS**

19 **A. General Requirements³⁰**

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

37 **B. Improvement Areas Defined³¹**

38 For the purpose of this section, the Municipality is divided into two distinct
39 improvement areas. The Class A improvement area includes areas of more dense

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population and thus requires a more urbanized level of improvements. The Class B improvement area includes areas that are less densely populated and thus requires a less urbanized level of improvements. The zoning districts associated with each improvement area are listed in the table below:

TABLE 21.08-1: IMPROVEMENT AREAS DEFINED		
District Type	Class A	Class B
Residential	R-1 R-2 R-3 R-4 R-7	R-5 R-6 R-9 R-10
Commercial	AC CBD MC	
Industrial	IC I-1 I-2 MI	
Mixed Use	RMX NMU CCMU RCMU MMU	
Other Districts	AD	TA W PR
AF District OL District PLI District PR 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 Area³²

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 21.08-2: 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

TABLE 21.08-2: REQUIRED IMPROVEMENTS BY IMPROVEMENT AREA		
R = Improvement Required		
Improvement	Class A	Class B
Telephone & Electrical Facilities	R	R
Water Supply Facilities	R	
Sanitary Sewer Facilities	R	
Landscaping	R	R

D. Interior Streets³³

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 Trips³⁴

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 21.08.050.D., 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
		24	2	0	25	60	Yes	

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				
								loops
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
		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 21.08.050.E 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:

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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 ³⁵	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

1

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 Streets³⁶

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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 21.08.050.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.

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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.

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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,

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using the maximum residential density permitted for the lot by its zoning district.

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

3
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F. Access Streets, Peripheral Streets, and Half Streets³⁷

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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 subdivider shall improve. Access streets shall be improved in accordance with Table 21.08-5.

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2. Peripheral Streets

a. The Platting Authority may require the improvement of peripheral streets when it finds that they are necessary for the efficient flow of traffic or for emergency vehicle access.

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

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3. Half Streets

The Municipal Engineer or the Platting Authority may require the improvement of a half street in the urban area to one-half of the street width specified in Table 21.08-4, if underground utilities will be installed before street construction.

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G. Curbs and Gutters³⁸

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

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H. Sidewalks³⁹

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

1. No surface water drainage from the subdivision shall empty into a sanitary sewer; or directly, without treatment and energy dissipation, into a creek or stream channel.
2. The size, design, and construction of drainage structures shall conform to the requirements set forth by the Municipal Engineer.
3. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, a stormwater or drainage easement shall be provided that substantially conforms with the lines of such watercourse, plus additional width that is adequate and necessary to convey expected storm flows and/or stormwater drainage facilities. Streets paralleling such easement may be required in connection therewith. Lakes, ponds, creeks, and similar areas will be accepted for maintenance by the Municipality only if sufficient land is dedicated as a public recreation area or park or if such area constitutes a necessary part of the stormwater drainage control system.
4. The Municipality shall accept no responsibility to maintain any storm drainage structures, except for those lying within a municipal right-of-way or traversing municipally owned property.
5. The drainage system shall comply with the standards set forth in section 21.07.040, *Drainage, Stormwater Runoff, Erosion Control*.
6. No more than 20 percent of the pre-development runoff volumes shall be diverted from the original U.S. receiving water unless approved by the Municipal Engineer.
7. Unless waived by the Municipal Engineer, footing drain stub-outs shall be provided for each lot where there is a storm drain system.

N. Telecommunication and Electric Facilities⁴⁴

1. All new telecommunication and electric lines shall be installed in accordance with the specifications of the Municipality and the utility providing the service.
2. All new telecommunication and electric utility distribution lines, as defined in chapter 21.13, shall be placed underground:
 - a. As required by section 21.07.050, *Utility Distribution Facilities*; and
 - b. As required by the Platting Authority in areas with patterns of development similar to those where section 21.07.050 requires that utility distribution lines be placed underground.

O. Water Supply Facilities⁴⁵

1. **Access to Public Water System**
 - a. If the Platting Authority requires that a subdivision be served by a public water 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

1 Design Criteria for Sanitary Sewer and Water Improvements of the
2 municipal water and wastewater utility.

3 b. Where connection to public water supply systems is required, such
4 systems shall be dedicated to the Municipality for operation and
5 maintenance, thus allowing for the orderly expansion of the
6 Municipality, its water systems, and fire protection services that
7 protect the health of the citizens of the Municipality.

8 **2. No Access to Public Water System**

9 a. If the subdivision has no access to a public water system, the Platting
10 Authority may require the subdivider to install a water system for the
11 common use of the lots in the subdivision. The subdivider shall install
12 the system in accordance with the requirements of the state
13 department of Environmental Conservation and the specifications of
14 the municipal water and wastewater utility.

15 b. If the subdivision has no access to a public water system, and the
16 Platting Authority finds that a water system for the common use of lots
17 in the subdivision is not feasible and desirable, the subdivider need
18 not install water supply facilities. A well serving an individual lot shall
19 conform to the requirements of Municipal On-Site Water and
20 Wastewater Program. A common water system serving a portion of
21 the subdivision shall not preclude individual wells for the remaining
22 lots.

23 **P. Sanitary Sewer Facilities⁴⁶**

24 **1. Access to Public Sewer System**

25 a. If the Platting Authority or provisions of law require that a subdivision
26 be served by a public sewer system, the subdivider shall install the
27 system in accordance with the requirements of the state Department
28 of Environmental Conservation and the most current edition of the
29 Design Criteria for Sanitary Sewer and Water Improvements of the
30 municipal water and wastewater utility.

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

36 **2. No Access to Public Sewer System**

37 a. If the subdivision has no access to a public sewer system, the Platting
38 Authority may require the subdivider to install a sewer system for the
39 common use of lots in the subdivision.

40 b. If the subdivision has no access to a public sewer system, the
41 subdivider need not install sewer facilities. A sewage disposal system
42 serving an individual lot shall conform to the requirements of
43 Municipal On-Site Water and Wastewater Program.

1 **Q. Erosion and Sedimentation Control⁴⁷**

2 All grading, excavating, and removal or destruction of natural topsoil, trees, or other
3 natural vegetation shall conform to an erosion and sedimentation control plan
4 prepared by the subdivider and approved by the Department of Project Management
5 and Engineering before the work may commence. The plan shall conform to the
6 requirements of section 21.07.040, *Drainage, Stormwater Runoff, Erosion Control*, as
7 well as municipal guidelines and policies contained in *Soil Erosion and Sediment*
8 *Control Manual*, and any other applicable guidelines and policies approved by the
9 Department of Project Management and Engineering.

10 **R. Landscaping**

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

16 **S. Natural Gas Facilities⁴⁸**

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

20 **21.08.060 SUBDIVISION AGREEMENTS⁴⁹**

21 **A. Agreement Required; Application; Contents**

22 **1. Agreement Required**

23 Before a final plat for a subdivision where improvements are required under
24 section 21.08.050 is approved or filed, the subdivider shall enter into a
25 subdivision agreement with the Municipality in accordance with this section.
26 The Municipality reserves the right to refuse to enter into a subdivision
27 agreement with any subdivider who fails to comply with the conditions of an
28 active agreement, or is delinquent in the payment of any account with the
29 Municipality.⁵⁰

30 **2. Application**

31 Application for a subdivision agreement shall be made to the Department of
32 Project Management and Engineering. The application shall include a copy of
33 the preliminary plat, a tentative schedule of all proposed construction of public
34 improvements and utilities, and an engineer's estimate of the cost of each
35 required public improvement. The engineer's estimate shall be based on the
36 most current average bid tab calculations of the Municipality. The
37 Municipality may require a showing of the subdivider's financial responsibility.

38 **3. Contents**

39 Except as provided in subsection 21.08.060.A.4. below, the subdivision
40 agreement shall include but need not be limited to the following provisions:

- 41 a. A designation of the public improvements required to be constructed.

- 1 b. The construction and inspection requirements of the Municipality or
2 utility for which the improvements are constructed.
- 3 c. The time schedule for completing the improvements.
- 4 d. The guaranty required by subsection 21.08.060.E.
- 5 e. A schedule for any payments required under this section.
- 6 f. The allocation of costs between the Municipality and the subdivider
7 for required public improvements.
- 8 g. The warranty required by subsection 21.08.060.G.
- 9 h. The consent of the subdivider for the ownership of specified public
10 improvements to vest with the Municipality upon final acceptance by
11 the Municipality.
- 12 i. A warranty that the subdivider has title to the subdivision property and
13 the authority to execute the subdivision agreement.
- 14 j. Where the subdivision is within the regulatory floodway, a
15 requirement that the subdivider will submit certification of
16 floodproofing, information on the elevation of the lowest habitable
17 floor and information on the elevation to which the structure is
18 floodproofed, for each building or structure to be constructed as part
19 of the subdivision agreement.
- 20 k. A provision requiring the subdivider to submit plans, specifications,
21 descriptions of work, the limits of the work area, the methods to be
22 employed, a traffic control plan and any other pertinent data and
23 information necessary for the department of public works to evaluate
24 the proposed installation.
- 25 l. A provision that all work shall be performed pursuant to the
26 Municipality of Anchorage Standard Specifications (MASS), latest
27 edition.
- 28 m. A provision that work shall not commence until plans have been
29 approved by the director of public works and notice to proceed is
30 given.

31 4. **Exceptions**
32 If the subdivider elects to complete and obtain acceptance of all required
33 public improvements before the approval or filing of a final plat for the
34 subdivision, the subdivision agreement need not include the time schedule
35 and guarantee provisions specified in items c. and d. above.

36 B. **Approval by Assembly**
37 Approval by the Assembly shall be required to enter into those subdivision
38 agreements where municipal participation in the cost of the required public
39 improvements is estimated to be \$30,000.00 or more.⁵¹

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

- 2 1. The improvements required under the terms of the subdivision agreement
3 shall be fully completed and accepted for warranty within two years of the
4 date of execution of the agreement. However, before the expiration of the
5 subdivision agreement, the subdivider may request a time extension from the
6 Platting Authority under the process outlined in 21.03.060. Following a public
7 hearing, the Platting Authority may grant subdivision agreement time
8 extensions, up to two years in length, upon a showing of good cause by the
9 developer and provided such extension does not unreasonably impact
10 adjacent properties or the general public. In considering whether an
11 extension should be granted, the platting board shall consider the manner in
12 which safety hazards, drainage problems, sanding, snow removal, grading
13 and other matters will be handled during the extension period and may
14 impose performance conditions on the extension to ensure that such matters
15 are adequately handled. A finding of nonconformance by the Department of
16 Project Management and Engineering shall automatically, without any further
17 action by the platting board, result in a cancellation of the extension after 30
18 days' written notice.
- 19 2. The total time of any and all such time extensions shall not exceed 60 months
20 for existing subdivision agreements of record as of September 1, 1989, unless
21 further extensions are approved by the Assembly. All other agreements may
22 obtain only a two-year extension before being required to be approved by the
23 Assembly. All time extensions shall be conditioned to require provision of an
24 adequate performance guarantee when the existing guarantee is inadequate.

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

26 The cost of any public improvement shall be defined to include the cost of design,
27 engineering, contract administration, inspection, testing, and surveillance as well as all
28 work, labor, and materials furnished for the construction of the improvement. The
29 subdivision agreement shall provide for the apportionment of the cost of required
30 public improvements between the Municipality and the subdivider as follows:

31 1. **Administrative and Recording Costs Relating to Public Improvement**
32 **Guaranties**

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

36 2. **Inspection, Surveillance, and Testing**

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

43 3. **Administration of Agreement**

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

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

3 Reasonable costs incurred in the construction of a street designated on the
4 official streets and highways plan (OSHP) as a collector, arterial, or greater
5 and within the Anchorage Roads and Drainage Service Area (ARDSA) shall
6 be apportioned as specified in subsections 21.08.060.D.4.a. through d. below.
7 For purposes of this subsection, construction costs means only those costs
8 associated with construction, design engineering, project administration and
9 inspection, related bank fees and interest payments, and fair market value of
10 right-of-way dedicated to the street in excess of 60 feet.

11 a. ***Interior Collector Streets***

12 If a collector street lies within the subdivision, the Municipality shall
13 reimburse the subdivider a sum equal to the reasonable construction
14 cost of building to the standard specified by the Platting Authority,
15 less the estimated cost of construction in accordance with the
16 residential standard approved by the Platting Authority under Tables
17 21.08-4 and 21.08-6, provided that:

18 i. When the subdivision agreement is executed:

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

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

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

27 ii. When the subdivision is approved:

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

30 (B) Construction to the designated standard is required by
31 the Platting Authority; and

32 (C) Improvement to the designated standard is programmed
33 in the six-year capital improvement program.

34 If the conditions set forth in subsections 21.08.060.D.4.a.i. or
35 ii. are not met at the time specified, then the total cost of
36 construction required by the Platting Authority shall be borne
37 by the subdivider.

38 b. ***Interior Arterial Streets***

39 If an interior arterial or greater street is required to be constructed to
40 arterial standards by the Platting Authority, the Municipality shall
41 reimburse the subdivider 100 percent of the reasonable construction
42 cost subject to the availability of bond funds appropriated for that

1 purpose. If the Platting Authority has not required construction to
2 arterial or greater standards, the subdivider shall construct the street
3 to the standards required under subsection 21.08.050.D. and shall
4 bear 100 percent of the construction cost.

5 **c. Peripheral Streets**

6 If the subdivider is required to construct an abutting collector street,
7 the Municipality shall reimburse a sum equal to the reasonable
8 construction cost of the standards specified by the Platting Authority
9 less the estimated cost of construction in accordance with the
10 residential standards under Table 21.08-5, subject to the conditions
11 specified in subsection 21.08.060.D.4.a. above. If a subdivider is
12 required to construct an abutting arterial or greater street to arterial or
13 greater standards, the Municipality shall reimburse in a manner and
14 subject to the conditions set forth in subsection b. above. If the
15 subdivider is not required to construct an abutting street to arterial or
16 greater standards, the subdivider shall construct the street to the
17 standards required under subsection 21.08.050.F. and shall pay 100
18 percent of the cost of construction.

19 **d. Access Streets**

20 If the Platting Authority requires the construction of an access street
21 under the authority of subsection 21.08.050.D. that is designated as a
22 collector, arterial, or greater, the Municipality shall reimburse a sum
23 equal to the reasonable construction cost of the standard specified by
24 the Platting Authority less the estimated construction cost in
25 accordance with the residential standards under Table 21.08-5,
26 subject to the availability of bond funds appropriated for that purpose.
27 If the Platting Authority has not required construction to collector or
28 greater standards, the subdivider shall construct the street to the
29 standards required under subsection 21.08.050.D. and shall pay 100
30 percent of the construction costs.

31 **5. Other Streets**

32 Except as provided in subsection 21.08.060.D.4., the subdivider shall pay 100
33 percent of the cost of streets within the boundaries of the subdivision. The
34 subdivider shall additionally pay 100 percent of the cost of all peripheral
35 streets and access roads except as provided in subsection 21.08.060.D.4. of
36 this section whose construction may be required by the Municipal Engineer.
37 The property within subdivisions that is later assessed by the Municipality for
38 final improvements to access and peripheral streets shall receive credit for the
39 cost of salvageable improvements to those peripheral and access streets.
40 Nonsalvageable improvements will not receive credit. Credit will be provided
41 only when:

- 42 **a.** The Municipality approved the award of the contract which included
43 the work for which the credit is to be issued; and
- 44 **b.** The subdivider provided the Municipality with a sworn notarized
45 statement setting forth the distribution of the costs of salvageable
46 improvements, which he utilized for purposes of establishing lot price,
47 for each lot within his subdivision to which such costs were spread.

- 1 The credit will be applied as a reduction of assessment to each applicable lot,
2 except that in no case will the amount of credit given to any lot exceed the
3 amount of the assessment to that lot.
- 4 **6. Curbs, Sidewalks, and Walkways Adjacent to Streets**
5 The subdivider shall pay the cost of constructing curbs, and sidewalks and
6 walkways adjacent to streets, in the same manner as the cost of constructing
7 the streets to which they are adjacent as provided in subsections
8 21.08.060.D.4.and 21.08.060.D.5.
- 9 **7. Sidewalks and Walkways not Adjacent to Streets**
10 The subdivider shall pay 100 percent of the cost of constructing all sidewalks
11 and walkways not adjacent to streets.
- 12 **8. Storm Drains, Inlets, and Manholes**
13 The subdivider shall pay 100 percent of the cost of storm drains, inlets, and
14 manholes necessary to serve the subdivision, provided that, within areas
15 where the Municipality provides drainage maintenance, the Municipality shall
16 reimburse the subdivider those costs attributable to oversizing required by the
17 Municipality. In those areas where the Municipality does not maintain
18 drainage facilities, the subdivider shall pay all costs, including those for any
19 required oversizing.
- 20 **9. Water Improvements**
21 If the subdivision is to receive water service from a public utility, the
22 subdivider shall provide water facilities, including service connections to all
23 lots, with cost participation as provided in the current approved tariff of the
24 utility. If the subdivision is to receive water service from a community water
25 system, the subdivider shall provide water facilities, including service
26 connections to all lots, and pay 100 percent of the cost of those facilities.
- 27 **10. Sanitary Sewer Improvements**
28 The subdivider shall provide sanitary sewer facilities, including service
29 connections to all lots, with cost participation as provided in the current
30 approved tariff of the municipal sanitary sewer utility.
- 31 **11. Electrical and Telecommunication Facilities**
32 The subdivider shall provide electrical and telecommunication facilities with
33 cost participation as provided in the current approved tariffs of the applicable
34 utility companies.
- 35 **12. Deferred Utilities**
36 When paved street or sidewalk improvements are installed prior to placement
37 of traffic control devices and electrical and telecommunication cable
38 placement, the subdivider shall, at appropriate crossings as directed by the
39 Municipality, provide any necessary underground conduit consistent with
40 conduit size, type, and installations standards provided by the utility.
- 41 **13. Street Lighting⁵²**
42 The subdivider shall pay the cost of street lighting apparatus in the same
43 manner as the cost of constructing the streets to which it is adjacent as
44 provided in subsections 21.08.060D.4.and 21.08.060D.5.

1 **14. Traffic Control Devices**

2 The subdivider shall pay 100 percent of the cost of traffic control devices.
3 Traffic control devices, except electric-operated traffic signals, shall be
4 installed prior to any structure being occupied in the subdivision.

5 **15. Landscaping**

6 The subdivider is responsible for all required landscaping. Landscaping shall
7 meet the standards of section 21.07.080, *Landscaping, Screening, and*
8 *Fences.*

9 **E. Guarantee of Completion of Improvements Required; Amount; Methods**

10 **1. Guarantee Required**

11 To ensure the installation of required public improvements that are not
12 accepted at the time the final plat is filed, the subdivision agreement shall
13 require the subdivider to guarantee the completion of all such improvements
14 by one or more of the methods specified in this section. The means of a
15 guarantee may be changed during the guarantee period through a written
16 modification of the agreement. The amount of the guarantee shall be
17 determined on the basis of the subdivider's cost estimate. The guarantee
18 shall remain in effect until final acceptance of the public improvements and
19 the posting of an acceptable security for the warranty period.

20 **2. Cost Estimate; Overrun Allowance**

21 The engineer's cost estimate shall state the estimated cost of completion for
22 each required public improvement. Cost estimates for each required public
23 improvement must be approved by the Department of Project Management
24 and Engineering. For purposes of establishing the amount necessary for the
25 guarantee of completion of public improvements, a percentage for overrun
26 allowance shall be added to the total estimated cost of public improvements
27 as follows:

Total Estimated Cost of Improvements	Percent for Overrun Allowance
\$0.00--\$500,000.00	20
\$500,000.00--\$1,000,000.00	15
\$1,000,000.00 and over	10

28
29 **3. Methods⁵³**

30 The subdivision agreement shall include one or more of the following methods
31 to guarantee the construction of required public improvements:

32 **a. Performance Bond**

33 The subdivider may elect to provide a surety bond from a company
34 authorized to do such business in the state. The bond shall be in a
35 form acceptable to the municipal attorney and in an amount equal to
36 the estimated cost of all required public improvements, plus an
37 overrun allowance as provided in subsection 21.08.060.E.2. above.
38 The bond shall be payable to the Municipality if any required public
39 improvements are not finally accepted in accordance with the
40 provisions of this title, and shall be posted by no person other than
41 the subdivider or a contractor obligated by written contract to the

1 subdivider for construction of all the required public improvements. In
2 the event a contractor posts the bond, the subdivider and the
3 Municipality may be dual obligees under mutually agreed terms.

4 **b. *Deposit in Escrow***

5 The subdivider may elect to deposit a cash sum equal to the
6 estimated cost of all required public improvements plus overrun
7 allowances as provided in subsection 21.08.060.E.2. above either
8 with the Municipality or in escrow with a responsible financial
9 institution authorized to do such business in the state. In the case of
10 an escrow account, the subdivider shall file with the Municipality an
11 escrow agreement that includes the following terms:

12 i. Funds of the escrow account shall be held in trust until
13 released by the Municipality and may not be used or pledged
14 by the subdivider as security in any matter during that period
15 other than payment for the improvements. The funds may be
16 used for payment of improvements as made, except that the
17 escrow holder shall withhold from disbursement so much of
18 the funds as is estimated as being necessary to complete the
19 construction and installation of such improvements, plus an
20 overrun allowance as provided in 21.08.060.E.2. above.

21 ii. In the case of a failure on the part of the subdivider to
22 complete any improvement within the required time period,
23 the institution shall immediately make all funds in such
24 account available to the Municipality for use in the completion
25 of those improvements.

26 **c. *Letter of Credit***

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

31 i. That the creditor irrevocably guarantees funds in an amount
32 equal to the estimated cost of all required public
33 improvements plus overrun allowances as provided in
34 subsection 21.08.060.E.2. above for the completion of all
35 such improvements.

36 ii. That in the case of failure on the part of the subdivider to
37 complete any specified improvements within the required time
38 period the creditor shall pay to the Municipality immediately
39 and without further action such funds as are necessary to
40 finance the completion of those improvements up to the limit
41 of credit stated in the letter.

42 **F. *Release of Guarantee of Improvements***

43 1. The Municipality shall release the obligation for performance guarantees upon
44 the final acceptance of the improvement, together with the posting of
45 adequate security for warranty.

- 1 2. The Municipality may refuse to release the obligation for any particular public
2 improvement if the subdivider or contractor is in present or imminent default in
3 whole or in part on the completion of any other public improvement or
4 warranty covered by the subdivision agreement.

5 **G. Improvement Warranty**

- 6 1. The subdivider shall warrant and guarantee that required public
7 improvements constructed under the agreement will remain in good condition
8 and meet operating specifications for two years, commencing with final
9 acceptance of each public improvement when it is completed. Such warranty
10 includes defects in design, workmanship, materials, and any damage to
11 improvements caused by the subdivider, his agents or others engaged in
12 work to be performed under the subdivision agreement. The subdivider shall
13 not be responsible for cleaning, snow removal, ditching, grading, dust control,
14 or similar activities during the warranty period. Nothing in this title, however,
15 is intended to waive the requirements of AMC chapter 24.80, pertaining to
16 miscellaneous use provisions.

- 17 2. To secure the warranty:

18 a. The guarantee of performance provided for in subsection
19 21.08.060.E. shall remain in effect until the end of the warranty
20 period. If the guarantee is a performance bond posted by a
21 contractor, the bond cannot secure the warranty unless the subdivider
22 and contractor, by written agreement, elected this option at the time
23 the performance bond was posted; or

24 b. The subdivider shall furnish the Municipality with a corporate surety
25 bond, cash deposit, or letter of credit in an amount equal to a percent
26 of the total construction costs as set forth in this subsection. This
27 security shall guarantee the payment of any reconstruction or repair
28 costs that may be undertaken due to failures occurring during the
29 warranty period. Responsibility for identifying the necessity of repairs
30 or reconstruction of the improvements shall rest with the Municipality.

31

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

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

33 Within 30 days, or a reasonable extension at the sole discretion of the Municipal
34 Engineer, of notification by the Municipality of the need for repair or reconstruction,
35 the subdivider shall correct the deficiencies, satisfactory to the Municipality. Such
36 notification shall be made by certified mail. If the subdivider fails to repair or
37 reconstruct the deficiency within the time specified in this section, the Municipality will
38 make the repair at the subdivider's sole expense. The Municipality may then bill the
39 subdivider for the cost of the repair, or declare the bond or deposit forfeited.

1 **I. Release of Warranty**⁵⁴

2 Inspection will be made by the Municipality at the end of the warranty period and prior
3 to the release of guarantees. All deficiencies shall be corrected prior to release of the
4 warranty security. Upon satisfactory correction of all deficiencies, the Municipality will
5 release the remaining security.

6 **J. Default**

7 If the subdivider defaults on any obligation to construct required public improvements
8 or the obligation to warrant and repair such improvements, the Municipality may
9 demand immediate payment on the performance or warranty guarantee. In the case
10 of a performance bond, deposits in escrow, or letter of credit, the Municipality may
11 demand immediate payment of a portion of all sums obligated for the performance or
12 warranty of any improvement. In the case of a deed of trust guarantee method, the
13 Municipality may foreclose on the deed of trust and may also retain any sums
14 deposited to obtain a partial release of the deed of trust. All funds received by the
15 Municipality shall be used for any construction, repair, or reconstruction necessary to
16 ensure that:

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

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

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

34 **21.08.070 CONSERVATION SUBDIVISIONS**⁵⁵

35 **A. Purpose**

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

1 **B. Applicability**

2 The conservation subdivision option may be used on any parcel with a minimum of at
3 least 10 acres in the R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-9, and R-10 zoning districts
4 provided that the proposal is consistent with the requirements in this section
5 21.08.070.

6 **C. Conservation Design Process**

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

9 **D. Reduction in Minimum Lot Area Allowed**

10 Conservation subdivisions may include one or more lots that do not conform to the
11 minimum lot size or lot width requirements of chapter 21.06. The minimum lot area for
12 lots in conservation subdivisions shall be the larger of:

- 13 1. Eighty percent of the minimum lot area required in the applicable zoning
14 district, as set forth in chapter 21.06; or
- 15 2. 5,000 square feet.

16 **E. Lot Coverage Allowed**

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

19 **F. Minimum Open Space**

20 At least 35⁵⁶ percent of the property shown on the subdivision plat shall be preserved
21 as common open space. Open space shall be identified using the standards set forth
22 in subsection 21.07.030B.4., *Private Common Open Space, Standards*. No portion of
23 the land preserved as common open space may be located within the boundaries of
24 an individual lot for residential development, or in a road right-of-way or utility
25 easement.

26 **G. Dedication and Recording**

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

- 32 1. Such deed restriction or easement has been recorded at the District
33 Recorder's Office; and
- 34 2. The property owners' association or other organization has been established
35 before any building or land use permits for construction in a conservation
36 subdivision shall be issued.

¹ NOTE: This chapter contains the design standards for new subdivisions. While this chapter is based heavily on existing standards, various, relatively minor changes have been made and are indicated with footnotes. A new conservation subdivision option is proposed.

² NOTE: Suggested new purpose statements.

³ NOTE: We need to decide to what extent site condos will be subject to the standards of this chapter and 21.07. We already have moved many important provisions (e.g., common open space requirements) from the subdivision chapter to 21.07 to make them applicable to all development, not just subdivision. But discussion is still necessary on whether site condos can or should be made subject to all or parts of this chapter.

⁴ NOTE: New subsection.

⁵ 2005 NOTE: Existing 21.80.380. Second sentence is new in 2005 draft.

⁶ 2005 NOTE: New subsection proposed by staff.

⁷ 2005 NOTE: New subsection proposed by staff.

⁸ NOTE: Existing 21.80.210. Staff notes that this subsection (and “Street Intersections” below) includes standards that perhaps duplicate the Design Criteria Manual, and thus a cross-reference to that document may be more appropriate than the listed standards. Further discussion necessary.

⁹ NOTE: Existing 21.80.220, with minor adjustments. We have removed provisions that repeat standards in the new *Transportation and Connectivity* section in 21.07.

¹⁰ 2005 NOTE: The final sentence about corner roundings was added back in (it appears in the current code. Based on the existing AMC 21.80.230 with minor adjustments.

¹¹ 2005 NOTE: There appears to be disagreement between staff and the DOT regarding whether this existing centerline provision is adequate.

¹² NOTE: Existing AMC 21.80.240, with adjustments specifying cul-de-sac lengths based upon area types.

¹³ NOTE: Existing 21.80.260 with only minor clarifications.

¹⁴ NOTE: Existing 21.80.270, with only minor clarifications. Staff has suggested relocating this provision elsewhere in the code, but this appears to be the most appropriate location – unless the material is given its own new section in chapter 21.07.

¹⁵ NOTE: This section combines the provisions from existing 21.80.280 and 290, with minor clarifications.

¹⁶ 2005 NOTE: Proposed new block length standards to distinguish by area.

¹⁷ NOTE: This section combines 21.80.300 and 320.

¹⁸ 2005 NOTE: Changed from 100feet in previous draft, per staff suggestion.

¹⁹ 2005 NOTE: Several edits based on comments received. Based on the existing 21.80.330.

²⁰ 2005 NOTE: The second provision has been rewritten. Based on the existing 21.80.340.

²¹ NOTE: Existing 21.80.350.

²² 2005 NOTE: Existing 21.80.400, with no changes. Chugach Electric recommends adding the following sentence at the end: “All proposed installations that will cross or be contained within the ground or aerial easements shall secure non-objection from the affected utility prior to approval of proposed development plans.”

²³ NOTE: Existing 21.80.390.

²⁴ NOTE: Based on the existing 21.80.010.

²⁵ NOTE: Existing 21.80.020.

²⁶ 2005 NOTE: Minimum width reduced back to 10 feet (the existing standard) in this draft. Based on the existing 21.80.030.

²⁷ 2005 NOTE: Existing 21.80.060. Extensive public comments suggest requiring the municipality to prepare an inventory of current and historic access points to Chugach State Park to help implement this provision. Comments also request that dedications be based on the Chugach State Park inventory, but dedications should only be based on adopted plans.

²⁸ 2005 NOTE: This section, which originally carried forward the current 21.80.040, has been revised based on numerous comments. The new proposed section ties the easement to the setback standards in chapter 21.07. Maintenance access is only in the 15 feet closest to the stream.

²⁹ 2005 NOTE: Several edits made in response to comments. The specific size requirements are removed and replaced by a reference to the Utility Corridor Plan.

³⁰ NOTE: Existing 21.85.010.

³¹ 2005 NOTE: Existing 21.85.020 summarized in a new table. However, the existing “urban,” “suburban,” and “rural” designations were considered confusing and thus have been replaced by the new “Class A” and “Class B” designations. The table has been updated to reflect changes in the zoning districts in the new draft.

³² 2005 NOTE: Existing 21.85.030 summarized in a new table. The lines for gravel streets have been removed.

³³ NOTE: Based on the existing 21.85.050. The tables addressing street standards at the end of the chapter have been relocated and renumbered for inclusion in this section.

³⁴ 2005 NOTE: Table summarizing most current requirements has been removed, based on fact that it will become obsolete at some point.

³⁵ 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.

³⁶ NOTE: This section carries forward the provisions from AMC 21.85.050 Interior streets with only minor alterations.

³⁷ NOTE: Existing 21.85.070.

³⁸ NOTE: Based on the existing 21.85.080. A major new change is the suggested vertical curb requirement, rather than the current standard practice of rolled curbs.

³⁹ NOTE: The standards from the existing 21.85.090 have been relocated to the development standards chapter to be made applicable beyond subdivisions. Table E has been relocated to this section.

⁴⁰ 2005 NOTE: This section carries forward two current provisions – the first is from subdivision improvements section of the current code, and the second is relocated from the subdivision agreements section in the current code. Comments received indicate that the street lighting standards in the Design Criteria Manual conflict with those in the other cited document. Staff should advise as to the correct reference document. Regardless of the proper source of standards, the reference should be in this section, not in the subdivision agreements section.

⁴¹ 2005 NOTE: Based on the existing 21.85.120. Modified to reflect statute and DOT manual.

⁴² NOTE: Based on the existing 21.85.030.

⁴³ 2005 NOTE: Final two provisions are new to this draft and suggested by staff. This section is based on the existing 21.85.140, but it has been supplemented with additional standards to protect surface waters and address municipal maintenance.

⁴⁴ NOTE: Existing 21.85.150.

⁴⁵ NOTE: Existing 21.85.160. 1.b. is new.

⁴⁶ NOTE: Existing 21.85.170. 1.b. is new.

⁴⁷ NOTE: The material in 21.85.180, *Erosion and sedimentation control*, has been relocated to chapter 21.07 so that its applicability extends beyond the subdivision process.

⁴⁸ NOTE: Based on the existing 21.85.200.

⁴⁹ NOTE: As discussed in the Annotated Outline, we heard no comments on the Subdivision Agreement section. We have reviewed the provisions and they are fairly straightforward and no issues or concerns are immediately apparent. This section carries forward the substance of the existing chapter 21.87 with no major changes.

⁵⁰ 2005 NOTE: Second sentence is new and proposed by staff.

⁵¹ 2005 NOTE: HBA suggests raising this threshold to \$100,000.

⁵² 2005 NOTE: In this and the following section, substantive quality standards have been removed and relocated earlier in the chapter. This section should deal only with payment responsibilities for improvements.

⁵³ 2005 NOTE: Deed of trust option deleted per request.

⁵⁴ 2005 NOTE: There were several requests that the release of the escrowed monies be done within 30 days of the completion of the warranty period. Is there support for such a provision?

⁵⁵ NOTE: This new section is proposed to replace the existing cluster housing site plan review provisions (section 21.50.210).

⁵⁶ NOTE: A flat number is proposed for ease of administration. Alternatively, a sliding scale could be used, with a larger amount of open space required for more rural districts. The number proposed is higher than that required for regular residential development under the draft private common open space standards (30 percent).