



Municipality of Anchorage

Planning Department

Memorandum



DATE: August 3, 2026

TO: Planning and Zoning Commission

THRU: *HB* Méliisa Babb, Planning Director

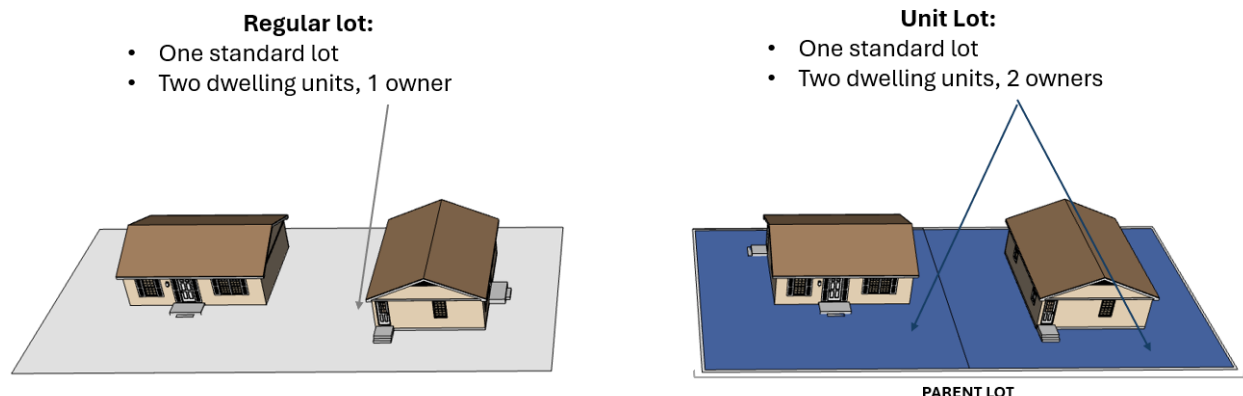
FROM: *DM* Daniel McKenna-Foster, Long-Range Planning Division Manager

SUBJECT: PZC Case No. 2026-0069, Unit Lot Subdivision Update

QUICK SUMMARY

- The unit lot subdivision process was created by AO 2017-75. The purpose of this section per AMC 21.08.070E. is: *"The unit lot subdivision is intended to allow fee simple ownership of a dwelling unit within a multifamily development, simplifying the financing process for the developer, but not increasing the density allowed on the lot or changing the development standards."*
- As it exists today, the unit lot subdivision is only allowed in the following zoning districts. R-2M, R-3, R-4, R-4A, RO, B-1A, B-1B, B-2C, B-3, gR-4, gR-5, gC-6, gC-7, gC-8, gC-9, CE-R-2M, CE-R-3, CE-RO, and CEB-3 districts.
- AO 2022-107, As Amended (AA), allowed accessory dwelling units in all residential zones across the Anchorage Bowl, and AO 2023-87(S-1) allowed duplexes in all residential zones across the Anchorage Bowl.
- This proposal would allow unit lot ownership in all urban residential zones in the Anchorage Bowl where multiple structures or units on a lot are allowed, including R-1, R-1A, R-2A, R-2D, R-5, R-6, and Hillside zones.
- The Department is bringing this proposal forward in order to allow equal access across zones to the unit lot subdivision procedure.
- Changes from the agency review draft AO are highlighted in yellow.

WHAT THIS PROPOSAL WOULD DO



A unit lot subdivision allows for the same build-out permitted under zoning code for a single property under single ownership to be subdivided into individual ownership parcels. It does not allow for any changes to density or overall setbacks of the “parent” lot, so the resultant development looks the same as if all units were owned by a single owner. This reform would allow the existing unit lot subdivision code to apply to the R-1, R-1A, R-2A, R-2D, R-5, R-6, R-7, R-8, R-9, and R-10 zoning districts in order to accommodate the reforms from AO 2022-107(AA) allowed accessory dwelling units in all residential zones in the Bowl and AO No. 2023-87(S-1), which allowed duplexes in all residential zones in the Bowl. The changes would also simplify the text requiring an HOA for managing the parent lot.

WHAT THIS PROPOSAL WOULD NOT DO

This proposal would not:

- Change where unit lots are allowed in Chugiak-Eagle River or Girdwood.
- Change lot sizes.
- Allow greater density than allowed on the parent lot.
- Change any design standards that currently exist in the unit lot subdivision section of **ELEMENTS OF COMMON OWNERSHIP**

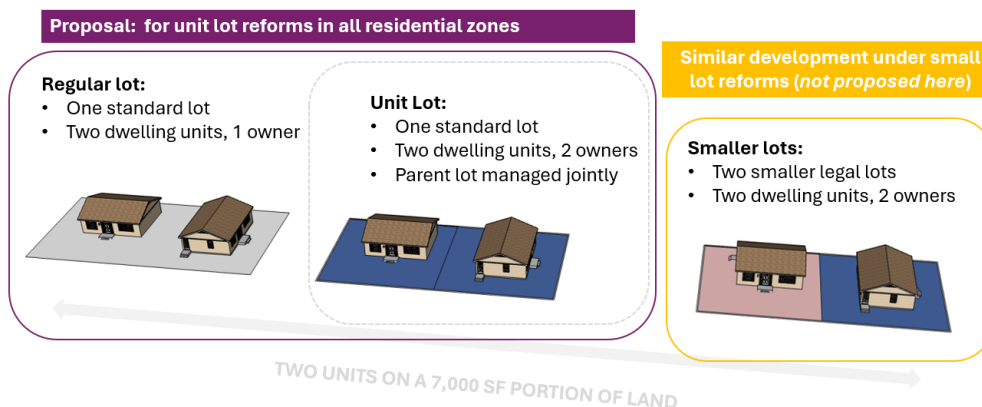
Part of this proposal includes simplifying the code related to access, joint maintenance, and other elements of common ownership. The proposal would still require any access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) to be recorded with the State Recorder’s Office. Following discussions with Anchorage Water and Wastewater Utility (AWWU), the proposal also includes additional information about how water and sewer infrastructure should be provided.

ACCESSORY DWELLING UNITS

Accessory dwelling units (ADUs) must by definition be accessory to another unit on the same lot. Thus, while a normal R-1 lot could allow a duplex plus ADU, that same lot if converted to a unit lot subdivision would require the ADU to remain on one of the unit parcels to remain accessory to one of the original units. An accessory dwelling unit on its own lot becomes a primary use.

THE UNIT LOT SUBDIVISION IN THE CONTEXT OF OTHER ARRANGEMENTS OF LAND AND OWNERSHIP

The image below shows the difference between a regular R-1 lot with two units on it, a regular R-1 lot with two unit lots on it, and two smaller lots subdivided from a regular R-1 lot under completely separate ownership.



EXISTING UNIT LOT SUBDIVISIONS IN THE MOA

The unit lot subdivision is not a widely used tool in the Municipality. Recent examples include subdivision case [S12722](#) for 47 lots off Boundary Avenue and [S12785](#) for a duplex in Mountain View.

COMMENTS FROM AWWU

Planning Department staff met with Anchorage Water and Wastewater Utility AWWU staff to discuss their comments on June 25, 2026, and their comments and slides are available in full as part of this packet. General AWWU comments include:

- Emphasis that AWWU is responsible for the water and sewer system in the long term, and they are often the first point of contact for users even in relation to private systems or shared systems.
- Overall concerns about how to ensure water and sewer bills get paid if there are multiple users on a single connection in a unit lot subdivision.
- A preference that unit lot subdivisions should pre-pay any estimated pending AWWU assessments on the parent parcel prior to recording the final unit lot plat.
- AWWU proposes to determine water and sewer frontage based on the parent parcel.
- AWWU does have provisions for shared services on a single lot and private systems. However, AWWU staff noted that the more elements of shared services a property carries, the more reserves the HOA should keep on hand.
- AWWU's ideal situation would be for each individual unit lot to have and maintain its own water and sewer connections and extensions to a public main via frontage from a dedicated right-of-way or a standard 30- to 40-foot public utility easement. Their preference would be at least 25 feet of frontage for each unit. In instances where sewer access is available from an alley or on a second frontage, it may be easier to serve unit lots with sewer and water on different sides.

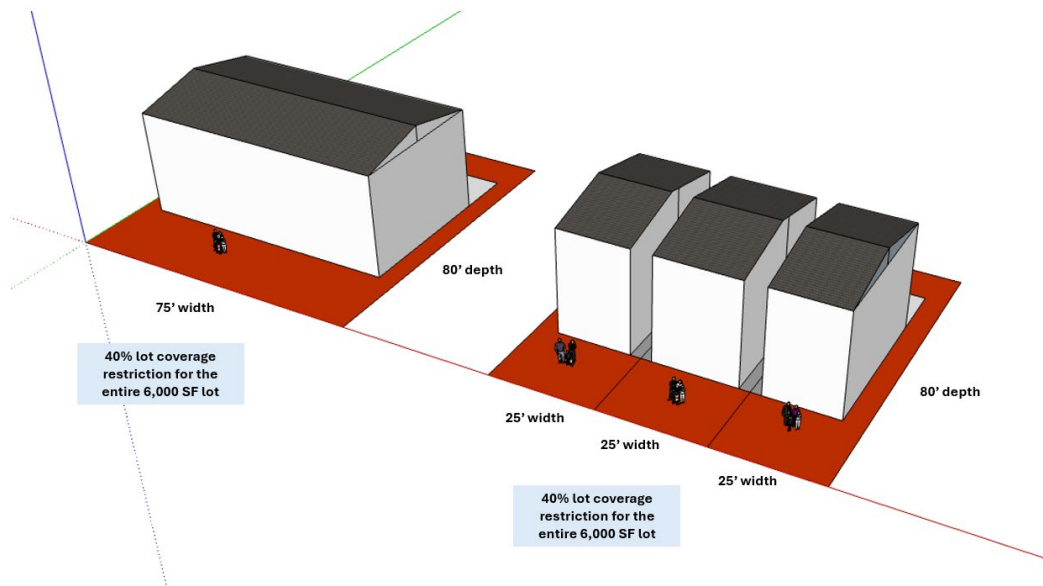


Figure 1 One version of an ideal unit lot subdivision from the AWWU perspective: On 75' wide, 80' deep 6,000 square foot lot, each unit lot has its own 25' frontage and could potentially be served by water and sewer from the front or the back of the lot. Lot coverage and setbacks of the parent lot remain the same for both examples.

Staff incorporated these suggestions into the updated proposed ordinance (Attachment 1).

DISCUSSION

This proposal aims to add flexibility for using existing lots more efficiently. Lot-size reform has been a topic of consideration in a number of publications, studies, and reports, including the [2012 Anchorage Housing Market Analysis](#), the [2015 Analysis of Impediments to Fair Housing](#), the [2022 Planning Department White Paper on lot sizes Downtown](#), the [2023 Planning Department Housing White Paper](#), and the 2024 Anchorage Community Development Authority (ACDA) “Incentives for Market-Rate Attainable Housing Development report, as well as being noted in the [2026 MOA CDBG Action Plan](#).

OTHER COMMENTS RECEIVED DURING AGENCY REVIEW

The Department received comments from the following agencies:

Agency	Comment	Planning Department Response
MOA Addressing	<i>No comments on this from MOA Addressing.</i>	N/A
AKDOT&PF	<i>All properties accessing DOT&PF roads must apply to Right-of-Way for a driveway permit, subject to provisions listed in 17 AAC 10.020. Any previously issued driveway permits become invalid once the property undergoes a platting action and must be reissued.</i> <i>We recommend the petitioner verify all section line easements and DOT&PF road rights-of-way adjacent to their property. For assistance, the petitioner may contact the Engineering group within the Right of Way section in DOT&PF at (907) 269-0700. The petitioner is liable to remove any improvements within the easements and rights-of-way that impede the operation and maintenance of those facilities even if they are not shown on the plat, so it is in the petitioner’s best interest to identify the exact locations and widths of any such easements or rights-of-way before they improve the property.</i> <i>If any section line easements or road rights-of-way exist within the bounds of their plat, we recommend the petitioner dedicate them. If there is an existing right-of-way or easement, the petitioner is unable to develop that portion of the property yet continues to pay property taxes on it; dedicating will remove that cost to the petitioner.</i>	This information will be helpful for any support materials related to this ordinance if it passes.

Agency	Comment	Planning Department Response
MOA ROW	<i>No comments or objections at this time.</i>	N/A
MOA Traffic	<i>Traffic Engineering has no comment.</i>	N/A
MOA Watershed Management	<i>WMS has no comments on or objections to this proposed ordinance.</i>	N/A
Anchorage Water and Wastewater Utility (AWWU)	[See comment in Attachment 3.]	See note above. The Department met with AWWU staff to discuss their institutional needs and incorporated changes into the ordinance to address the highlighted concerns.

Staff also received comment from the Rabbit Creek Community Council via email. This comment and responses from staff are included in the packet.

RECOMMENDATION

The Department recommends approval of this ordinance as it meets the criteria for approval of a text amendment per 21.03.210D. as outlined below:

Text Amendment approval criteria per 21.03.210D.	Department response
1. The proposed amendment will promote the public health, safety, and general welfare;	This amendment will promote the public health, safety, and general welfare of the Municipality. This amendment will potentially allow for more flexibility in housing development and ownership while also ensuring safe access to water and sewer services.
2. The proposed amendment is consistent with the comprehensive plan and the stated purposes of this title; and	This amendment is consistent with the comprehensive plan. Goal 2 of the 2040 Land Use Plan calls for “Infill and redevelopment meet the housing and employment needs of residents and businesses in Anchorage. 2040 Action 4-5: “Review site and utility engineering design criteria for infill housing and explore amendments to standards and procedures to reduce infrastructure costs while preserving safety and engineering objectives.” 2040 Action 4-10: Amend Title 21 to reduce restrictions that currently deter construction of compact housing types; and expand provisions that allow for compact housing types, including small-lot

Text Amendment approval criteria per 21.03.210D.	Department response
	housing, cottage houses with shared courtyards, townhouses, and small-scale garden apartments. Determine appropriate measures through a meaningful, collaborative public process and make subject to site development standards including standards for neighborhood compatibility.
3. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.	This proposed amendment is desirable in order to equalize access to the unit lot subdivision process following up on AO 2023-87(S-1) (the HOME initiative).

SAMPLE FINDINGS OF FACT FOR CONSIDERATION

1. The unit lot subdivision process has not been widely used since it was adopted by AO 2017-75.
2. The adoption of AO 2023-87(S-1) allowed two dwelling units on all residential lots in the Anchorage Bowl, and expanding the unit lot subdivision process to more zones would allow more properties to take advantage of it.
3. The unit lot subdivision process does not allow for increases in density from the parent lot.
4. The Anchorage Water and Wastewater Utility provided comments on the proposal, and their changes were incorporated into the draft ordinance.

Attachments: 1. Proposed Updated Draft Ordinance
2. Agency Review Draft Ordinance
3. Comments Received

Proposed Updated Draft Ordinance
(7/23/2026)

PZC Case No. 2026-0069

**Ordinance Amending Chapters 21.08,
Subdivision Standards, and 21.15, Definitions,
to Update the Unit Lot Subdivision Tool**

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

ANCHORAGE, ALASKA
AO No. 2026-_____

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 21.08, SUBDIVISION STANDARDS, AND 21.15, DEFINITIONS, TO UPDATE THE UNIT LOT SUBDIVISION TOOL TO ALIGN WITH OTHER RECENT CHANGES TO TITLE 21.

(Planning and Zoning Commission Case No. 2026-0069) (All Community Councils)

WHEREAS, AO 2017-75, As Amended, created a new type of residential or unit of subdivisions, which did not change minimum lot sizes, did not allow increased density, and only applied to certain zones that allowed more than one housing unit on a lot; and,

WHEREAS, AO 2022-107, As Amended, allowed accessory dwelling units in all zones across the Anchorage Bowl; and,

WHEREAS, AO 2023-87(S-1) allowed up to two units as a permitted use in all residential zones except for R-10 across the Anchorage Bowl; and,

WHEREAS, cutting red tape, removing regulatory barriers to help build and repair housing, and incentivizing construction and repair of housing are two primary elements of the Mayor's 10,000 Homes in 10 Years Strategy; and,

WHEREAS, updating the unit lot subdivision section to work within the allowance for up to two dwelling units plus an accessory dwelling unit will make it easier for property owners to use land more efficiently and provide more options for fee-simple land ownership; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 21.08.070, Alternative Residential Subdivisions, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

21.08.070 ALTERNATIVE RESIDENTIAL SUBDIVISIONS

*** **

E. UNIT LOT SUBDIVISIONS

1. Purpose

The unit lot subdivision is intended to allow fee simple ownership of a dwelling unit within a [MULTIFAMILY]

development, simplifying the financing process for the developer, but not increasing the density allowed on the lot or changing the development standards.

2. **Applicability**

The unit lot subdivision process may be used within all residential and commercial zones within the Anchorage Bowl. [THE R-2M, R-3, R-4, R-4A, RO, B-1A, B-1B, B-2C, B-3,] This process is also allowed in the gR-4, gR-5, gC-6, gC-7, gC-8, gC-9, CE-R-2M, CE-R-3, CE-RO, and CEB-3 districts.

3. **Approval Process**

*** *** ***

b. Before filing an application, the applicant shall meet with AWWU for a pre-design meeting. After this meeting, the applicant shall request a pre-application conference with the director, in accordance with subsection 21.03.020B.

*** *** ***

4. **Uses**

*** *** ***

[C. ONLY ONE DWELLING UNIT IS PERMITTED PER UNIT LOT.]

5. **Dimensional Standards**

*** *** ***

e. The minimum width of the individual unit lots shall be determined in accordance with MASS in order to protect the public health by maintaining physical separation between potable water service lines and sewer service lines.

6. **Design Standards**

*** *** ***

h. AWWU service standards shall be applied in accordance with AMC section 26.40, Water Service and 26.50, Sewer Service. All unit lot subdivisions shall conform to AWWU tariff requirements.

*** *** ***

i. If the parent parcel cannot be subdivided in a way that provides water and sewer main frontage to each individual unit lot, then the developer shall provide engineered plans and complete the AWWU Private System process prior to connection. If a Private System is constructed, the developer must enter into a Shared

Services agreement with the Utility to allow the water and sewer extensions to cross unit lot parcel boundaries.

7. **Ownership of Common Areas**[COVENANTS, CONDITIONS, AND RESTRICTIONS]

- a. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots. [A HOMEOWNERS' ASSOCIATION WITH COVENANTS, CONDITIONS, AND RESTRICTIONS IS REQUIRED FOR EACH UNIT LOT SUBDIVISION, IN ORDER TO ENSURE THE LONG TERM SUCCESS, MAINTENANCE, COHESIVE APPEARANCE, AND CURB APPEAL OF A SMALL SUBDIVISION.]
- b. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; bike parking; solid waste collection areas; underground utilities; common open space; shared interior walls; exterior building facades and roofs; and other similar features, and shall be recorded with the state recorder's office. [PRIOR TO RECORDING THE FINAL PLAT, THE APPLICANT SHALL PROVIDE ACCESS EASEMENTS, JOINT USE AND MAINTENANCE AGREEMENTS, AND FINAL COVENANTS, CONDITIONS, AND RESTRICTIONS IDENTIFYING THE RIGHTS AND RESPONSIBILITIES OF PROPERTY OWNERS AND/OR THE HOMEOWNERS' ASSOCIATION, COMPLYING WITH THE REQUIREMENTS DESCRIBED BELOW, IN A FORM SATISFACTORY TO THE DIRECTOR. THE DOCUMENTS SHALL BE REVIEWED AND APPROVED BY THE PLATTING OFFICER AND AWWU, AND SHALL THEN BE RECORDED WITH THE STATE RECORDERS OFFICE.
- c. All proposed unit lot subdivisions shall pre-pay any estimated pending AWWU assessments on the parent parcel prior to the recording of the final unit lot plat. [PRIOR TO RECORDING THE FINAL PLAT, THE APPLICANT SHALL PROVIDE EVIDENCE THAT THE HOMEOWNERS' ASSOCIATION HAS BEEN

1 INCORPORATED PURSUANT TO THE LAWS OF THE
2 STATE OF ALASKA.

- 3
4 d. If an AWWU Private System is constructed, the lot
5 owners must incorporate a homeowner's association
6 which must own and maintain the private water and/or
7 sewer system. [THE COVENANTS, CONDITIONS, AND
8 RESTRICTIONS SHALL PROVIDE AUTHORITY FOR
9 THE HOMEOWNERS' ASSOCIATION TO PERFORM
10 REQUIRED MAINTENANCE, REPAIRS, OR
11 REPLACEMENT, TO RECOVER ANY COSTS
12 INCURRED BY THE HOMEOWNERS' ASSOCIATION
13 TO MAINTAIN, REPAIR, OR REPLACE
14 COMPONENTS THAT ARE THE RESPONSIBILITY OF
15 THE UNIT LOT OWNERS WHICH ARE VISIBLE FROM
16 THE EXTERIOR OF THE RESIDENCE, DUE TO A
17 FAILURE OF INDIVIDUAL OWNER OF THE UNIT LOT
18 TO ADEQUATELY MAINTAIN, REPAIR, OR REPLACE
19 THESE COMPONENTS.
20

- 21 E. THE COVENANTS, CONDITIONS, AND
22 RESTRICTIONS SHALL IDENTIFY/DEFINE
23 AREAS AND COMPONENTS WHICH ARE THE
24 RESPONSIBILITY OF THE HOMEOWNERS'
25 ASSOCIATION TO MAINTAIN, REPAIR AND
26 REPLACE AND AREAS AND COMPONENTS
27 WHICH ARE THE RESPONSIBILITY OF THE
28 INDIVIDUAL UNIT LOT OWNERS TO MAINTAIN,
29 REPAIR, AND REPLACE.
30

- 31 F. IN UNIT LOT SUBDIVISION DEVELOPMENTS,
32 THE HOMEOWNERS' ASSOCIATION SHALL BE
33 RESPONSIBLE FOR MAINTENANCE, REPAIR,
34 AND REPLACEMENT OF, INCLUDING WITHOUT
35 LIMITATION, SHARED LANDSCAPING;
36 EASEMENTS FOR: VEHICLE AND PEDESTRIAN
37 ACCESS, JOINT USE AND ACCESS, PARKING,
38 OPEN SPACE, AND SIMILAR AREAS; SNOW
39 REMOVAL WITHIN SHARED AREAS AND
40 EASEMENTS; ON-SITE PRIVATE UTILITY AND
41 DRAINAGE INFRASTRUCTURE; AND, EXCEPT
42 AS PROVIDED IN SUBSECTION 7.G. BELOW,
43 EXTERIOR BUILDING COMPONENTS WHICH
44 ARE VISIBLE FROM OUTSIDE THE BUILDING
45 INCLUDING WITHOUT LIMITATION: ROOFS,
46 SIDING, GUTTERS, DECKS AND PORCHES, AND
47 OTHER SIMILAR FEATURES. FOR PURPOSES
48 OF THIS SECTION, MAINTENANCE
49 OBLIGATIONS OF THE HOMEOWNERS'
50 ASSOCIATION NEED NOT INCLUDE SNOW

1 CLEARING AND REMOVAL FROM THE
2 EXTERIOR BUILDING COMPONENTS.

3
4 G. FOR UNIT LOT SUBDIVISIONS WHERE ALL
5 UNITS ARE DETACHED UNITS, THE
6 HOMEOWNERS' ASSOCIATION IS NOT
7 REQUIRED TO BE RESPONSIBLE FOR
8 EXTERIOR BUILDING COMPONENTS WHICH
9 ARE VISIBLE FROM OUTSIDE THE BUILDING
10 INCLUDING WITHOUT LIMITATION: ROOFS,
11 SIDING, GUTTERS, DECKS AND PORCHES, AND
12 OTHER SIMILAR FEATURES. PER SUBSECTION
13 7.D. ABOVE, THE HOMEOWNERS' ASSOCIATION
14 DOES HAVE AUTHORITY TO PERFORM
15 REQUIRED MAINTENANCE, REPAIRS, OR
16 REPLACEMENT AND RECOVER COSTS
17 ASSOCIATED WITH MAINTENANCE, REPAIRS,
18 OR REPLACEMENT TO EXTERIOR BUILDING
19 COMPONENTS WHICH ARE THE
20 RESPONSIBILITY OF INDIVIDUAL UNIT LOT
21 OWNERS' AND WHICH ARE VISIBLE FROM THE
22 EXTERIOR OF THE RESIDENCE.

23
24 H. THE HOMEOWNERS' ASSOCIATION SHALL
25 MAINTAIN IN RESERVES, OR IN THEIR
26 OPERATING BUDGET, ADEQUATE FUNDING
27 FOR MAINTENANCE, REPAIRS, AND FUTURE
28 REPLACEMENT OF THE ITEMS AND AREAS
29 FOR WHICH THE HOMEOWNERS'
30 ASSOCIATION IS RESPONSIBLE PER
31 SUBSECTION 7.F. ABOVE.

32
33 I. THE HOMEOWNERS' ASSOCIATIONS SHALL
34 PERFORM ALL MAINTENANCE, REPAIR, AND
35 REPLACEMENT OF THE IMPROVEMENTS
36 THAT ARE THE RESPONSIBILITY OF THE
37 HOMEOWNERS' ASSOCIATION IN
38 ACCORDANCE WITH APPLICABLE
39 MUNICIPAL CODES AND THE COVENANTS,
40 CONDITIONS, AND RESTRICTIONS.

41
42 J. INDIVIDUAL UNIT LOT OWNERS SHALL
43 PERFORM ALL MAINTENANCE, REPAIR, AND
44 REPLACEMENT OF THE IMPROVEMENTS
45 THAT ARE THE RESPONSIBILITY OF THE
46 INDIVIDUAL UNIT LOT OWNERS IN
47 ACCORDANCE WITH APPLICABLE
48 MUNICIPAL CODES AND THE COVENANTS
49 CONDITIONS, AND RESTRICTIONS.]

50 *** **

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2017-75, 5-9-17; AO 2020-38, 4-28-20; AO 2020- 93, 10-2-2020; AO 2021-89(S), 2-15-22; AO 2023-42, 8-22-23, AO 2024-24, 4-23-24)

Section 2. Anchorage Municipal Code section 21.15.040, Definitions, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

*** *** ***

Parent Lot

A lot meeting the dimensional requirements of chapter 21.06 for its zoning district, or a nonconforming lot of record per AMC section 21.13.050[, THAT MAY CONTAIN BETWEEN TWO AND EIGHT UNIT LOTS].

*** *** ***

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2014-132, 11-5-14; AO 2015-82, 7-28-15; AO 2015-100, 10-13-15; AO 2015-138, 1-12-16; AO 2015-133(S), 2-23-16; AO 2015-142(S-1), 6-21-16; AO 2016-3(S), 2-23-16; AO 2016-144(S), 12-20-16; AO 2017-55, 4-11-17; AO 2017-75, 5-9-2017; AO 2018- 12, 2-27-18; AO 2018-67(S-1), 10-9-18; AO 2018-92, 10-23-18; AO 2019-132, 12-2-19; AO 2020-38, 4- 28-20; AO 2021-89(S), 2-15-22; AO 2022-36, 4-26-22; AO 2022-80(S), 11-22-22; AO 2023-120, 12-5-23; AO 2025-38(2), 4-22-25; AO 2025-112, 10-21-25; AO 2025-128, 11-18-25; AO 2026-61, 5-26-26)

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2026.

Chair of the Assembly

ATTEST:

Municipal Clerk

(Planning and Commission Case No. 2026-0069)

Agency Review Draft Ordinance
(5/7/2026)

PZC Case No. 2026-0069

**Ordinance Amending Chapters 21.08,
Subdivision Standards, and 21.15, Definitions,
to Update the Unit Lot Subdivision Tool**

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

ANCHORAGE, ALASKA
AO No. 2026-_____

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WHEREAS, AO 2022-107, As Amended, allowed accessory dwelling units in all zones across the Anchorage Bowl; and,

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WHEREAS, cutting red tape, removing regulatory barriers to help build and repair housing, and incentivizing construction and repair of housing are two primary elements of the Mayor's 10,000 Homes in 10 Years Strategy; and,

WHEREAS, updating the Unit Lot Subdivision section to work within the allowance for up to two dwelling units plus an accessory dwelling unit will make it easier for property owners to use land more efficiently and provide more options for fee-simple land ownership; now, therefore,

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05/07/2026

development, simplifying the financing process for the developer, but not increasing the density allowed on the lot or changing the development standards.

2. **Applicability**

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4. **Uses**

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C. ONLY ONE DWELLING UNIT IS PERMITTED PER UNIT LOT.]

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7. **Ownership of Common Areas [COVENANTS, CONDITIONS, AND RESTRICTIONS]**

a. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots. [A HOMEOWNERS' ASSOCIATION WITH COVENANTS, CONDITIONS, AND RESTRICTIONS IS REQUIRED FOR EACH UNIT LOT SUBDIVISION, IN ORDER TO ENSURE THE LONG TERM SUCCESS, MAINTENANCE, COHESIVE APPEARANCE, AND CURB APPEAL OF A SMALL SUBDIVISION.]

b. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; bike parking; solid waste collection areas; underground utilities; common open space; shared interior walls; exterior building facades and roofs; and other similar features, and shall be recorded with the state recorder's office. [PRIOR TO RECORDING THE FINAL PLAT, THE APPLICANT SHALL PROVIDE ACCESS EASEMENTS, JOINT USE AND MAINTENANCE AGREEMENTS, AND FINAL COVENANTS,

1 CONDITIONS, AND RESTRICTIONS IDENTIFYING
2 THE RIGHTS AND RESPONSIBILITIES OF
3 PROPERTY OWNERS AND/OR THE HOMEOWNERS'
4 ASSOCIATION, COMPLYING WITH THE
5 REQUIREMENTS DESCRIBED BELOW, IN A FORM
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11

12 [C. PRIOR TO RECORDING THE FINAL PLAT, THE
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17

18 D. THE COVENANTS, CONDITIONS, AND
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20 FOR THE HOMEOWNERS' ASSOCIATION TO
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23 ANY COSTS INCURRED BY THE HOMEOWNERS'
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38 REPLACE AND AREAS AND COMPONENTS
39 WHICH ARE THE RESPONSIBILITY OF THE
40 INDIVIDUAL UNIT LOT OWNERS TO MAINTAIN,
41 REPAIR, AND REPLACE.
42

43 F. IN UNIT LOT SUBDIVISION DEVELOPMENTS,
44 THE HOMEOWNERS' ASSOCIATION SHALL BE
45 RESPONSIBLE FOR MAINTENANCE, REPAIR,
46 AND REPLACEMENT OF, INCLUDING WITHOUT
47 LIMITATION, SHARED LANDSCAPING;
48 EASEMENTS FOR: VEHICLE AND PEDESTRIAN

1 ACCESS, JOINT USE AND ACCESS, PARKING,
2 OPEN SPACE, AND SIMILAR AREAS; SNOW
3 REMOVAL WITHIN SHARED AREAS AND
4 EASEMENTS; ON-SITE PRIVATE UTILITY AND
5 DRAINAGE INFRASTRUCTURE; AND, EXCEPT
6 AS PROVIDED IN SUBSECTION 7.G. BELOW,
7 EXTERIOR BUILDING COMPONENTS WHICH
8 ARE VISIBLE FROM OUTSIDE THE BUILDING
9 INCLUDING WITHOUT LIMITATION: ROOFS,
10 SIDING, GUTTERS, DECKS AND PORCHES, AND
11 OTHER SIMILAR FEATURES. FOR PURPOSES
12 OF THIS SECTION, MAINTENANCE
13 OBLIGATIONS OF THE HOMEOWNERS'
14 ASSOCIATION NEED NOT INCLUDE SNOW
15 CLEARING AND REMOVAL FROM THE
16 EXTERIOR BUILDING COMPONENTS.
17

18 G. FOR UNIT LOT SUBDIVISIONS WHERE ALL
19 UNITS ARE DETACHED UNITS, THE
20 HOMEOWNERS' ASSOCIATION IS NOT
21 REQUIRED TO BE RESPONSIBLE FOR
22 EXTERIOR BUILDING COMPONENTS WHICH
23 ARE VISIBLE FROM OUTSIDE THE BUILDING
24 INCLUDING WITHOUT LIMITATION: ROOFS,
25 SIDING, GUTTERS, DECKS AND PORCHES, AND
26 OTHER SIMILAR FEATURES. PER SUBSECTION
27 7.D. ABOVE, THE HOMEOWNERS' ASSOCIATION
28 DOES HAVE AUTHORITY TO PERFORM
29 REQUIRED MAINTENANCE, REPAIRS, OR
30 REPLACEMENT AND RECOVER COSTS
31 ASSOCIATED WITH MAINTENANCE, REPAIRS,
32 OR REPLACEMENT TO EXTERIOR BUILDING
33 COMPONENTS WHICH ARE THE
34 RESPONSIBILITY OF INDIVIDUAL UNIT LOT
35 OWNERS' AND WHICH ARE VISIBLE FROM THE
36 EXTERIOR OF THE RESIDENCE.
37

38 H. THE HOMEOWNERS' ASSOCIATION SHALL
39 MAINTAIN IN RESERVES, OR IN THEIR
40 OPERATING BUDGET, ADEQUATE FUNDING
41 FOR MAINTENANCE, REPAIRS, AND FUTURE
42 REPLACEMENT OF THE ITEMS AND AREAS
43 FOR WHICH THE HOMEOWNERS'
44 ASSOCIATION IS RESPONSIBLE PER
45 SUBSECTION 7.F. ABOVE.
46

47 I. THE HOMEOWNERS' ASSOCIATIONS SHALL
48 PERFORM ALL MAINTENANCE, REPAIR, AND

REPLACEMENT OF THE IMPROVEMENTS THAT ARE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION IN ACCORDANCE WITH APPLICABLE MUNICIPAL CODES AND THE COVENANTS, CONDITIONS, AND RESTRICTIONS.

- J. INDIVIDUAL UNIT LOT OWNERS SHALL PERFORM ALL MAINTENANCE, REPAIR, AND REPLACEMENT OF THE IMPROVEMENTS THAT ARE THE RESPONSIBILITY OF THE INDIVIDUAL UNIT LOT OWNERS IN ACCORDANCE WITH APPLICABLE MUNICIPAL CODES AND THE COVENANTS CONDITIONS, AND RESTRICTIONS.]

9[8]. Existing Development

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2017-75, 5-9-17; AO 2020-38, 4-28-20; AO 2020- 93, 10-2-2020; AO 2021-89(S), 2-15-22; AO 2023-42, 8-22-23, AO 2024-24, 4-23-24)

Section 2. Anchorage Municipal Code section 21.15.040, Definitions, is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

*** *** ***

Parent Lot

A lot meeting the dimensional requirements of chapter 21.06 for its zoning district, or a nonconforming lot of record per AMC section 21.13.050[, THAT MAY CONTAIN BETWEEN TWO AND EIGHT UNIT LOTS].

*** *** ***

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2014-132, 11-5-14; AO 2015-82, 7-28-15; AO 2015-100, 10-13-15; AO 2015-138, 1-12-16; AO 2015-133(S), 2-23-16; AO 2015-142(S-1), 6-21-16; AO 2016-3(S), 2-23-16; AO 2016-144(S), 12-20-16; AO 2017-55, 4-11-17; AO 2017-75, 5-9-2017; AO 2018- 12, 2-27-18; AO 2018-67(S-1), 10-9-18; AO 2018-92, 10-23-18; AO 2019-132, 12-2-19; AO 2020-38, 4- 28-20; AO 2021-89(S), 2-15-22; AO 2022-36, 4-26-22; AO 2022-80(S), 11-22-22; AO 2023-120, 12-5-23; AO 2025-38(2), 4-22-25; AO 2025-112, 10-21-25; AO 2025-128, 11-18-25)

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2026.

Chair of the Assembly

ATTEST:

Municipal Clerk

(Planning and Commission Case No. 2026-0069)

DRAFT

Comments Received

PZC Case No. 2026-0069

**Ordinance Amending Chapters 21.08,
Subdivision Standards, and 21.15, Definitions,
to Update the Unit Lot Subdivision Tool**

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Kimmel, Corliss A.

From: Walters, Michael S.
Sent: Monday, May 18, 2026 6:58 AM
To: Blake, Lori A.; Kimmel, Corliss A.
Subject: Zoning Case Request for Reviewing Agency Comments

Right of Way has reviewed the following zoning cases and has these comments:

2026-0066 – Right of Way supports this project but has no comments at this time.

2026-0072 – A right of way permit will be required for the access. Additions comments may be generated when plans are submitted for review.

2026-0057 – No comments or objections at this time.

2026-0069 – No comments or objections at this time.

2026-0073 – No comments or objections at this time.

2026-0077 – No comments or objections at this time.

2026-0078 – No comments or objections at this time.

Thank you,

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



Anchorage2040

From: Wilson, Karleen K.
Sent: Tuesday, May 19, 2026 11:38 AM
To: Anchorage2040
Cc: Wilson, Karleen K.
Subject: FW: 2026-0069, Reviewing Agency Comment
Attachments: 2026-0069 Routing Coversheet.pdf

No comments on this from MOA Addressing.

Regards,

Karleen Wilson

Addressing Official

907.343.8168 (desk)

907.343.8466 (shared Addressing)

https://maps.ancgis.com/AGOL_AddressOfficial



May 20, 2026

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

[Sent Electronically]

Re: MOA Zoning Case Review

Dear Ms. Appleby:

The Alaska Department of Transportation and Public Facilities (DOT&PF) has reviewed the following zoning cases and has no comments:

- **2026-0069 – Title 21 Amendment (Unit Lot Subdivision)**
- **2026-0073 – Title 21 Amendment (Perimeter landscaping clarification)**
- **2026-0077 – Lot 2 Block 4 – Hacienda Drive Rezone**

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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Eisenman', with a stylized flourish at the end.

Mark Eisenman
Anchorage Area Planner, DOT&PF

cc:

Christopher Post P.E., Acting Highway Design Group Chief, DOT&PF
Gabe Kutcher, Acting Property Management Supervisor CR, Right of Way, DOT&PF
Corliss Kimmel, Office Associate, Current Planning, MOA
Lori Black, Office Associate, Current Planning, MOA
Devki Rearden, Engineering Associate, DOT&PF
Anna Bosin P.E, Traffic & Safety Engineer, DOT&PF

Public Comments: 2026-0069

Commenter	Email	Phone Number	Submitted
Debbie Ossiander			05/21/2026 9:32:41 AM
	By law this should go to the chugiak Eagle River advisory board before it goes to PNZ		



Municipality of Anchorage
Project Management and Engineering
MEMORANDUM



DATE: June 2, 2026

TO: Elizabeth Appleby

FROM: Kyle Cunningham

SUBJECT: Cases 2026-0069: Comments from Watershed Management Services.

Watershed Management Services (WMS) has the following comments for the July 6, 2026 Planning and Zoning Commission hearing:

- 2026-0069 – Review and Recommendation by the Planning and Zoning Commission to the Anchorage Assembly of a Draft Ordinance amending Anchorage Municipal Code Chapters 21.08, Subdivision Standards, and 21.15, Definitions, to update the Unit Lot Subdivision Tool to align with the other recent changes to Title 21.
 - WMS has no comments on or objections to this proposed ordinance.



MUNICIPALITY OF ANCHORAGE

Traffic Engineering Department



MEMORANDUM

DATE: June 3, 2026

TO: Current Planning Division Supervisor.
Planning Department

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

FROM: Travis Just, Engineer Tech IV

SUBJECT: Traffic Engineering Department Comments

2026-0069 **Review and Recommendation by the Planning and Zoning Commission to the Anchorage Assembly of a Draft Ordinance amending Anchorage Municipal Code Chapters 21.08, Subdivision Standards, and 21.15, Definitions, to update the Unit Lot Subdivision Tool to align with the other recent changes to Title 21.**

Traffic Engineering has no comment.

Public Comments: 2026-0069

Commenter	Email	Phone Number	Submitted
Tony Winsor	anthony.winsor@anchorageak.gov	9073431512	6/8/2026 12:44:50 PM
12001 Business Blvd Rm 131 ANCHORAGE, AK 99577	CBERRRSA has no concerns or comments at this time		

Mckenna-Foster, Daniel R.

From: Mckenna-Foster, Daniel R.
Sent: Monday, June 22, 2026 8:48 AM
To: 'Ann Rappoport'
Cc: Pease, Nancy; Tim Alderson; Babb, Melisa R.K.
Subject: Response to RCCC

Hello Ann,

Please find answers below. I will also include your questions in the staff packet.

<u>Questions about PZC Case 2026-0069</u>	Planning Department Response
1. While we agree this may provide an opportunity to increase individual home ownership and increase our housing availability, we found it confusing as to how it would actually work. What is the model for this approach to selling off a unit in a formerly single-family home and managing it with a self-initiated HOA?	The unit lot subdivision has existed in code since AO 2017-75 . Per the whereas clauses in that AO, both PZC and the platting board reviewed the concept. It has also been used in Washington State .
Can you provide some examples of where this approach has been effectively implemented in other jurisdictions? in the U.S.?	Washington state allows unit-lot subdivisions. Article
2. Who pays for the utilities? Will this require installing separate utility meters for each unit? (a cost to the original owner or new owner of a sub unit?)	The property owner/unit lot owner pays the utilities. I believe that building code generally requires separate dwelling units to have their own electrical service. We are working with AWWU to find a path for water service billing in cases where there is a single service and one owner does not pay, in that case it would be an HOA responsibility.
3. We are concerned about potential conflicts around maintenance, access, etc. Did you consider implementing this initially in a pilot area rather than across Anchorage?	The Unit Lot subdivision process has already been in place in certain zones of Anchorage since AO 2017-75 .
4. Regarding some of the confusion - does this mean an original lot owner can sell off the second unit they've created on their lot, or their ADU? That would effectively subdivide their lot without going thru' a subdivision process. Or are they only selling the unit and not the land under it?	The subdivision lot allows for fee simple ownership of a small piece of the same property, although the original zoning restrictions still apply to the original property as if all structures are under the same ownership. A unit lot subdivision is still required to be reviewed in accordance with AMC 21.03.200C. Review and Approval of Subdivision Plans.
5. There is no size minimum on 'portions of the parent lot not subdivided for individual unit lots' or setbacks or required buffers? Couldn't this end up being a really small, irregular area if it's a small (e.g., 6000 sq ft) lot and now has three units on it? This may not be an issue where two units are in one building/house, unless the yard is then subdivided?	There is no minimum for the individual unit lots, but the setbacks and required buffers on the original parent lot still apply to all structures on that lot. A 6,000 SF lot with three small units on it would be eligible for the unit lot subdivision but the dimensional standards would be the same as if it was those three structures on the same lot under the original zoning.

6. Would you need to replat if someone builds a second unit and then sells it with some land? Then you could end up with some really small lots in a larger-lot subdivision??	The unit-lot process is similar to a subdivision but it doesn't change the overall allowance on the lot under existing zoning. This could result in small unit lots but the overall lots would appear exactly the same as allowed without the unit lot subdivision. A unit lot subdivision is still required to be reviewed in accordance with AMC 21.03.200C. Review and Approval of Subdivision Plans.
7. How will the Muni help individuals without any real estate or land use background in setting up an HOA which could have a lot of legal holes and complications later? This seems like a difficult opportunity for one individual to set up an HOA around their home that is now two or three homes.	The MOA can provide assistance on the process but it is unlikely that Departments would be able to provide extensive assistance in setting up private agreement structures as these are private contracts between private parties.
8. It is unclear whether someone who sells one of the units on their formerly single-home lot, is selling just the unit, or the land under it as well. While an HOA may establish who and how responsibility for maintenance, access, utilities, etc. is undertaken, it is unclear whether the original owner has sole authority to design terms for the HOA. What happens when a subsequent unit owner wants to sell their unit? How will a new unit owner coordinate with the original owner?	The unit lot subdivision would allow someone fee-simple ownership of that structure and the land beneath it. The originator of the unit lot subdivision creates the HOA terms, and anyone buying into that HOA would be subject to those terms as they are entering into that contract.

Please let me know if you have any questions.

Thank you,
Daniel

From: Ann Rappoport
Sent: Thursday, June 11, 2026 4:20 PM
To: Mckenna-Foster, Daniel R. <daniel.mckenna-foster@anchorageak.gov>
Cc: Pease, Nancy; Tim Alderson
Subject: Re: your call

[EXTERNAL EMAIL]

Hi Daniel -

It would be easier to do this over the phone as I feel that one question will lead to many others as I try to better understand how this ordinance will work. I've listed some questions below. If you or someone can answer them today or give me a call that would be excellent as Rabbit Ck Community Council meets tonight. If you reply after today, it will still be very helpful as we formulate comments for submittal to PZC.

Thank you,
Ann Rappoport, Co-chair

Questions about PZC Case 2026-0069

1. While we agree this may provide an opportunity to increase individual home ownership and increase our housing availability, we found it confusing as to how it would actually work. What is the model for this approach to selling off a unit in a formerly single-family home and managing it with a self-initiated HOA?

Can you provide some examples of where this approach has been effectively implemented in other jurisdictions? in the U.S.?

2. Who pays for the utilities? Will this require installing separate utility meters for each unit? (a cost to the original owner or new owner of a sub unit?)

3. We are concerned about potential conflicts around maintenance, access, etc. Did you consider implementing this initially in a pilot area rather than across Anchorage?

4. Regarding some of the confusion - does this mean an original lot owner can sell off the second unit they've created on their lot, or their ADU? That would effectively subdivide their lot without going thru' a subdivision process. Or are they only selling the unit and not the land under it?

5. There is no size minimum on 'portions of the parent lot not subdivided for individual unit lots' or setbacks or required buffers? Couldn't this end up being a really small, irregular area if it's a small (e.g., 6000 sq ft) lot and now has three units on it? This may not be an issue where two units are in one building/house, unless the yard is then subdivided?

6. Would you need to replat if someone builds a second unit and then sells it with some land? Then you could end up with some really small lots in a larger-lot subdivision??

7. How will the Muni help individuals without any real estate or land use background in setting up an HOA which could have a lot of legal holes and complications later? This seems like a difficult opportunity for one individual to set up an HOA around their home that is now two or three homes.

8. It is unclear whether someone who sells one of the units on their formerly single-home lot, is selling just the unit, or the land under it as well. While an HOA may establish who and how responsibility for maintenance, access, utilities, etc. is undertaken, it is unclear whether the original owner has sole authority to design terms for the HOA. What happens when a

subsequent unit owner wants to sell their unit? How will a new unit owner coordinate with the original owner?

On Thu, Jun 11, 2026 at 3:37 PM Mckenna-Foster, Daniel R. <daniel.mckenna-foster@anchorageak.gov> wrote:

Hi Ann,

Sorry I missed your call. If you can send me any questions in writing I will be glad to direct them to someone or answer them myself.

Thank you,

Daniel



Daniel Mckenna-Foster
Manager • Planning Department
Long-Range Planning Division

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

2026: SCAM ALERT- Please be aware of scam emails that appear to come from the Planning Department or the Planning and Zoning Commission with requests for payment. The Municipality will never ask for a wire transfer and most payments are completed at the time of application. Please contact the Department directly at 907-343-7900 if you have any questions about a fee.

MEMORANDUM

DATE: June 25, 2026

TO: Daniel Mckenna-Foster, Manager, Planning Department, Long Range Planning

FROM: Kaleigh Jones, Land Use Coordinator, Anchorage Water and Wastewater Utility 

SUBJECT: AWWU Comments for 2026-0069 - Review and Recommendation by the Planning and Zoning Commission to the Anchorage Assembly of a Draft Ordinance amending Anchorage Municipal Code Chapters 21.08, Subdivision Standards, and 21.15, Definitions, to update the Unit Lot Subdivision Tool to align with the other recent changes to Title 21.

Anchorage Water and Wastewater Utility has reviewed the proposed changes to Title 21 and have determined the following topics would be impacted and will need to be considered during future Unit Lot development.

Assessments –

All parcels within the AWU and ASU Certificated areas can be subject to water, sewer lateral, or sewer trunk assessments. An assessment is a levy or charge for the construction of water and sewer mains which provide benefit to a parcel and, if applicable, the actual cost of the service connection (stub). Assessments are levied based on three events:

1. Pre-payment of the assessment received for the parcel
2. The parcel owner constructs a permitted service connection and extension
3. Re-Platting a previously levied parcel to include an unlevied benefited area.

(AWU/ASU Tariff 8.2.B.c.i)

AWWU proposes that Section 21.08.070 require that all proposed Unit Lot subdivisions pre-pay any estimated pending AWWU assessments on the parent parcel prior to the recording of the final Unit Lot plat.

Doing so streamlines the development process by ensuring AWWU assessments are taken care of early in the process, preventing them from holding up the final replat and precluding a situation where AWWU must seek contribution from many separate landowners down the line.

AWWU Assessments

	Assessment Project Id	Project Type	Project Status	Element Type	Assessed Area	Element Assessment Amount	Element Assessment Amount plus services	Levy Time	Element Status
☐	1305	Capital Improvement Project - Sewer	completed	Sewer Lateral	71,803	\$0.00	\$0.00		Levied
				Sewer Trunk	188,623	\$5,353.65	\$5,353.65		Levied
☐	2875	Water Main Extension Agreement	completed	Water	28,163	\$0.00	\$0.00	Levy Upon Completion	Levied
☐	3106	Water Main Extension Agreement	approved	Water	160,498	\$0.00	\$0.00	Levy Upon Completion	Estimated
☐	3107	Sewer Main Extension Agreement	approved	Sewer Lateral	116,844	\$0.00	\$0.00	Levy Upon Completion	Estimated

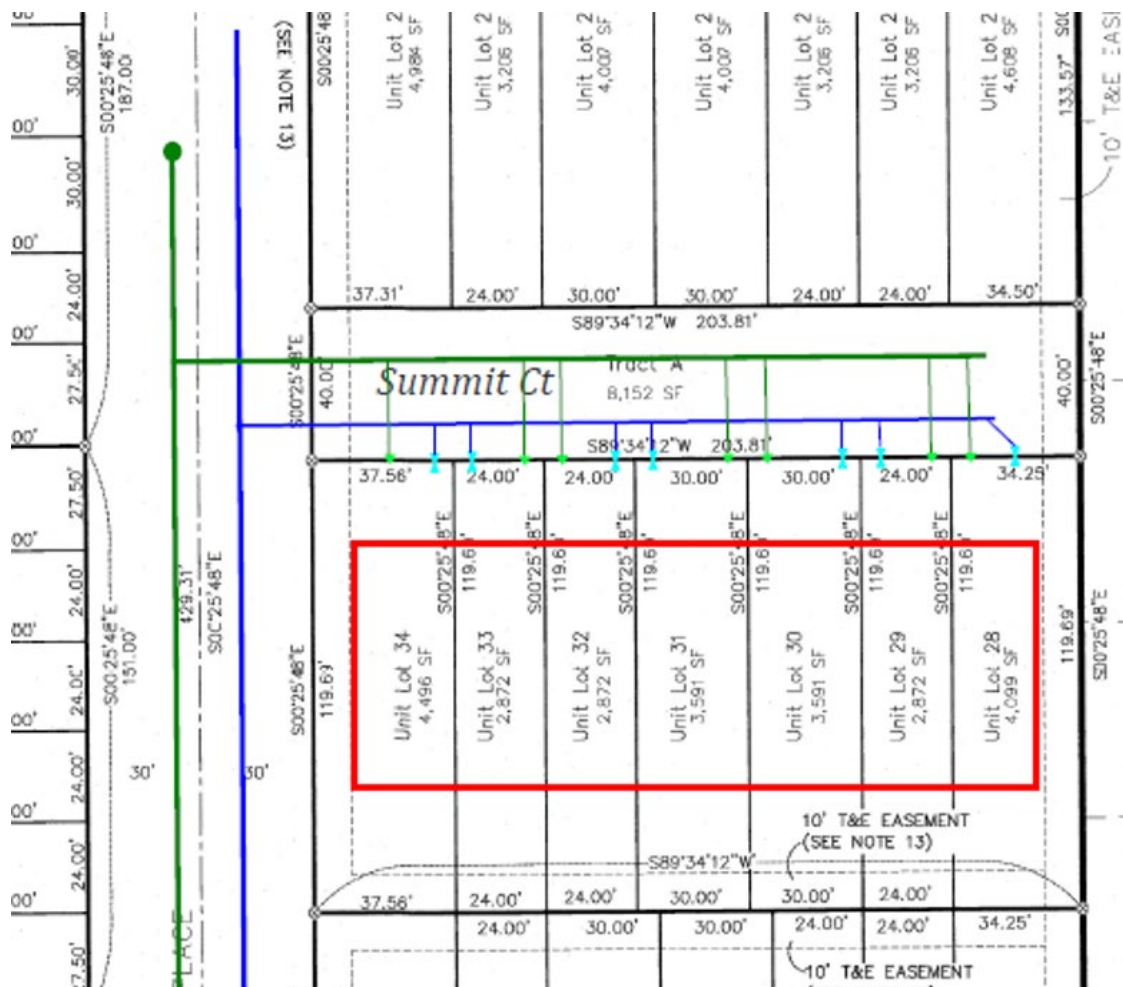


Frontage –

AWU and ASU Tariff state that "...for property to be considered benefitted and eligible for connection: The water main/sewer main shall be extended along at least one full side of the parcel..."

(AWU Tariff 9.3.J.1, ASU Tariff 9.3.F.1)

AWWU prefers that each proposed Unit Lot has main frontage and individual connections. Developers should exhaust all options for frontage, including main line extension. If frontage cannot be achieved, AWWU can use the parent parcel to determine frontage for a branched connection or private system (shared services). AWWU requests all developers have a pre-design meeting with AWWU Planning to discuss service options prior to finalizing a plat layout.

Example- preferred main frontage

Services –

The Tariff Rules for both the Anchorage Water Utility and the Anchorage Sewer Utility state that a service connection shall serve no more than one parcel and no service connection may cross a parcel line other than that for which it is intended to provide service. Where multiple buildings occupy a single parcel, there shall be one service connection per building unless the Utility has approved a branched service extension.

The ideal situation, in AWWU's view, is for each individual Unit Lot to have and maintain its own water and sewer connections and extensions to a public main via frontage from a dedicated Right-of-Way or a standard 30 to 40-foot public utility easement. This adds to the affordability of housing because unlike homes served by private systems, the Homeowner's Association, if any, does not have to maintain a larger reserve to maintain or repair its private water and sewer systems.

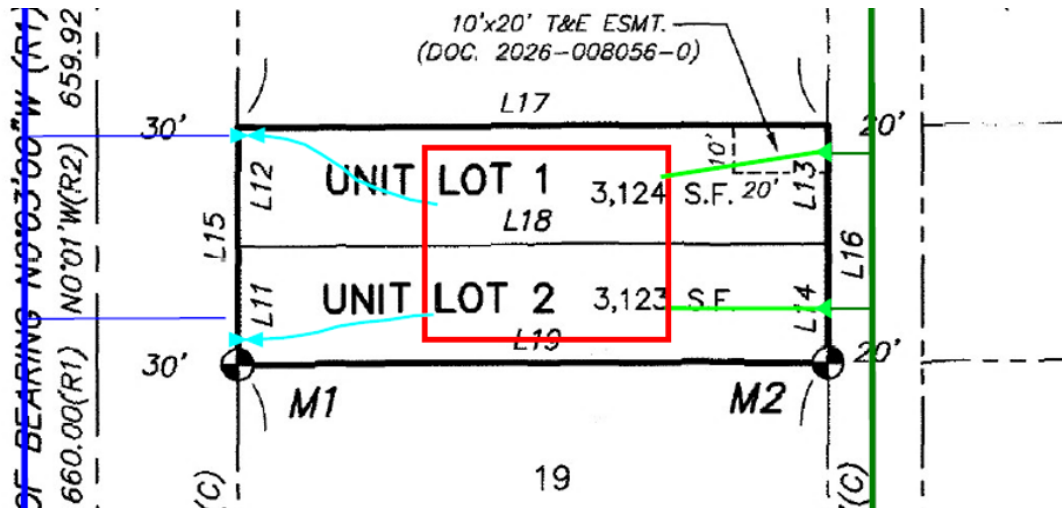
If the parent parcel cannot be subdivided in a way that provides frontage to water and sewer mains to each individual Unit Lot and maintain appropriate separation distances between water and sewer service connections, then the developer shall provide engineered plans and complete the Private System review process prior to connection. If a Private System is constructed, the developer must enter into a Shared Services agreement with the Utility to allow the water and sewer extensions to cross Unit Lot parcel boundaries. See AWWU DCPM 20.13.05.03 for Unit Lot development requirements. In this situation, AWWU needs the private system to be a common element owned by an HOA. AWWU proposes that Section 21.07.080 incorporate this requirement: if a private system is required to get water and sewer service to the homes planned on the Unit Lots, then an incorporated homeowner's association must be formed, and it must own the private water and/or sewer system. This would in turn affect how much the Association would be required to keep in reserves to maintain common elements (i.e. driveways, fences, underground utilities, etc). It seems like a policy decision of whether to require HOAs to maintain enough in reserves to maintain or make major repairs to their private water and sewer systems in Unit Lot developments or rather to follow a "buyer beware" methodology, in which buyers should investigate the size of the HOA's reserves when making purchasing decisions.

*(Connection Requirements AWU Tariff 9.3.D-E
and 9.7 Townhouses, ASU Tariff 9.3.D, 9.4.A,
9.4.B.2)*

*(Shared Services Requirements AWU Tariff 9.5.F
and 9.5.I, ASU Tariff 9.5.H and 9.5.K)*

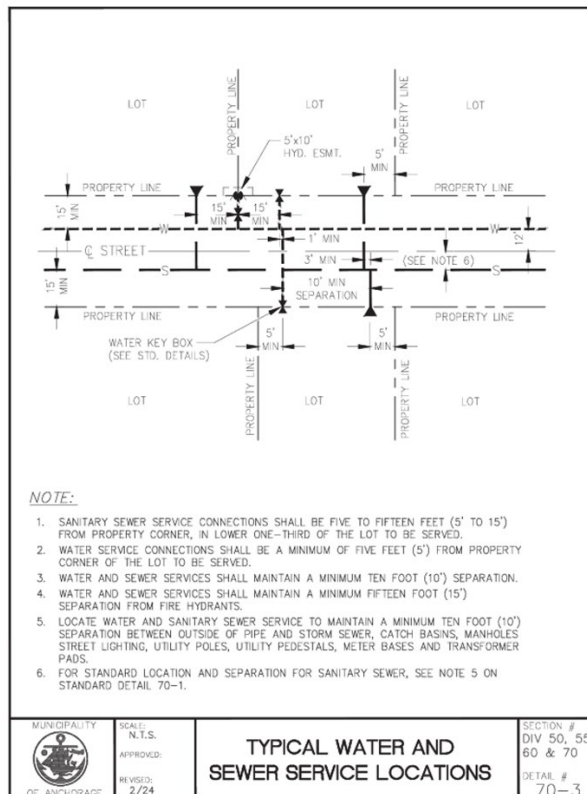


Example – Preferred Service Connections (Infill Development)



Separation requirements as defined on MASS Detail 70-3 will set guidance for minimum Unit Lot widths based on water and sewer service locations. AWWU suggests adding a subsection to AMC 21.08.070 providing that the minimum width of the individual unit lots shall be determined in accordance with MASS in order to protect the public health by maintaining physical separation between potable water service lines and sewer service lines.

(MASS Detail 70-3)



Service Provider –

After subdivision and development of Unit Lots, AWWU remains a public health service provider for clean water and sanitary sewer service. If a development can achieve individual service connections for each unit Lot, the homeowners would be able to be billed individually by AWWU, which is more indicative of fee-simple, single-family ownership. If a Private System owned by an HOA is required for the reasons explained above, the Homeowner's Association will be responsible for the water and sewer billing of all Unit Lots, achieving one billing party per connection.

AWWU is the first responder for water calls regardless of outcome. Unit Lots having individual connections allows a higher level of service and care for our customers. Requiring private systems for shared services gives AWWU access to critical information to be able to respond to the customer and allow the HOA information needed to swiftly respond to future maintenance or emergency calls.

