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Deleted: 18

Inserted: 18

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17			
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1 **CHAPTER 21.08: SUBDIVISION STANDARDS<sup>1</sup>**

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2 **21.08.010 PURPOSE<sup>2</sup>**

3 **A. General**

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

9 **B. Specific**

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

**Comment:** It seems like the entire standard of this module are far in excess of what is reasonable, both from an economic perspective as well as from an overall reasonableness perspective.

**Comment:** Delete first sentence in its entirety. This is Comp Plan language.

21 **21.08.020 APPLICABILITY**

22 **A. Generally<sup>3</sup>**

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

27 **B. Approvals Required**

28 **1. General**

29 ~~Before a permit for subdivision shall be granted, the subdividing owner or his~~  
30 ~~authorized agent shall apply for and secure approval under the provisions of~~  
31 ~~Section 21.03.060, *Subdivisions and Plats*.~~

**Comment:** Delete "Before a permit for subdivision shall be granted" and replace with "Prior to notice to proceed"

32 **2. Before Certificate of Occupancy**

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

---

<sup>1</sup> 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.

<sup>2</sup> NOTE: Suggested new purpose statements.

<sup>3</sup> 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.

Deleted: 21.08.070

Deleted: 21.08.050

Deleted: Conservation Subdivisions

Inserted: 21.08.070

Inserted: Conservation Subdivisions

Deleted: Improvements

1 **21.08.030 DESIGN STANDARDS**

2 **A. Layout and Design Generally<sup>4</sup>**

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

4 **1. Name of Subdivision**

5 The title under which the subdivision will be recorded shall not duplicate the  
6 name of any existing subdivision in the Municipality.

7 **2. Compliance with Comprehensive Plan**

8 The design of subdivisions shall be consistent with the Comprehensive Plan  
9 and all other adopted plans and policies.

Comment: Delete remainder of sentence.

10 **3. Compliance with Other Provisions of this Title**

11 All subdivisions shall comply with all other applicable zoning, design, and  
12 development regulations set forth in this Title, including but not limited to:

13 **a.** The requirements of the zoning district in which the property is  
14 located (see Chapter 21.04);

15 **b.** The requirements relevant to specific uses (see Chapter 21.05); and

16 **c.** Generally applicable development and design standards (see  
17 Chapter 21.07).

Comment: Delete "Generally". List all of the standards that apply ie. MASS, IEC, IFC, IBC, etc.

18 **B. Phasing Schedule<sup>5</sup>**

19 The Platting Authority may require that a subdivision conform to a phasing schedule  
20 based upon the scheduled availability of infrastructure to serve the subdivision.

21 **C. Legal and Physical Access**

22 A subdivision shall have legal and physical access.

23 **D. Streets**

24 All streets shall comply with the standards of Section 21.07.060, *Transportation and*  
25 *Connectivity*, and in addition shall comply with the following standards:

Comment: Delete "the following standards" and replace with "the design criteria manual."

26 **1. Street Grades<sup>6</sup>**

27 **a.** Streets shall be arranged properly in relation to topography to provide  
28 usable lots, safe streets, reasonable gradients, and minimum damage  
29 to terrain and existing vegetation.

30 **b.** 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.

<sup>4</sup> NOTE: New subsection.

<sup>5</sup> NOTE: Existing 21.80.380.

<sup>6</sup> 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.

- Deleted: 21.08.070
- Deleted: Conservation Subdivisions
- Inserted: 21.08.070
- Deleted: 21.08.050
- Inserted: Conservation Subdivisions
- Deleted: Improvements

- 1                                   c.       Residential street grades in a subdivision shall not exceed 15  
2    percent. Any street grade exceeding ten percent shall be on a  
3    straight alignment no more than 100 feet long; provided that the  
4    Municipal Engineer may allow the grade to be longer where required  
5    by topographic conditions and consistent with sound design  
6    principles.
- 7                                   d.       Streets shall comply with the standards of subsection 21.07.020.C.,  
8    *Steep Slope Development*.
- 9                                   2.       **Street Alignment**<sup>7</sup>
- 10                                   a.       Arterial and collector streets shall be aligned to continue existing  
11   streets from adjoining areas into the proposed subdivision. Local  
12   streets shall be aligned to discourage their use by through traffic.  
13   This provision is not intended to encourage cul-de-sacs or dead-end  
14   streets.
- 15                                   b.       Grade or median separations of street lanes may be permitted to  
16   preserve natural features, provide space for landscaping, or facilitate  
17   access in subdivisions containing hillside lots.
- 18                                   c.       In areas subject to extreme winds, the minimizing of potential wind  
19   damage shall be considered in aligning streets.
- 20                                   3.       **Street Intersections**<sup>8</sup>
- 21   Streets shall intersect at or as near as is feasible to a 90-degree angle and in  
22   no event at less than a 75-degree angle. The distance between intersection  
23   centerlines shall be at least 150 feet.
- 24                                   4.       **Cul-de-Sacs**<sup>9</sup>
- 25                                   a.       Where topography and traffic circulation permit, the length of a cul-  
26   de-sac shall not exceed 900 feet in the R-5, R-6, R-9, R-10, and TA  
27   zoning districts, and 600 feet in all other zoning districts.
- 28                                   b.       The length shall be measured from the centerline of intersecting  
29   through streets to the radius point of the cul-de-sac bulb.
- 30                                   c.       A cul-de-sac shall terminate with a turnaround having a minimum  
31   radius of 50 feet and a minimum return radius of 50 feet.  
32   Commercial/industrial cul-de-sacs shall have a minimum radius of 65  
33   feet. The Platting Authority may permit a cul-de-sac street to  
34   terminate with a T-shaped or Y-shaped turnaround when such a  
35   design is required by extreme environmental or topographical  
36   conditions or unusually or irregularly shaped boundaries.
- 37                                   5.       **Alleys**
- 38   Dead-end alleys shall be prohibited.

**Comment:** Does the 150 ft. refer to the blocked design with minimum dimensions of 300 ft. or opposing street intersections and how are private streets considered under this standard?

<sup>7</sup> 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.

<sup>8</sup> NOTE: Existing AMC 21.80.230 with minor adjustments.

<sup>9</sup> NOTE: Existing AMC 21.80.240, with adjustments specifying cul-de-sac lengths based upon area types.

- Deleted: 21.08.070
- Deleted: Conservation Subdivisions
- Inserted: 21.08.070
- Deleted: 21.08.050
- Inserted: Conservation Subdivisions
- Deleted: Improvements

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6. **Street Names and Addresses**<sup>10</sup>

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 of Public Works or his designee, who may reject any proposed street name that does not conform to this section or to any regulation promulgated pursuant to this section. The Municipality shall name all streets that are peripheral to the subdivision and all extensions of existing streets into the subdivision. Where a new street extends or continues an existing street, the name of the existing street shall be used for the new street.

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b. Pursuant to Chapter 3.40, the Director of Public Works may promulgate regulations establishing a uniform street designation terminology. All street names shall conform to the terminology so established.

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c. Street names may be modified using the procedure in Section 21.03.170, *Street Name Alterations*.

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7. **Street Addresses**<sup>11</sup>

a. The Director of Public Works, or his designee, shall assign all official street address numbers within the Municipality. A permanent address shall be assigned only for property that is subject to a plat filed in accordance with law depicting the dedicated right-of-way serving the property.

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b. Pursuant to Chapter 3.40, the Director of Public Works may promulgate regulations establishing uniform street address numbering technology and procedures. All street addresses shall conform to the numbering technology and procedures adopted by regulation, unless unusual or exceptional circumstances warrant utilization of alternate technology or procedures.

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E. **Block Arrangement**<sup>12</sup>

1. Blocks shall have sufficient width to provide for two tiers of lots of depth meeting the minimum requirements of this Title, except where lots back onto a collector or greater street, natural feature, or subdivision boundary.

35  
36

2. Residential blocks shall not be less than 300 feet wide or more than 1,320 feet long.<sup>13</sup>

**Comment:** Needs to be conformity within this document. Add: "Alternate design widths may be allowed under approval by the Platting Board."

<sup>10</sup> NOTE: Existing 21.80.260 with only minor clarifications.  
<sup>11</sup> 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.  
<sup>12</sup> NOTE: This section combines the provisions from existing 21.80.280 and 290, with minor clarifications.  
<sup>13</sup> NOTE: This section may need to be revisited once the new development standards are finalized. For example, a minimum block length of 200 feet has been proposed for the mixed-use districts; if that standard is adopted, then this standard should be lowered to 200 to be consistent.

- Deleted: 21.08.070
- Deleted: Conservation Subdivisions
- Inserted: 21.08.070
- Deleted: 21.08.050
- Inserted: Conservation Subdivisions
- Deleted: Improvements

1           **F.     Lot Dimensions<sup>14</sup>**  
2           Subject to the lot dimensions and area requirements of Chapter 21.06, all lots shall  
3           have the minimum dimensions required by this section.

- 4           1.     The depth of a lot shall be at least 100 feet.
- 5           2.     The width of a corner lot shall be at least 50 feet.
- 6           3.     The width of a lot shall be at least one-third the depth of the lot.
- 7           4.     If a lot is to be served by an on-site wastewater disposal system, the lot must  
8           have the minimum area required for such a lot under Chapter 15.65 of the  
9           Anchorage Municipal Code.
- 10          5.     Notwithstanding any other provision of this section, the width of the flagpole  
11          portion of a flag-shaped lot shall be no less than:
  - 12          a.     Thirty feet when both public water and sewer systems are to serve  
13          such a residential lot.
  - 14          b.     Forty feet when both public water and sewer systems are to serve  
15          such a commercial or industrial lot.
  - 16          c.     Twenty feet when only a public water or a public sewer system is to  
17          serve such a lot.
  - 18          d.     Twenty-four feet when the lot is located in the R-5, R-6, R-9, R-10, or  
19          TA districts and will not be served by either the public water or the  
20          public sewer system.
- 21          6.     The length of the flag pole portion of the lot shall not exceed 200 feet in the R-  
22          5, R-6, R-9, R-10, or TA districts or 100 feet in all other districts, and all other  
23          measurements shall be consistent with other sections of this Title.
- 24          7.     To the extent feasible, side lot lines shall be perpendicular to straight streets  
25          and radial to curved streets.

26           **G.     Lot Frontage and Access<sup>15</sup>**  
27           1.     Except when platted under subsection 21.03.070.G., *Platting for Site Plans*  
28           and *Conditional Uses* all lots shall have frontage on a publicly dedicated  
29           street.  
30           2.     Access to a residential lot shall not be from a collector or greater street.  
31           3.     Subdivisions shall be designed to minimize lots with access to residential  
32           major streets carrying over 1,000 average daily trips.

<sup>14</sup> NOTE: This section combines 21.80.300 and 320.  
<sup>15</sup> NOTE: Based on the existing 21.80.330.

- Deleted: 21.08.070
- Deleted: Conservation Subdivisions
- Inserted: 21.08.070
- Deleted: 21.08.050
- Inserted: Conservation Subdivisions
- Deleted: Improvements
- Comment: Delete "and 30 percent at the curb" and replace with "or 33% if Platting Board finds conditions warrant it."

- 1                    4.        Unless otherwise provided in this Title, the total width of driveway entrances  
2                    to a lot from a street shall not exceed 40 percent of the frontage of the lot on  
3                    the street at the property line, ~~and 30 percent at the curb.~~ This provision does  
4                    not apply to flag lots and cul-de-sacs.
- 5                    5.        The frontage of a lot on a cul-de-sac bulb shall be at least 30 feet, except that  
6                    the frontage on a cul-de-sac bulb of a lot with a side yard abated under  
7                    subsection 21.06.020.B.2.d., *Construction on Adjoining Lots*, shall be at least  
8                    18 feet. This subsection does not apply to flag lots.
- 9                    **H.        Landscaping<sup>16</sup>**
- 10                   1.        The Platting Authority shall consider and require, where appropriate,  
11                   landscaping and screening under subsection 21.03.070.D.2, *Perimeter Buffer*  
12                   *Landscaping*, to separate property from incompatible uses or structures,  
13                   including but not limited to streets designated for collector or greater capacity  
14                   on the Official Streets and Highways Plan, railroads, commercial, or industrial  
15                   uses. The area containing the landscaping shall be shown as an easement or  
16                   open space area on the plat. The landscaping shall be installed before final  
17                   plat approval, or its installation shall be guaranteed under Section 21.08.060,  
18                   *Subdivision Agreements*, or by other performance guarantees acceptable to  
19                   the authority. The landscaping shall be maintained by the property owner or  
20                   designee.
- 21                   2.        If a landscaping easement is required, it shall not coincide with any utility  
22                   easement.
- 23                   **I.        Reserve Strips<sup>17</sup>**
- 24                   Privately owned strips may not be reserved to control access to public rights-of-way.
- 25                   **J.        Electrical and Telecommunication Utilities<sup>18</sup>**
- 26                   The width and alignment of transmission easements within subdivisions shall conform  
27                   to the utility corridor plan. The Platting Authority shall preclude structures or uses of  
28                   land within or beneath areas of electrical or telecommunications ground or aerial  
29                   easements that are incompatible with electrical distribution or transmission facilities.
- 30                   **K.        General Subdivision Standards Are Minimum Standards<sup>19</sup>**
- 31                   1.        The design standards in this chapter are minimum standards. The Platting  
32                   Authority may impose more restrictive standards when it finds they are  
33                   necessary to conform the design of a proposed subdivision to sound  
34                   engineering or design standards or other standards in this Title.
- 35                   2.        When the Platting Authority finds that it is not feasible to conform the design  
36                   of a proposed subdivision to the standards of this section, the Platting  
37                   Authority may reject a proposed subdivision in its entirety.

<sup>16</sup> NOTE: Based on the existing 21.80.340.  
<sup>17</sup> NOTE: Existing 21.80.350.  
<sup>18</sup> NOTE: Existing 21.80.400, with no changes.  
<sup>19</sup> NOTE: Existing 21.80.390, with minor adjustments.



- Deleted: 21.08.070
- Deleted: Conservation Subdivisions
- Inserted: 21.08.070
- Deleted: 21.08.050
- Inserted: Conservation Subdivisions
- Deleted: Improvements

1 **21.08.040 DEDICATION**

2 **A. Public Open Space Dedication and Fees In-Lieu<sup>20</sup>**

3 Public open space and/or fees in lieu thereof shall be provided pursuant to subsection  
4 21.07.030.B., *Public Open Space Dedication and Fees in-Lieu*.

5 **B. Streets<sup>21</sup>**

6 **1.** Except as provided in Section 21.03.070, *Conditional Uses*, and 21.03.080,  
7 *Site Plan Review*, all street rights-of-way shall be dedicated to the public.

- Comment: Which section do detached condominiums fall under?
- End sentence with "unless reserved for future dedication."

8 **2.** Street right-of-way widths shall conform to the Official Streets and Highways  
9 Plan (OS&HP), provided that the maximum dedication width that may be  
10 required for an arterial or collector street is 70 feet if the entire width of the  
11 street is within the subdivision, or 35 feet if the street is on an exterior  
12 boundary of the subdivision. These standards are considered to be minimum  
13 standards and may be increased in a particular instance, where necessary, to  
14 make a proposed street conform to sound traffic engineering standards and  
15 principles.

16 **3.** The Platting Authority may approve the dedication of a half-street only when  
17 the other half of the street has been dedicated or when the Platting Authority  
18 reasonably anticipates that the other half of the street will be dedicated.  
19 When a subdivision borders a dedicated half street, the Platting Authority  
20 shall require the dedication of the other half of the street, unless it determines  
21 that the street would be unnecessary or undesirable.

22 **C. Alleys<sup>22</sup>**

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

26 **D. Walkways<sup>23</sup>**

27 The Platting Authority may require the dedication of pedestrian walkways where it  
28 finds that pedestrian walkways are necessary to convenient pedestrian circulation or  
29 to protect pedestrians from hazardous traffic. The minimum width of a walkway  
30 dedication shall be 20 feet.

31 **E. Trails<sup>24</sup>**

32 The Platting Authority shall require the dedication of an easement for a trail  
33 designated on adopted municipal plans when it finds that the trail cannot be located in  
34 an existing dedicated easement or right-of-way. The Platting Authority may modify

<sup>20</sup> NOTE: New standards are located in the Development Standards chapter.

<sup>21</sup> NOTE: Based on the existing 21.80.010.

<sup>22</sup> NOTE: Existing 21.80.020.

<sup>23</sup> NOTE: Based on the existing 21.80.030. Staff recommends increasing the minimum width from 10 to 20 feet.

<sup>24</sup> NOTE: Existing 21.80.060. This is a standard provision and it should be adequate to ensure that access to Chugach State Park is preserved during design of subdivisions that abut the park. Specific access points to the park have been identified in a state document ("Chugach State Park Access Inventory") but that document has not been adopted by the Municipality.

Deleted: 21.08.070

Deleted: 21.08.050

Deleted: Conservation Subdivisions

Inserted: 21.08.070

Inserted: Conservation Subdivisions

Deleted: Improvements

1 the alignment, width, and scope of trail easements as necessary to integrate trail and  
2 subdivision design.

3 **F. Riparian Protection and Maintenance Easements<sup>25</sup>**

4 1. The Platting Authority shall require the dedication of riparian maintenance and  
5 protection easements where a river, stream, creek, important surface  
6 watercourse, or drainage course traverses or is adjacent to the subdivision.

7 2. The easement shall conform substantially to the line of the watercourse. The  
8 width of the easement shall be that which the Platting Authority finds  
9 necessary to provide access to widen, deepen, slope, improve and maintain  
10 the stream, and to protect the stream and adjacent property from soil erosion,  
11 flooding, water pollution, and destruction of fish and wildlife habitat.

12 3. All riparian protection and maintenance easements shall be at least 25 feet  
13 wide on either side of the stream, measured landward from the outer edge of  
14 the stream bed, identified by the ordinary high-water mark; provided that all  
15 stream maintenance and protection easements along watercourses or  
16 drainage courses less than five feet at ordinary high water shall be at least 25  
17 feet wide, on either side of the thread of the stream.

18 4. Section 21.07.020.B., *Stream, Waterbody, and Wetland Protection*, sets forth  
19 additional restrictions on development and the use of land and structures  
20 within the easement and, in some districts, beyond the easement.

21 5. In cases where two or more easements coincide, the outer limits of the  
22 combined easement shall be measured from the outer edge of the outermost  
23 watercourse edge in either direction.

24 6. Credit towards other open space dedication or private open space set-aside  
25 requirements shall be given for the dedication of riparian protection and  
26 maintenance easements at a rate of 1 to 1.

27 **G. Utility Easements**

28 1. Utilities shall be placed in dedicated rights-of-way whenever possible.

Comment: Add "Public" to first of sentence.

29 2. In situations where utilities may not be placed within rights-of-way, easements  
30 shall be provided for utilities, and shall be centered along or adjacent to lot  
31 lines to the greatest extent practicable.

Comment: Delete "whenever possible."

32 3. Utility easements shall not be placed in tree retention areas, public or private  
33 open space areas, or where landscaping is to be provided, except where  
34 necessary to cross such areas.

Comment: Delete "public or private open space areas."

35 4. Utility easements shall be sized according to the following standards:

<sup>25</sup> NOTE: This section carries forward the current 21.80.040. One issue to consider is whether or not this land needs to be dedicated. Typically, other municipalities do not require dedication of the riparian buffer area, they simply limit land disturbing activity and construction within the riparian buffer, as is done in the new stream protection section in 21.07. It also would be possible to maintain the 25 foot maintenance easement and add an additional 75 feet of buffer which is not to be dedicated, but maintained by the developer or an HOA. The current draft takes this latter approach, by requiring a 25-foot easement but also imposing some development restrictions on areas larger than 25 feet.



- Deleted: 21.08.070
- Deleted: Conservation Subdivisions
- Inserted: 21.08.070
- Deleted: 21.08.050
- Inserted: Conservation Subdivisions
- Deleted: Improvements

District Type	Class A	Class B
Residential	R-1 R-2 R-3 R-4	R-5 R-6 R-9 R-10
Commercial	C-2A C-2B C-2C GC MC	
Industrial	I-1 I-2 MI	
Mixed Use	NMU CCMU RCMU RMX	
Other Districts	AD	TA OL AF W

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**C. Improvement Requirements by Improvement Area<sup>28</sup>**

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:

R = Improvement Required		
Improvement	Class A	Class B
Paved Interior Streets	R	
Strip-Paved Access and Peripheral Streets	R	
Gravel Interior Streets		R
Gravel Access and Peripheral Streets		R <sup>29</sup>
Curbs and Gutters	R	
Sidewalks	R	
Walkways	R	R
Street Lighting	R	
Traffic Control Devices	R	R
Monuments	R	R
Drainage	R	R
Telephone & Electrical Facilities	R	R
Water Supply Facilities	R	

<sup>28</sup> NOTE: Existing 21.85.030 summarized in a new table.

<sup>29</sup> NOTE: There is discussion amongst staff members on whether or not to keep this option or to require paved access and peripheral streets. One staff comment: "Almost all roads in Chugiak Eagle River are currently strip paved using recycled asphalt by CERBRRSA. This is a very effective control strategy for dust pollution prevention. It doesn't make sense to allow gravel roads to be built and then have CERBRRSA come back and RAP it later. MOA Traffic Department recommends requiring rural area roads to be strip paved."

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- Inserted: Conservation Subdivisions
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TABLE 21.08-2: REQUIRED IMPROVEMENTS BY IMPROVEMENT AREA		
R = Improvement Required		
Improvement	Class A	Class B
Sanitary Sewer Facilities	R	
Landscaping	R	R*
* Improvement requirements may differ by improvement area		

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**D. Interior Streets<sup>30</sup>**

**1. Residential Interior Streets**

**a. Categories**

There are two categories of residential interior streets:

**i. Residential Minor Streets**

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

**ii. Residential Major Streets**

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

**b. Determination of Average Daily Trips**

For the purpose of classifying and designing residential streets, the average daily trips carried by a street shall be determined by applying trip rates from the most current Institute of Transportation Engineers Trip Generation Manual. The manual specifies that the following formula shall be applied to each lot or tract to which the street gives access, using the maximum residential density permitted for the lot or tract by its zoning district:<sup>31</sup>

**Comment:** Should delete table below and replace with referenced to the ITE manual which provides for allowance for modification from time to time.

TABLE 21.08-3: DETERMINATION OF AVERAGE DAILY TRIPS	
Housing Type	Average Daily Trips per Dwelling Unit
Dwelling, single-family detached	8.2
Dwelling, two-family (duplex, townhouse)	8.0

<sup>30</sup> 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.

<sup>31</sup> NOTE: If the reference to the ITE manual is included, the table is unnecessary. However, some staff members find the table to be helpful to code users and suggest keeping it in, so long as there are not big changes in the manual's requirements over time.

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Housing Type	Average Daily Trips per Dwelling Unit
Dwelling, multiple-family (townhouse, apartment) exceeding 2 units	7.3
Mobile home	5.5

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**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.

**Comment:** Re: Table 21.08-4. Assumes that HOA has enforcement within public right-of-way or must have private streets. Footnote (7) should read "center turning lang."

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	24	2 2	1 0	20 20	60 60	No Yes	Cul-de-sacs, low-volume residential streets
75--300 Residential minor	30	24	2 2	1 0	25 25	60 60	No Yes	Residential minor streets, cul-de-sacs and small loops
300--600 Residential minor	33	24	2 2	2 0	25 25	60 60	No Yes	Residential minor streets, loop streets, high-volume cul-de-sacs
600--1,000 Residential major	33	28	2 2	2 1	25 25	60 60	No Yes	Residential major streets, loop streets and high-volume cul-de-sacs
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 21.08.050.D.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 land required.

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**TABLE 21.08-5: STRIP-PAVED AND GRAVEL STREETS, MINIMUM STANDARDS**

A.D.T.	Street Section (1) (3) (feet)	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, or future pavement in the case of gravel streets				
(2) Design speed (not posted speed) for horizontal and vertical curves				
(3) Street sections require two-foot shoulders with ten- and 12-foot driving lanes, respectively				

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**2. Commercial and Industrial Interior Streets**

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

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

Street Section (1) (feet)	Number of Lanes		Maximum Design Speed (2) (mph)	Right-of-Way (feet)	Application
	Moving	Parking			
36(V)	2	2 (3)	30	60	Commercial/industrial streets
36(V)	3(1TL)	0	35	60	Major commercial/industrial streets; no on-street parking permitted; parking must be provided off-street
40(V)	3(1TL)	0	35 <sup>32</sup>	60	Limited application for commercial and industrial areas for turning movements when traffic warrants
(1) Street dimensions are from back of curb					
(2) Design speed (not posted speed) for vertical and horizontal curves					
(3) Parking may be provided off-street when a planter strip is used					

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

Street Section (1) (feet)	Design Speed (2) (mph)	Right-of-Way (feet)	Application
20	20	50	Commercial/industrial low traffic volume loop streets and cul-de-sacs, 4-foot shoulders required both sides
24	35	60	Major commercial/industrial streets, 4-foot shoulders required both sides
(1) Dimensions are from edge of pavement, or future pavement			
(2) Design speed (not posted speed) for vertical and horizontal curves			

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<sup>32</sup> 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.

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**E. Optional Residential Interior Streets<sup>33</sup>**

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.
  
2. The Platting Authority may find that it is practical to substitute spillover parking for on-street parking only in residential subdivisions containing at least five acres or 25 dwelling units with a homeowners' association that is responsible for operating and maintaining spillover parking facilities.
  
3. Spillover parking substituted for on-street parking shall conform to the design standards in Section 21.07.090, *Off-Street Parking and Loading*, shall be a designated common area owned and administered by the homeowners' association, and shall not be located within an individually owned lot or tract. The design of spillover parking areas shall be subject to approval of the Traffic Engineer. The spillover parking area shall be shown on the plat, and a plate note shall be provided limiting the use of that area to spillover parking. Spillover parking areas shall not be counted toward required open space requirements. Spillover parking spaces in addition to the off-street parking spaces required under Section 21.07.090 shall be provided for each lot fronting on a street without on-street parking under the following formula, using the maximum residential density permitted for the lot by its zoning district.

**Comment:** The below referenced table 21.08-8 column heading of "Average Daily Trips" should read "Parking Spaces."

TABLE 21.08-8: ADDITIONAL SPILLOVER PARKING SPACES REQUIRED FOR EACH LOT FRONTING ON A STREET WITHOUT ON-STREET PARKING	
Housing Type	Average Daily Trips per Dwelling Unit
Dwelling, single-family detached	1.5
Dwelling, single-family attached (1 to 4 units)	1.0
Dwelling, multiple-family (exceeding 4 units)	0.5

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**F. Access Streets, Peripheral Streets, and Half Streets<sup>34</sup>**

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.

<sup>33</sup> NOTE: This section carries forward the provisions from AMC 21.85.050 Interior streets with only minor alterations.  
<sup>34</sup> NOTE: Existing 21.85.070.



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- Comment: In the case of an already overloaded street, this could unfairly place the burden on the subdivider.

**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.
- 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.

**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.

**G. Curbs and Gutters<sup>35</sup>**

Where required, the subdivider shall construct curbs and gutters in accordance with the Design Criteria Manual and M.A.S.S., 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 AASHTO vertical type.

**H. Sidewalks<sup>36</sup>**

1. The placement of sidewalks shall be determined by the transportation and connectivity standards in Section 21.07.060.
2. Sidewalks shall be improved in accordance with Table 21.08-9 below:

**Comment:** Please refer back to section 21.07.060, page 38, lines 42-44. Under the definition of development, building is defined as one single family residence. Does this mean that if you build more than one single family home, you would need to provide walkways between the homes? How does the driveway enter into this equation?

**TABLE 21.08-9: MINIMUM SIDEWALK AND WALKWAY IMPROVEMENTS**

Type	Minimum Width (feet)	50' Right-of-Way	60' Right-of-Way	Right-of-Way (feet)	Remarks
4" PCC	5	0	0	N/A	Attached to curb
4" PCC	5	5	5	N/A	Detached*
1 1/2" AC	5	5	5	N/A	Detached*
4" PCC	5	N/A	N/A	10	Not recommended where peat is surcharged
1 1/2" AC	5	N/A	N/A	10	Paved walkways
Gravel	5	N/A	N/A	10	For rural and suburban areas or nature trails

\* Additional information may be required if need demonstrated.

<sup>35</sup> 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. This could be controversial, since vertical curbs allow for less subsequent flexibility for driveways. Further discussion will be needed.

<sup>36</sup> 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.

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1           **I.     Walkways**

2                     Walkways, and trails not part of required trail dedications, shall be improved in

3                     accordance with Table 21.08-9.

4           **J.     Street Lighting**

5                     Street lighting shall conform to the requirements in the Design Criteria Manual.

6           **K.     Traffic Control Devices<sup>37</sup>**

7                     **1.     Traffic Signs**

8                             Traffic signs shall be installed in accordance with the requirements of the

9                             Traffic Engineer. Street name signs shall be installed in accordance with the

10                            requirements of the Traffic Engineer.

11                    **2.     Traffic Signals**

12                            Traffic signals shall be installed in accordance with the requirements of the

13                            Traffic Engineer.

14           **L.     Monuments<sup>38</sup>**

15                     Monuments and lot corner markers for determining the boundaries of subdivisions and

16                     lot corners shall be set in a professional manner. Survey monumentation shall

17                     conform to such additional standards as the Municipal Engineer may establish by

18                     regulation under Chapter 3.40 of the Anchorage Municipal Code.

19           **M.     Drainage System<sup>39</sup>**

20                     A drainage system approved by the Municipal Engineer and the Department of Health

21                     and Human Services, including necessary storm drainage facilities, drain inlets,

22                     manholes, culverts, bridges and other appurtenances, shall be installed. The design

23                     of the drainage system shall provide for the preservation of designated high-quality

24                     wetlands critical to water table levels and wildlife habitat within and surrounding the

25                     subdivision, and shall comply with the following standards:

26                    **1.     No surface water drainage from the subdivision shall empty into a sanitary**

27                            sewer; or directly, without treatment and energy dissipation, into a creek or

28                            stream channel.

29                    **2.     The size, design, and construction of drainage structures shall conform to the**

30                            requirements set forth by the Municipal Engineer.

31                    **3.     Where a subdivision is traversed by a watercourse, drainage way, channel, or**

32                            stream, a stormwater or drainage easement shall be provided that

33                            substantially conforms with the lines of such watercourse, plus additional

34                            width that is adequate and necessary to convey expected storm flows and/or

35                            stormwater drainage facilities. Streets paralleling such easement may be

36                            required in connection therewith. Lakes, ponds, creeks, and similar areas will

<sup>37</sup> NOTE: Based on the existing 21.85.120.

<sup>38</sup> NOTE: Based on the existing 21.85.030.

<sup>39</sup> NOTE: 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.

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1 be accepted for maintenance by the Municipality only if sufficient land is  
2 dedicated as a public recreation area or park or if such area constitutes a  
3 necessary part of the stormwater drainage control system.

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

7 5. The drainage system shall comply with the standards set forth in Section  
8 21.07.040, *Drainage, Stormwater Runoff, Erosion Control*.

9 **N. Telephone and Electric Facilities<sup>40</sup>**

**Comment:** Telephone should say telecommunication throughout this entire section.

10 1. All new telephone and electric lines shall be installed in accordance with the  
11 specifications of the Municipality and the utility providing the service.

12 2. All new telephone and electric utility distribution lines, as defined in Chapter  
13 21.13, shall be placed underground:

14 a. As required by Section 21.07.050, *Utility Distribution Facilities*; and

15 b. As required by the Platting Authority in areas with patterns of  
16 development similar to those where Section 21.07.050 requires that  
17 utility distribution lines be placed underground.

**Comment:** Add Section c. "All telecommunication and electric lines shall be to the extent economically and esthetically feasible utilize joint box distributions in the subdivisions. Encourage placement in the front yards to preserve infrastructure integrity and public safety and encourage tree retention in the back yards."

18 **O. Water Supply Facilities<sup>41</sup>**

19 **1. Access to Public Water System**

20 a. If the Platting Authority requires that a subdivision be served by a  
21 public water system, the subdivider shall install the system in  
22 accordance with the requirements of the state Department of  
23 Environmental Conservation and the most current edition of the  
24 Design Criteria for Sanitary Sewer and Water Improvements of the  
25 municipal water and wastewater utility.

26 b. Where connection to public water supply systems is required, such  
27 systems shall be dedicated to the Municipality for operation and  
28 maintenance, thus allowing for the orderly expansion of the  
29 Municipality, its water systems, and fire protection services that  
30 protect the health of the citizens of the Municipality.

**Comment:** Section O.1.b. seems to run contrary to what AWWU's tariffs currently read. AWWU says they can't cross private property which in a condo the HOA would own the road. What does this do to condo plats? The MOA will also want unrestricted access i.e. own the right-of-way which forces the 60 ft. right-of-way requirement.

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

32 a. If the subdivision has no access to a public water system, the Platting  
33 Authority may require the subdivider to install a water system for the  
34 common use of the lots in the subdivision. The subdivider shall install  
35 the system in accordance with the requirements of the state  
36 department of Environmental Conservation and the specifications of  
37 the municipal water and wastewater utility.

38 b. If the subdivision has no access to a public water system, and the  
39 Platting Authority finds that a water system for the common use of lots

<sup>40</sup> NOTE: Existing 21.85.150.

<sup>41</sup> NOTE: Existing 21.85.160. 1.b. is new.

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Comment: Section P.1.b. seems to run contrary to what AWWU's tariffs currently read. AWWU says they can't cross private property which in a condo the HOA would own the road. What does this do to condo plats? The MOA will also want unrestricted access i.e. own the right-of-way which forces the 60 ft. right-of-way requirement.

1 in the subdivision is not feasible and desirable, the subdivider need  
 2 not install water supply facilities. A well serving an individual lot shall  
 3 conform to the requirements of the Department of Health and Human  
 4 Services. A common water system serving a portion of the  
 5 subdivision shall not preclude individual wells for the remaining lots.

6 **P. Sanitary Sewer Facilities<sup>42</sup>**

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

8 **a.** If the Platting Authority or provisions of law require that a subdivision  
 9 be served by a public sewer system, the subdivider shall install the  
 10 system in accordance with the requirements of the state Department  
 11 of Environmental Conservation and the most current edition of the  
 12 Design Criteria for Sanitary Sewer and Water Improvements of the  
 13 municipal water and wastewater utility.

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

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

20 **a.** If the subdivision has no access to a public sewer system, the Platting  
 21 Authority may require the subdivider to install a sewer system for the  
 22 common use of lots in the subdivision.

23 **b.** If the subdivision has no access to a public sewer system, and the  
 24 Platting Authority finds that a sewer system for the common use of  
 25 lots in the subdivision is not feasible and desirable, the subdivider  
 26 need not install sewer facilities. A sewage disposal system serving  
 27 an individual lot shall conform to the requirements of the department  
 28 of Health and Human Services.

29 **Q. Erosion and Sedimentation Control<sup>43</sup>**

30 All grading, excavating, and removal or destruction of natural topsoil, trees, or other  
 31 natural vegetation shall conform to an erosion and sedimentation control plan  
 32 prepared by the subdivider and approved by the Department of Public Works before  
 33 the work may commence. The plan shall conform to the requirements of Section  
 34 21.07.040, *Drainage, Stormwater Runoff, Erosion Control*, as well as municipal  
 35 guidelines and policies contained in *Soil Erosion and Sediment Control Manual*, and  
 36 any other applicable guidelines and policies approved by the Department of Public  
 37 Works.

38 **R. Landscaping**

39 The subdivider shall be responsible for the provision of landscaping required under  
 40 Section 21.07.080, *Landscaping, Screening, and Fences*, and it shall be installed by  
 41 the subdivider or guaranteed under the provisions of subsection 21.08.060.E or other

<sup>42</sup> NOTE: Existing 21.85.170. 1.b. is new.

<sup>43</sup> 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.

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1 performance guarantees acceptable to the authority. Landscaping shall be provided  
2 on an individual lot basis not later than the issuance of a final certificate of occupancy.

3 **S. Natural Gas Facilities<sup>44</sup>**

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

7 **21.08.060 SUBDIVISION AGREEMENTS<sup>45</sup>**

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

9 **1. Agreement Required**

10 Before a final plat for a subdivision where improvements are required under  
11 Section 21.08.050 is approved or filed, the subdivider shall enter into a  
12 subdivision agreement with the Municipality in accordance with this section.

13 **2. Application**

14 Application for a subdivision agreement shall be made to the Department of  
15 Public Works. The application shall include a copy of the preliminary plat, a  
16 tentative schedule of all proposed construction of public improvements and  
17 utilities, and an engineer's estimate of the cost of each required public  
18 improvement. The Municipality may require a showing of the subdivider's  
19 financial responsibility.

20 **3. Contents**

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

- 23 a. A designation of the public improvements required to be constructed.
- 24 b. The construction and inspection requirements of the Municipality or  
25 utility for which the improvements are constructed.
- 26 c. The time schedule for completing the improvements.
- 27 d. The guaranty required by subsection 21.08.060.E.
- 28 e. A schedule for any payments required under this section.
- 29 f. The allocation of costs between the Municipality and the subdivider  
30 for required public improvements.
- 31 g. The warranty required by subsection 21.08.060.G.
- 32 h. The consent of the subdivider for the ownership of specified public  
33 improvements to vest with the Municipality upon final acceptance by  
34 the Municipality.

<sup>44</sup> NOTE: Based on the existing 21.85.200.

<sup>45</sup> 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 21.97 with no major changes.

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- 1                    i.        A warranty that the subdivider has title to the subdivision property and
- 2                               the authority to execute the subdivision agreement.
  
- 3                    j.        Where the subdivision is within the regulatory floodway, a
- 4                               requirement that the subdivider will submit certification of
- 5                               floodproofing, information on the elevation of the lowest habitable
- 6                               floor and information on the elevation to which the structure is
- 7                               floodproofed, for each building or structure to be constructed as part
- 8                               of the subdivision agreement.
  
- 9                    k.        A provision requiring the subdivider to submit plans, specifications,
- 10                               descriptions of work, the limits of the work area, the methods to be
- 11                               employed, a traffic control plan and any other pertinent data and
- 12                               information necessary for the department of public works to evaluate
- 13                               the proposed installation.
  
- 14                    l.        A provision that all work shall be performed pursuant to the
- 15                               Municipality of Anchorage Standard Specification (MASS), latest
- 16                               edition.
  
- 17                    m.        A provision that work shall not commence until plans have been
- 18                               approved by the director of public works and notice to proceed is
- 19                               given.

20                    4.        **Exceptions**

21                               If the subdivider elects to complete and obtain acceptance of all required

22                               public improvements before the approval or filing of a final plat for the

23                               subdivision, the subdivision agreement need not include the time schedule

24                               and guarantee provisions specified in items c. and d. above.

25                    **B.        Approval by Assembly**

26                               Approval by the Assembly shall be required to enter into those subdivision

27                               agreements where municipal participation in the cost of the required public

28                               improvements is estimated to be \$30,000.00 or more. [

Comment: Issue Re: Assembly cost threshold. Should be \$100,000 minimum.

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

30                    1.        The improvements required under the terms of the subdivision agreement

31                               shall be fully completed and accepted for warranty within two years of the

32                               date of execution of the agreement. The platting board may grant subdivision

33                               agreement time extensions, up to two years in length, upon a showing of

34                               good cause by the developer and provided such extension does not

35                               unreasonably impact adjacent properties or the general public. In considering

36                               whether an extension should be granted, the platting board shall consider the

37                               manner in which safety hazards, drainage problems, sanding, snow removal,

38                               grading and other matters will be handled during the extension period and

39                               may impose performance conditions on the extension to ensure that such

40                               matters are adequately handled. A finding of nonconformance by the

41                               Department of Public Works shall automatically, without any further action by

42                               the platting board, result in a cancellation of the extension after 30 days'

43                               written notice.

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

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

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

13                1.       **Administrative and Recording Costs Relating to Public Improvement**  
14                **Guaranties**  
15                The subdivider shall pay 100 percent of all costs incurred in supplying and  
16                administering any method of public improvement guaranty provided for in  
17                subsection 21.08.060.

18                2.       **Inspection, Surveillance, and Testing**  
19                The subdivider shall pay 100 percent of all costs relating to any inspection,  
20                surveillance, and testing by the Municipality, necessary for final acceptance of  
21                any required public improvement or during the warranty period. Surveillance  
22                shall be performed by the Municipality during the course of construction and  
23                up to the point of final acceptance of the completed project. Inspection shall  
24                be performed by the Municipality during the warranty period.

25                3.       **Administration of Agreement**  
26                The subdivider shall pay 100 percent of all costs of plan review, agreement  
27                administration, and attendant costs.

28                4.       **Arterial and Collector Streets within Anchorage Roads and Drainage**  
29                **Service Area**  
30                Reasonable costs incurred in the construction of a street designated on the  
31                official streets and highways plan (OSHP) as a collector, arterial, or greater  
32                and within the Anchorage Roads and Drainage Service Area (ARDSA) shall  
33                be apportioned as specified in subsections 21.08.060.D.4.a. through d. below.  
34                For purposes of this subsection, construction costs means only those costs  
35                associated with construction, design engineering, project administration and  
36                inspection, related bank fees and interest payments, and fair market value of  
37                right-of-way dedicated to the street in excess of 60 feet.

38                a.       **Interior Collector Streets**  
39                If a collector street lies within the subdivision, the Municipality shall  
40                reimburse the subdivider a sum equal to the reasonable construction  
41                cost of building to the standard specified by the Platting Authority,  
42                less the estimated cost of construction in accordance with the  
43                residential standard approved by the Platting Authority under Tables  
44                21.08-4 and 21.08-6, provided that:

45                                   i.       When the subdivision agreement is executed:

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- 1 (A) The street is in ARDSA;
- 2 (B) The street is programmed for improvement to the
- 3 designated standard in the six-year capital
- 4 improvement program; and
- 5 (C) Sufficient bond funds or designated state grant funds
- 6 are available for reimbursement in the capital
- 7 improvement budget for the current fiscal year; or

- 8 ii. When the subdivision is approved:
- 9 (A) The street is in ARDSA;
- 10 (B) Construction to the designated standard is required
- 11 by the Platting Authority; and
- 12 (C) Improvement to the designated standard is
- 13 programmed in the six-year capital improvement
- 14 program.

15 If the conditions set forth in subsections 21.08.060.D.4.a.i. or

16 ii. are not met at the time specified, then the total cost of

17 construction required by the Platting Authority shall be borne

18 by the subdivider.

19 b. **Interior Arterial Streets**

20 If an interior arterial or greater street is required to be constructed to

21 arterial standards by the Platting Authority, the Municipality shall

22 reimburse the subdivider 100 percent of the reasonable construction

23 cost subject to the availability of bond funds appropriated for that

24 purpose. If the Platting Authority has not required construction to

25 arterial or greater standards, the subdivider shall construct the street

26 to the standards required under subsection 21.08.050.D. and shall

27 bear 100 percent of the construction cost.

28 c. **Peripheral Streets**

29 If the subdivider is required to construct an abutting collector street,

30 the Municipality shall reimburse a sum equal to the reasonable

31 construction cost of the standards specified by the Platting Authority

32 less the estimated cost of construction in accordance with the

33 residential standards under Table 21.08-5, subject to the conditions

34 specified in subsection 21.08.060.D.4.a. above. If a subdivider is

35 required to construct an abutting arterial or greater street to arterial or

36 greater standards, the Municipality shall reimburse in a manner and

37 subject to the conditions set forth in subsection b. above. If the

38 subdivider is not required to construct an abutting street to arterial or

39 greater standards, the subdivider shall construct the street to the

40 standards required under subsection 21.08.050.F. and shall pay 100

41 percent of the cost of construction.

42 d. **Access Streets**



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1 If the Platting Authority requires the construction of an access street  
2 under the authority of subsection 21.08.050.D. that is designated as a  
3 collector, arterial, or greater, the Municipality shall reimburse a sum  
4 equal to the reasonable construction cost of the standard specified by  
5 the Platting Authority less the estimated construction cost in  
6 accordance with the residential standards under Table 21.08-5,  
7 subject to the availability of bond funds appropriated for that purpose.  
8 If the Platting Authority has not required construction to collector or  
9 greater standards, the subdivider shall construct the street to the  
10 standards required under subsection 21.08.050.D. and shall pay 100  
11 percent of the construction costs.

12 **5. Other Streets**

13 Except as provided in subsection 21.08.060.D.4., the subdivider shall pay 100  
14 percent of the cost of streets within the boundaries of the subdivision. The  
15 subdivider shall additionally pay 100 percent of the cost of all peripheral  
16 streets and access roads except as provided in subsection 21.08.060.D.4. of  
17 this section whose construction may be required by the Municipal Engineer.  
18 The property within subdivisions that is later assessed by the Municipality for  
19 final improvements to access and peripheral streets shall receive credit for the  
20 cost of salvageable improvements to those peripheral and access streets.  
21 Nonsalvageable improvements will not receive credit. Credit will be provided  
22 only when:

- 23 a. The Municipality approved the award of the contract which included  
24 the work for which the credit is to be issued; and
- 25 b. The subdivider provided the Municipality with a sworn notarized  
26 statement setting forth the distribution of the costs of salvageable  
27 improvements, which he utilized for purposes of establishing lot price,  
28 for each lot within his subdivision to which such costs were spread.

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

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

33 The subdivider shall pay the cost of constructing curbs, and sidewalks and  
34 walkways adjacent to streets, in the same manner as the cost of constructing  
35 the streets to which they are adjacent as provided in subsections  
36 21.08.060.D.4. and 21.08.060.D.5.

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

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

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

41 The subdivider shall pay 100 percent of the cost of storm drains, inlets, and  
42 manholes necessary to serve the subdivision, provided that, within areas  
43 where the Municipality provides drainage maintenance, the Municipality shall  
44 reimburse the subdivider those costs attributable to oversizing required by the  
45 Municipality. In those areas where the Municipality does not maintain

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1 drainage facilities, the subdivider shall pay all costs, including those for any  
2 required oversizing.

3 **9. Water Improvements**

4 If the subdivision is to receive water service from a public utility, the  
5 subdivider shall provide water facilities, including service connections to all  
6 lots, with cost participation as provided in the current approved tariff of the  
7 utility. If the subdivision is to receive water service from a community water  
8 system, the subdivider shall provide water facilities, including service  
9 connections to all lots, and pay 100 percent of the cost of those facilities.

10 **10. Sanitary Sewer Improvements**

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

14 **11. Electrical and Telephone Facilities**

15 The subdivider shall provide electrical and telephone facilities with cost  
16 participation as provided in the current approved tariffs of the applicable utility  
17 companies.

18 **12. Deferred Utilities**

19 When paved street or sidewalk improvements are installed prior to electrical  
20 and telephone cable placement, the subdivider shall provide any necessary  
21 underground conduit at appropriate crossings as directed by the Municipality.

Comment: Add "and Traffic control devices."

22 **13. Street Lighting**

23 The subdivider shall pay the cost of street lighting apparatus in the same  
24 manner as the cost of constructing the streets to which it is adjacent as  
25 provided in subsections 21.08.060.D.4. and 21.08.060.D.5. Street lighting  
26 apparatus shall meet municipal standards for materials and design and be  
27 provided with underground power. The location of the streetlight poles shall  
28 be approved by the municipal traffic engineer and shall comply with standards  
29 contained in the current volumes of American Standard Practice for Street  
30 and Highway Lighting, published by the Illuminating Engineering Society.

31 **14. Traffic Control Devices**

32 The subdivider shall pay 100 percent of the cost of traffic control devices.  
33 Traffic control devices shall meet municipal standards for material and design,  
34 and the location shall be approved by the municipal traffic engineer. Traffic  
35 control devices, except electric-operated traffic signals, shall be installed prior  
36 to any structure being occupied in the subdivision.

37 **15. Landscaping**

38 The subdivider shall pay 100 percent of all costs of landscaping.  
39 Landscaping shall meet the standards of Section 21.07.080, *Landscaping,*  
40 *Screening, and Fences.*

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

42 **1. Guarantee Required**

43 To ensure the installation of required public improvements that are not  
44 accepted at the time the final plat is filed, the subdivision agreement shall

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1 require the subdivider to guarantee the completion of all such improvements  
2 by one or more of the methods specified in this section. The means of a  
3 guarantee may be changed during the guarantee period through a written  
4 modification of the agreement. The amount of the guarantee shall be  
5 determined on the basis of the subdivider's cost estimate. The guarantee  
6 shall remain in effect until final acceptance of the public improvements and  
7 the posting of an acceptable security for the warranty period.

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

9 The engineer's cost estimate shall state the estimated cost of completion for  
10 each required public improvement. Cost estimates for each required public  
11 improvement must be approved by the Department of Public Works. For  
12 purposes of establishing the amount necessary for the guarantee of  
13 completion of public improvements, a percentage for overrun allowance shall  
14 be added to the total estimated cost of public improvements 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

15  
16 **3. Methods**

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

19 **a. Performance Bond**

20 The subdivider may elect to provide a surety bond from a company  
21 authorized to do such business in the state. The bond shall be in a  
22 form acceptable to the municipal attorney and in an amount equal to  
23 the estimated cost of all required public improvements, plus an  
24 overrun allowance as provided in subsection 21.08.060.E.2. above.  
25 The bond shall be payable to the Municipality if any required public  
26 improvements are not finally accepted in accordance with the  
27 provisions of this Title, and shall be posted by no person other than  
28 the subdivider or a contractor obligated by written contract to the  
29 subdivider for construction of all the required public improvements. In  
30 the event a contractor posts the bond, the subdivider and the  
31 Municipality may be dual obligees under mutually agreed terms.

32 **b. Deposit in Escrow**

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

- 40 i. Funds of the escrow account shall be held in trust until  
41 released by the Municipality and may not be used or pledged

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1 by the subdivider as security in any matter during that period  
2 other than payment for the improvements. The funds may be  
3 used for payment of improvements as made, except that the  
4 escrow holder shall withhold from disbursement so much of  
5 the funds as is estimated as being necessary to complete the  
6 construction and installation of such improvements, plus an  
7 overrun allowance as provided in 21.08.060.E.2. above.

8 ii. In the case of a failure on the part of the subdivider to  
9 complete any improvement within the required time period,  
10 the institution shall immediately make all funds in such  
11 account available to the Municipality for use in the completion  
12 of those improvements.

13 c. **Letter of Credit**  
14 The subdivider may elect to provide from a bank or other responsible  
15 financial institution authorized to do such business in the state an  
16 irrevocable letter of credit. Such letter shall be filed with the  
17 Municipality and shall certify the following:

18 i. That the creditor irrevocably guarantees funds in an amount  
19 equal to the estimated cost of all required public  
20 improvements plus overrun allowances as provided in  
21 subsection 21.08.060.E.2. above for the completion of all  
22 such improvements.

23 ii. That in the case of failure on the part of the subdivider to  
24 complete any specified improvements within the required time  
25 period the creditor shall pay to the Municipality immediately  
26 and without further action such funds as are necessary to  
27 finance the completion of those improvements up to the limit  
28 of credit stated in the letter.

29 d. **Deed of Trust**  
30 The subdivider may elect to guarantee the completion of public  
31 improvements by granting the Municipality a deed of trust on the  
32 property being subdivided. The deed of trust shall secure the  
33 obligation to complete required public improvements by securing a  
34 stated amount equal to the estimated cost of all required public  
35 improvements plus overrun allowances. No deed of trust shall be  
36 accepted unless the unencumbered value of the property equals or  
37 exceeds the stated amount of the guarantee. The unencumbered  
38 value of the subdivision property shall be deemed to be the municipal  
39 assessor's estimate of the value of all lots of the subdivision less the  
40 amount of outstanding recorded lien obligations. The subdivider shall  
41 not sell or otherwise transfer any lot secured by the deed of trust until  
42 the obligation to construct public improvements is satisfied or until a  
43 partial release is obtained. A partial release may be granted if, and  
44 only if:

45 i. In conjunction with sale or transfer of any lot the seller or  
46 transferor escrows funds as provided in subsection

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1 21.08.060.E.3.b. above sufficient to cover the pro rata cost of  
2 all unaccepted improvements attributable to such lot.

3 ii. The escrow agreement provides that, in the case of failure on  
4 the part of the subdivider to complete any improvement within  
5 the required time period, the institution shall make all funds in  
6 such account available to the Municipality for use in the  
7 completion of those improvements.

8 The minimum amount to be escrowed shall be calculated by prorating  
9 the estimated cost of all required public improvements that have not  
10 been finally accepted plus overrun allowances against each lot on the  
11 basis of area.

12 **F. Release of Guarantee of Improvements**

Comment: MOA shall refund escrowed monies to developer within 30 days of completion of warranty period."

13 1. The Municipality shall release the obligation for performance guarantees upon  
14 the final acceptance of the improvement, together with the posting of  
15 adequate security for warranty.

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

20 **G. Improvement Warranty**

21 1. The subdivider shall warrant and guarantee that required public  
22 improvements constructed under the agreement will remain in good condition  
23 and meet operating specifications for two years, commencing with final  
24 acceptance of each public improvement when it is completed. Such warranty  
25 includes defects in design, workmanship, materials, and any damage to  
26 improvements caused by the subdivider, his agents or others engaged in  
27 work to be performed under the subdivision agreement. The subdivider shall  
28 not be responsible for cleaning, snow removal, ditching, grading, dust control,  
29 or similar activities during the warranty period. Nothing in this Title, however,  
30 is intended to waive the requirements of Chapter 24.80, pertaining to  
31 miscellaneous use provisions.

32 2. To secure the warranty:

33 a. The guarantee of performance provided for in subsection  
34 21.08.060.E. shall remain in effect until the end of the warranty  
35 period. If the guarantee is a performance bond posted by a  
36 contractor, the bond cannot secure the warranty unless the subdivider  
37 and contractor, by written agreement, elected this option at the time  
38 the performance bond was posted; or

39 b. The subdivider shall furnish the Municipality with a corporate surety  
40 bond, cash deposit, or letter of credit in an amount equal to a percent  
41 of the total construction costs as set forth in this subsection. This  
42 security shall guarantee the payment of any reconstruction or repair  
43 costs that may be undertaken due to failures occurring during the

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warranty period. Responsibility for identifying the necessity of repairs or reconstruction of the improvements shall rest with the Municipality.

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

**H. Correction of Deficiencies Under Warranty**

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

**I. Release of Warranty**

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

- Comment: Delete "at" and replace with "within seven days".
- Comment: Add "within 30 days of acceptance" to end of this sentence.

**J. Default**

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

1. All required public improvements are built to specifications necessary to receive final acceptance; and
2. The improvements remain in good condition for the completion of the warranty period. The Municipality may use guarantee funds for the construction, repair, or maintenance of required public improvements from the date of initial default until three years after the funds have become available to the Municipality for such use, except that no use shall be made of the funds later than two years after satisfactory completion and final acceptance of the work. Following either: (1) the final acceptance of all public improvements and posting of the warranty security, or (2) successful completion of the warranty period, or (3) the three-year period provided for in this subsection,

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1 the Municipality shall pay to the subdivider all guarantee funds which were not  
2 used or obligated for the completion of the improvements.

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

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

7 **21.08.070 CONSERVATION SUBDIVISIONS<sup>46</sup>**

Comment: Cluster housing issue.  
Currently allows for 3000 sq. ft., the  
proposed is minimum of 5000 sq. ft.

8 **A. Purpose**

9 A conservation subdivision is an alternative type of residential development in which  
10 the lots are allowed to be smaller or narrower than otherwise required in the zoning  
11 district, but in which the overall number of lots does not exceed the maximum number  
12 of lots allowed in the subdivision by the zoning district. Conservation subdivisions are  
13 intended to create a more compact residential development to preserve and maintain  
14 open areas and natural lands in excess of what would otherwise be required by this  
15 Title.

16 **B. Applicability**

17 The conservation subdivision option may be used on any parcel with a minimum of at  
18 least 10 acres in the R-1, R-2, R-3, R-4, R-5, R-6, R-9, and R-10 zoning districts  
19 provided that the proposal is consistent with the requirements in this Section  
20 21.08.070.

Comment: Change from a minimum  
of ten acres to minimum of 2 acres for  
R-1 to R-4 zoning districts.

21 **C. Conservation Design Process**

22 Conservation subdivisions shall be approved through the procedure set forth in  
23 Section 21.03.060.

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

25 The minimum lot area for lots in conservation subdivisions shall be the larger of:

- 26 a. Eighty percent of the minimum lot area required in the applicable  
27 zoning district, as set forth in Chapter 21.06; or
- 28 b. 5,000 square feet.

Comment: Amend to "5000 sq. ft. in  
rural districts with public or  
community water and sewer  
systems."

29 **E. Lot Coverage Allowed**

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

32 **F. Minimum Open Space**

33 At least 35<sup>47</sup> percent of the property shown on the subdivision plat shall be preserved  
34 as common open space. Open space shall be identified using the standards set forth

Comment: Change from 35 percent  
to 30 percent.

<sup>46</sup> NOTE: This new section is proposed to replace the existing cluster housing site plan review provisions (Section 21.50.210).

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- Comment: 21.07.040.C.3 should read 21.07.030.C.3.
- Comment: Delete "or utility easement."

1 in subsection ~~21.07.040.C.3. Private Common Open Space, Standards~~. No portion  
2 of the land preserved as common open space may be located within the boundaries  
3 of an individual lot for residential development, or in a road right-of-way ~~or utility~~  
4 easement.

5 **G. Dedication and Recording**

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

- 11 1. Such deed restriction or easement has been recorded with the Municipal  
12 Clerk; and
- 13 2. The property owners' association or other organization has been established  
14 before any building permits for construction in a conservation subdivision shall  
15 be issued.

---

<sup>47</sup> 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).