

# CHAPTER 21.08: SUBDIVISION STANDARDS

## 21.08.010 PURPOSE

### A. General

These standards are enacted generally to promote the goals of the comprehensive plan as to the health, safety, convenience, quality of life, and welfare of the present and future inhabitants of the municipality; to secure adequate utilities and public facilities, provide for consideration of school and open space needs, and protect sensitive natural areas such as critical habitat, high-value wetlands, and riparian corridors; to enhance or preserve other significant natural features; to ensure the functional and efficient layout and appropriate use of land so as to achieve property lots of reasonable utility and minimize public costs to construct and maintain infrastructure; and to facilitate orderly growth and harmonious development of the municipality.

### B. Specific

Planning, layout, and design of a subdivision are of the utmost concern. The subdivision should provide safe, efficient, and convenient movement to points of destination or collection. Modes of travel to achieve this objective should not conflict with each other or abutting land uses. Lots and blocks should provide appropriate settings for the buildings that are to be constructed, make use of natural contours, and protect residents from adverse noise and vehicular traffic. Important natural features of the area should be preserved. Schools, parks, and other community facilities should be planned as an integral part of the area. New development should reflect and maintain the character of the neighborhood through layout of roads and lots, consideration of connectivity with minimal cut-through traffic, pedestrian access to neighborhood destinations, and buffers or open space where appropriate to maintain privacy and views.

## 21.08.020 APPLICABILITY

### A. Generally

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

### B. Approvals Required

#### 1. General

Before a preliminary plat for a subdivision shall be granted, the owner or his or her authorized agent shall apply for and secure approval under the provisions of section 21.03.200, *Subdivisions and Plats*.

#### 2. Before Certificate of Zoning Compliance

A certificate of zoning compliance shall not be issued, pursuant to section 21.03.060, and a building or structure shall not be occupied, until and unless all dedications and improvements required by this chapter have been installed or agreements/guarantees made in a satisfactory manner and approved by the municipality.

### C. *Design Criteria Manual*

Whenever the *Design Criteria Manual* is referenced in this chapter, the reference shall mean the version of the *Design Criteria Manual* in effect at the time of preliminary plat approval.

## 21.08.030 DESIGN STANDARDS

### A. Subdivision Layout and Design Generally

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

- 
- 1           **1. Name of Subdivision**  
2           The title under which the subdivision will be recorded shall not duplicate the name of any  
3           existing subdivision in the municipality.
- 4           **2. Compliance with Comprehensive Plan**  
5           The design of subdivisions shall further the goals and policies of the comprehensive  
6           plans as set forth in this title.
- 7           **3. Compliance with Other Provisions of this Title**  
8           All subdivisions shall comply with all other applicable zoning, design, and development  
9           requirements set forth in this title.
- 10       **B. Phasing Schedule**  
11       The platting authority may require that a subdivision conform to a phasing schedule based upon  
12       the scheduled availability of infrastructure to serve the subdivision. Submittals for the initial  
13       phase of a subdivision shall indicate utility easements and transportation connections to adjacent  
14       and undeveloped land/areas that are not part of the initial phase yet are under the same  
15       ownership.
- 16       **C. Maintenance of Existing Natural Drainage**  
17       The general lot configuration and layout of proposed rights of way, open space tracts, and  
18       development setbacks shall be consistent with naturally occurring drainage features and historical  
19       drainage patterns within the subdivision and surrounding areas. The subdivider shall  
20       demonstrate to the department of **public works [PROJECT MANAGEMENT AND ENGINEERING]**  
21       that reasonable efforts have been made to avoid and/or mitigate the damming, diversion, and/or  
22       contamination of natural and historical drainageways or watercourses. The subdivision design  
23       shall ensure that neighboring parcels, adjacent rights of way, water bodies, wetlands, and existing  
24       storm drainage facilities are not adversely impacted by new or altered drainage resulting from the  
25       development.
- 26       **D. Drainage Design**  
27       All drainage facilities shall comply with the standards of section 21.07.040, *Drainage, Erosion and*  
28       *Sediment Control, Storm Water Runoff, and Prohibited Discharges*, as implemented by the  
29       *Design Criteria Manual*.
- 30       **E. Legal and Physical Access**  
31       A subdivision shall have legal and physical access.
- 32       **F. Streets**  
33       All streets shall comply with the standards of this chapter and section 21.07.060, *Transportation*  
34       *and Connectivity*, the specifications of the *Design Criteria Manual*, and the following intent and  
35       standards:
- 36           **1. Intent**  
37           Streets shall be arranged in relation to topography to provide usable lots, safe streets,  
38           safe and convenient pedestrian walkways and crossings, reasonable gradients, and  
39           minimum damage to terrain and existing vegetation.
- 40           **2. Street Grades**  
41           **a.**       Except as provided in this section, cul-de-sac turnaround grades shall not exceed  
42           five percent, and other street grades shall not exceed ten percent.

- 1           **b.**     Notwithstanding subsection 2.a. above, residential street grades in a subdivision  
2           may be up to 15 percent. However, any street grade exceeding ten percent  
3           requires municipal engineer approval. [DESIGN OF GRADES IN EXCESS OF  
4           TEN PERCENT IS GOVERNED BY THE *DESIGN CRITERIA MANUAL (DCM)*.]
- 5           **c.**     Applicable streets shall comply with the standards of subsection 21.08.030H.,  
6           *Subdivisions on Slopes*.

7           **3.     Street Alignment**

- 8           **a.**     Arterial and collector streets shall be aligned to continue those streets from  
9           adjoining areas into the proposed subdivision. Local streets shall be aligned to  
10          discourage their use by through traffic. This provision is not intended to  
11          encourage cul-de-sacs or dead-end streets. Stub streets with temporary  
12          turnaround areas shall be extended to the boundaries of the proposed  
13          subdivision, where appropriate, to provide future street connections to adjacent  
14          unsubdivided areas.
- 15          **b.**     Grade or median separations of street lanes may be permitted to preserve  
16          natural features, provide space for landscaping, or facilitate access in  
17          subdivisions containing hillside lots.

18          **4.     Street Intersections**

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

23          **5.     Cul-de-Sacs**

- 24          **a.**     Where topography and traffic circulation permit, the length of a cul-de-sac right-  
25          of-way shall not exceed 900 feet in the R-6, R-8, R-9, R-10, and TA zoning  
26          districts, and 600 feet in all other zoning districts. The platting authority may  
27          approve longer cul-de-sacs when necessary to accommodate natural features.
- 28          **b.**     The length shall be measured from the centerline of intersecting through streets  
29          to the radius point of the cul-de-sac bulb.
- 30          **c.**     A cul-de-sac right-of-way shall terminate with a turnaround having a minimum  
31          radius of 50 feet and a minimum return radius of 50 feet. Commercial/industrial  
32          cul-de-sacs shall have a minimum radius of 65 feet. The platting authority may  
33          permit a cul-de-sac street to terminate with a T-shaped or Y-shaped turnaround,  
34          or other turnaround approved by the traffic engineer, when such a design is  
35          required by extreme environmental or topographical conditions or unusually or  
36          irregularly shaped boundaries.

37          **6.     Alleys**

38          Dead-end alleys shall be prohibited.

39          **7.     Street Names and Addresses**

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

92 [1  
2

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.

b. The director may promulgate regulations establishing a uniform street designation terminology. All street names shall conform to the terminology so established.

c. Street names may be modified using the procedure adopted by the director, which shall be approved by the platting board.

8. **Street Addresses**

a. The director shall assign all official street address numbers within the municipality. A permanent address shall be assigned to occupiable buildings, and to other locations at the discretion of the director. Buildings with more than one unit shall be assigned sub-addresses. Addresses shall be displayed as required in section 21.07.010C.

b. The director 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.

G. **Block Arrangement**

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, or where lots face an approved loop road or cul-de-sac.

2. Residential blocks in class A improvement areas (as defined in 21.08.050B) shall not be less than 300 feet nor more than 500 feet long. Residential blocks in class B improvement areas shall not be less than 300 feet nor more than 1,320 feet long. The platting authority may approve a longer block length when necessary to accommodate natural features such as steep slopes, or when the longer block is divided by an improved pedestrian easement that provides connectivity and traffic circulation is not impaired.

H. **Subdivisions on Slopes**

1. **Applicability**

This section applies to parcels to be subdivided that are five acres or more, and

a. Have an average slope of 20 percent or greater over the entire property; or

b. 30 percent [%] of the area to be subdivided has slopes of 30 percent [%] or greater.

2. **Additional Submittal Requirements**

In addition to the submittal requirements in section 21.03.200, applications for applicable subdivisions shall include a geotechnical engineering report that contains the following information:

a. Geology of the site: description of the geology of the site, including the nature, strength, and stability of the soils, the character and depth of any imported material; depth to groundwater and to bedrock; any avalanche and mass wasting areas; fractures; and any other significant geologic features.



1 **I. Seismic-Induced Ground Failure Hazard**

- 2 1. A geotechnical investigation shall be performed to evaluate the potential for seismic-  
3 induced ground failures across that portion of the subdivision within seismic zones 4 and  
4 5 of the municipality's *Seismic-Induced Ground Failure* mapping. The requirement for a  
5 geotechnical investigation shall apply to all zoning districts, unless otherwise waived by  
6 the platting authority.
- 7 2. A report of the findings and recommendations of the geotechnical investigation shall be  
8 prepared by a civil engineer licensed in the state of Alaska and submitted to the platting  
9 authority[, PREPARED BY A CIVIL ENGINEER LICENSED IN THE STATE OF  
10 ALASKA]. The report shall include a discussion of the suitability of the proposed  
11 development and recommendations for any needed mitigation.
- 12 3. The scope of geotechnical investigation shall include subsurface explorations (test  
13 borings or excavations), laboratory testing, and engineering analysis to evaluate the  
14 potential for, and potential magnitude of liquefaction, settlement, horizontal spreading,  
15 and faulting, following methods conforming with the state-of-practice; and stability of  
16 existing slopes, natural or man-made, following methods defined in AMC chapter 23.15,  
17 section 1802.2.6, paragraph D. These evaluations shall be based on probabilistic ground  
18 motion parameters corresponding to 475-year or greater return period.
- 19 4. The platting authority may reject a proposed subdivision in its entirety if the geotechnical  
20 investigation does not demonstrate that the area can be developed in accordance with  
21 AMC title 23.
- 22 5. The geotechnical investigation submitted with the plat application may supplement the  
23 requirements for geotechnical investigations included in AMC title 23.

24 **J. Avalanche Zones**

25 No lot shall be created, unless it is restricted to non-structural uses, that is completely in the "high  
26 hazard area", as identified on municipal avalanche maps based on the 1982 *Anchorage Snow*  
27 *Avalanche Zoning Analysis* or on amendments to those maps reviewed and approved by the  
28 geotechnical advisory commission.

29 **K. Lot Dimensions**

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

- 32 1. The depth of a lot shall be at least 80 feet.
- 33 2. The width of a lot, except for a townhouse lot, shall be at least one-third the depth of the  
34 lot.
- 35 3. If a lot is to be served by an on-site wastewater disposal system, the lot shall [MUST]  
36 have the minimum area required for such a lot under AMC chapter 15.65.
- 37 4. Notwithstanding any other provision of this section, the width of the flagpole portion of a  
38 flag-shaped lot shall be no less than:
- 39 a. Thirty feet when both public water and sewer systems are to serve such a  
40 residential lot.
- 41 b. Forty feet when both public water and sewer systems are to serve such a  
42 commercial or industrial lot.

- 1 c. Twenty-four feet when only a public water or a public sewer system is to serve  
2 such a lot.
- 3 d. Twenty-four feet when the lot is located in the R-6, R-8, R-9, R-10 or TA districts  
4 and will not be served by either the public water or the public sewer system.
- 5 5. The length of the flag pole portion of the lot shall not exceed 300 feet in the R-6, R-8, R-  
6 9, R-10 or TA districts or 120 feet in all other districts, and all other measurements shall  
7 be consistent with other sections of this title.
- 8 6. To the extent possible, side lot lines shall follow natural terrain and create building sites  
9 that integrate into the natural terrain and minimize the need for fill and grading.
- 10 7. Lots tracted out for open space, well protection areas, or for undevelopable areas such  
11 as wetlands, are exempt from these dimensional requirements and the dimensional  
12 standards of chapter 21.06.

13 **L. Lot Frontage and Access**

- 14 1. Except when platted under subsection 21.03.200E., *Unified Development Plats*, or except  
15 for lots tracted out for open space, well protection areas, or for undevelopable areas such  
16 as wetlands, all lots shall have frontage on a street.
- 17 2. Unless approved by the director, access to a residential use on a residential lot shall not  
18 be from a collector or greater street as designated on the *Official Streets and Highways*  
19 *Plan*.
- 20 3. Subdivisions shall be designed to minimize lots with access to residential major streets  
21 carrying more than 1,000 average daily trips.
- 22 4. The frontage of a lot on a cul-de-sac bulb shall be at least 35 feet, except that the  
23 frontage on a cul-de-sac bulb of a lot with a side setback abated under subsection  
24 21.06.020A.3., *Construction on Adjoining Lots*, shall be at least 18 feet. This subsection  
25 does not apply to flag lots.
- 26 5. In class A improvement areas, there shall be no more than one flag lot facing onto each  
27 cul-de-sac bulb.

28 **M. Landscaping**

- 29 1. The platting authority shall consider and require, where appropriate, landscaping and  
30 screening under section 21.07.080, *Landscaping, Screening, and Fences* to separate  
31 property from incompatible uses or structures, including but not limited to streets  
32 designated for collector or greater capacity on the *Official Streets and Highways Plan*,  
33 commercial, or industrial uses. The area containing the landscaping shall be shown as  
34 an easement or open space area on the plat. The landscaping shall be installed before  
35 final plat approval, or its installation shall be guaranteed under section 21.08.060,  
36 *Subdivision Agreements*, or by other performance guarantees acceptable to the platting  
37 authority. The landscaping shall be maintained by the property owner or designee.
- 95 38 2. If a landscaping easement is required, no more than 50 percent of such easement shall  
39 coincide with any utility easement, per the requirements of 21.07.080G.2.c., unless the  
40 utilities are installed in a conduit or utilidor of sufficient size to reduce the risk of land  
41 disturbance if repairing, replacing, or upgrading utility lines, in which case the  
42 landscaping easement and the utility easement may coincide completely.

1 **N. Reserve Strips**

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

3 **O. Electrical and Telecommunication Utilities**

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

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

9 1. The design standards in this chapter are minimum standards. The platting authority may  
10 impose more restrictive standards when it finds they are necessary to conform the design  
11 of a proposed subdivision to the approval criteria for subdivisions or to meet other  
12 requirements set forth in this title.

13 2. When the platting authority finds that it is not feasible to conform the design of a  
14 proposed subdivision to meet the approval criteria for subdivisions or other requirements  
15 set forth in this title, the platting authority may reject a proposed subdivision in its entirety.

16 **21.08.040 DEDICATION**

17 **A. Streets**

18 1. All street rights-of-way shall be dedicated to the public.

19 2. Street right-of-way widths shall conform to the *Official Streets and Highways Plan*  
20 (OSHP). These standards are considered to be minimum standards and may be  
21 increased in a particular instance, where necessary, to make a proposed street conform  
22 to sound traffic engineering standards and principles. When steep slopes or other terrain  
23 features dictate, slope easements that exceed normal right-of-way requirements will also  
24 be required. Notwithstanding the above, the maximum dedication width that may be  
25 required for an arterial or collector street is 70 feet if the entire width of the street is within  
26 the subdivision, or 35 feet if the street is on an exterior boundary of the subdivision.

27 3. The platting authority may approve the dedication of a half-street only when the other half  
28 of the street has been dedicated or when the platting authority reasonably anticipates that  
29 the other half of the street will be dedicated. When a subdivision borders a dedicated half  
30 street, the platting authority shall require the dedication of the other half of the street,  
31 unless it determines that the street would be unnecessary or undesirable.

32 **B. Alleys**

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

36 **C. Walkways**

37 The platting authority shall require the dedication of pedestrian walkways where it finds that  
38 pedestrian walkways are necessary to provide for convenient and safe pedestrian circulation, to  
39 protect pedestrians from hazardous traffic, or as required in section 21.07.060, *Transportation*  
40 *and Connectivity*. The minimum width of a walkway dedication shall be 10 feet. The platting  
41 authority may require a wider dedication for reasons of topography, project use, or construction  
42 needs (if the walkway is to be paved).

1 **D. Trails**

2 The platting authority shall require the dedication of an easement for a trail designated on  
3 adopted municipal plans. If the platting authority approves an alternate location for a trail  
4 easement as a substitute for an existing easement, the existing unused easement shall be  
5 vacated, unless the property owner agrees otherwise. The platting authority may modify the  
6 alignment, width, and scope of trail easements as necessary to integrate trail and subdivision  
7 design.

8 **1. Access to Chugach State Park, Community Use Areas, and Natural Resource Use**  
9 **Areas**

10 **a.** The platting authority shall require the dedication of a public pedestrian  
11 easement for a trail designated on adopted municipal plans, for connectivity with  
12 a trail or access point to a large Community Use Area or Natural Resource Use  
13 Area (as defined in the *Anchorage Bowl Park, Natural Resource, and Recreation*  
14 *Facility Plan* or the *Chugiak-Eagle River Comprehensive Plan*), and for  
15 connectivity with a trail or access point identified in the most current *Chugach*  
16 *State Park Access Inventory*. If the platting authority approves an alternate  
17 location for a trail easement as a substitute for an existing easement, the existing  
18 unused easement shall be vacated, unless the property owner agrees otherwise.  
19 The platting authority may modify the alignment, width, and scope of trail  
20 easements as necessary to integrate trail and subdivision designs, so long as the  
21 resulting trails are of comparable gradient, directness, and utility, and reflect the  
22 general locations and patterns of existing public access routes. An acceptable  
23 pedestrian easement shall be at least 20 feet wide, centered on an existing,  
24 recognized, new, or relocated trail.

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

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

30 **1.** The platting authority shall require the dedication of riparian maintenance and protection  
31 easements where a stream, water body, or wetland traverses or is adjacent to the  
32 subdivision, in accordance with subsection 21.07.020B., *Stream, Water Body, and*  
33 *Wetland Protection*.

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

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

44 **4.** In cases where two or more easements coincide, the outer limits of the combined  
45 easement shall be measured from the outer edge of the outermost watercourse edge in  
46 either direction.

- 1 5. Credit towards other open space dedication or private open space set-aside  
2 requirements shall be given for the dedication of riparian protection and maintenance  
3 easements at a ratio of one-to-one.

4 **F. Reserve Tracts**

5 1. **Sites Designated**

6 a. The platting authority may require that an area designated as a park, playground,  
7 or open space in an officially adopted plan, as preservation wetland (as  
8 designated in the *Anchorage Wetlands Management Plan*), or as a school site  
9 pursuant to AMC subsection 25.25.040 be designated as a reserve tract. The  
10 designation shall be supported by a report from the municipal agency or  
11 department requesting the reservation, containing a statement that the  
12 municipality intends to purchase the designated area within the period allowed  
13 under subsection F.2 below.

14 b. Special, natural, or manmade features of historical or community significance in a  
15 proposed subdivision which enhance or have unique value to the community may  
16 be set aside in a reserve tract for acquisition, or voluntarily dedicated to the  
17 public.

18 2. **Time for Acquisition**

19 a. Within 24 months of filing of a final plat, or the period of the school site  
20 designation provided by AMC subsection 25.25.040B, whichever is earlier, the  
21 municipality or any other public or private agency may acquire any parcel  
22 designated as reserve tract on the plat, by purchase or as otherwise authorized  
23 by law, for the purpose for which the parcel was reserved under subsection F.1.  
24 above.

25 b. If a reserve tract is not acquired within such time, it shall be released from the  
26 reserve tract designation, unless the time for acquisition is extended by the  
27 reserve tract's owners, or by another provision of law.

28 c. In consideration of the reservation, the municipality shall pay the owners of the  
29 reserve tract an amount equal to the municipal real property taxes that accrue on  
30 the reserve tract, during the period of reservation.

31 **G. Utility Easements**

32 1. Public utilities shall be placed in dedicated rights-of-way unless the utility demonstrates  
33 that there is a specific need that warrants a location elsewhere. Pad-mounted facilities  
34 may be located in easements abutting rights-of-way. Electric and telecommunication  
35 utilities are encouraged to co-locate in trenches.

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

39 3. Where a utility has demonstrated, pursuant to G.1. above, the need to locate outside the  
40 right-of-way, utility easements shall be sized as follows, but the platting authority may  
41 approve different standards when justified by demonstrable site conditions or utility  
42 needs. The platting authority shall size the easements as small as is feasible. After  
43 **effective date** [DATE OF PASSAGE] utility easements shall not be placed in tracts set  
44 aside to protect environmental features, such as wetlands or steep slopes.

- 1           a.     Utility easements along rear lot or side lot lines where a primary voltage  
2           conductor is placed shall be at least ten feet wide, or a total of 20 feet wide along  
3           adjoining rear lots.
- 4           b.     Utility easements along rear lot or side lot lines where a service voltage  
5           conductor is placed shall be five feet wide, or a total of ten feet wide along  
6           adjoining side lots.
- 7           c.     Where a front yard easement is needed to accommodate a transmission utility,  
8           which is included in the utility corridor plan, the easement shall generally be ten  
9           feet wide.
- 10          d.     The platting authority may require wider utility easements along the rear lot lines  
11          of hillside lots.
- 12          4.     The platting authority shall require the dedication of utility easements when a utility  
13          company demonstrates a specific need for them or an easement is needed to  
14          accommodate the routing included in the *Utility Corridor Plan*.

**21.08.050 IMPROVEMENTS**

**A. General Requirements**

**1. Compliance**

The subdivider shall construct and install improvements in accordance with this section, the design standards in section 21.08.030, and the Design Criteria Manual and Municipality of Anchorage Standard Specifications.

**2. Minimum Standards**

The improvement standards in this section are minimum standards. The platting authority may require additional or more extensive improvements when it finds they are necessary to conform a proposed subdivision to the standards of section 21.08.030, or the subdivider may provide such additional or more extensive improvements.

**3. Eligibility for Warranty**

a. All improvements required under this section shall be constructed under a subdivision agreement as provided in section 21.08.060, *Subdivision Agreements*. Lots in subdivisions shall not be eligible for conditional certificates of zoning compliance or certificates of zoning compliance until the subdivision improvements included in this section have been accepted for warranty by the municipality.

b. Projects may be placed on warranty in the autumn season without landscaping and/or permanent erosion control provided that:

- i. All other improvements are accepted for warranty;
- ii. Temporary erosion control is maintained throughout the winter;
- iii. The warranty guarantee plus a performance guarantee for landscaping is provided;
- iv. The subdivider/developer meets all of the criteria to go on warranty; and
- v. A separate warranty period is provided for the landscaping/permanent erosion control.

4. **Engineer Registered in the State of Alaska**

- a. The subdivider shall have construction plans for the improvements required under this section prepared by an engineer registered in the state of Alaska, in accordance with the requirements of the municipal engineer.
- b. The engineer shall maintain in good standing professional liability insurance in the amount of \$1,000,000 during the term of the agreement. Policies written on a "claims-made" basis shall [MUST] have a two year tail of coverage from the completion of the subdivision agreement term. The required insurance policy shall provide for no less than 30 days advance notice to the municipality prior to cancellation.

B. **Improvement Areas Defined**

For the purpose of this section, the municipality is divided into two distinct improvement areas. The class A improvement area includes areas of more dense population and/or intensive development, and thus requires a more urbanized level of improvements. The class B improvement area includes areas that are less densely populated and/or intensely developed, and thus requires a less urbanized level of improvements. The zoning districts associated with each improvement area are listed in the table below:

TABLE 21.08-1: IMPROVEMENT AREAS DEFINED		
District Type	Class A	Class B
Residential	R-1 R-1A R-2A R-2D R-2M R-2F	R-6 R-7 R-8 R-9 R-10
Residential (cont.)	R-3 R-4 R-4A R-5	
Commercial	B-1A B-3 DT-1 DT-2 DT-3 [CBD] R-O MC	
Industrial	I-1 I-2 MI	
Mixed Use	NMU CMU RMU [MMU]	
Other Districts	A[D]	TA WS
AF District DR District PCD District PLI District PR District [RUC DISTRICT]	The platting authority shall place a subdivision within any of these districts in the improvement area that it finds to be most compatible with the proposed use of the parcel and the zoning district classifications of the surrounding area.	

30 >

**C. Improvement Requirements by Improvement Area**

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

TABLE 21.08-2: REQUIRED IMPROVEMENTS BY IMPROVEMENT AREA		
R = Improvement Required		
Improvement	Class A	Class B
Paved Interior Streets	R	
Strip-Paved Access and Peripheral Streets	R	R
Strip-Paved Interior Streets		R
Curbs and Gutters	R	
Sidewalks	R	
Walkways	R	R
Street Lighting	R	
Traffic Control Devices	R	R
Monuments	R	R
Drainage	R	R
Telephone & Electrical Facilities	R	R
Water Supply Facilities	R	
Sanitary Sewer Facilities	R	
Landscaping	R	R

**D. Interior Streets**

**1. Residential Interior Streets**

**a. Categories**

There are two categories of residential interior streets:

**i. Residential Minor Streets**

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

**ii. Residential Major Streets**

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

**b. Determination of Average Daily Trips**

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

**c. Improvement Design**

Interior residential streets, except as provided in subsection 21.08.050E., shall be improved in accordance with table 21.08-3 and table 21.08-4.

**TABLE 21.08-3: PAVED RESIDENTIAL STREETS, MINIMUM STANDARDS**

A.D.T. <sup>2</sup>	Street Section <sup>1</sup> (feet)		Number of Lanes		Design Speed <sup>3</sup> (mph) <sup>4</sup>	Right of Way (feet)	Spillover Parking <sup>5</sup>	Application
	Standard	Optional	Moving	Parking				
0--75 Residential minor	31		2	1	20	60	No	Cul-de-sacs, low-volume residential streets
		24	2	0	20	60	Yes	
76--300 Residential minor	31		2	1	25	60	No	Residential minor streets, cul-de-sacs and small loops
		24	2	0	25	60	Yes	
301--600 Residential minor	33		2	2	25	60	No	Residential minor streets, loop streets, high-volume cul-de-sacs
		24	2	0	25	60	Yes	
601--1,000 Residential major	33		2	2	25	60	No	Residential major streets, loop streets and high-volume cul-de-sacs
		28	2	1	25	60	Yes	
1,001--2,000	38	24	2	0	25	60	Yes	Residential limited access
			2	2	30	60	No	Residential subconnector
		38	3 <sup>6</sup>	0	30	60	Yes	No on-street parking permitted

NOTES:

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

1

**TABLE 21.08-4: STRIP-PAVED STREETS, MINIMUM STANDARDS**

A.D.T.	Street Section <sup>7,9</sup> (feet)	Design Speed <sup>8</sup> (mph)	Right-of-Way (feet)	Application
0--500	20	20	50	Residential loop streets, rural peripheral/access roads
501--1,000	24	25	50	Residential loop streets, urban peripheral/access roads
1,001--2,000	24	25	60	Major residential streets

- <sup>7</sup> Dimensions are from edge of pavement.
- <sup>8</sup> Design speed (not posted speed) for horizontal and vertical curves.
- <sup>9</sup> Street sections require two-foot shoulders with ten- and 12-foot driving lanes, respectively.

2  
3  
4  
5

**2. Commercial and Industrial Interior Streets**  
 Commercial and industrial interior streets shall be improved in accordance with table 21.08-5 below:

**TABLE 21.08-5: CLASS A COMMERCIAL AND INDUSTRIAL STREETS, MINIMUM STANDARDS**

Street Section <sup>10</sup> (feet)	Number of Lanes		Design Speed <sup>11</sup> (mph)	Right-of-Way (feet)	Application
	Moving	Parking			
33	2	0	30	60	No on-street parking
40	2	2 <sup>12</sup>	30	60	Commercial/industrial streets
47	3(1TL)	0	35	60	Major commercial/industrial streets; no on-street parking permitted; parking shall [MUST] be provided off-street; turning movements when traffic warrants

<sup>10</sup> Street dimensions are from back of curb.  
<sup>11</sup> Design speed (not posted speed) for vertical and horizontal curves.  
<sup>12</sup> Parking may be provided off-street when a planter strip is used.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

**E. Optional Residential Interior Streets**

1. Residential interior streets shall provide for on-street parking unless the platting authority finds it is practical to substitute spillover parking for on-street parking in accordance with subsection E.2. below. If the platting authority so finds, residential interior streets may be improved in accordance with this section and table 21.08-3.
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 lots [AREAS] shall be approved by the traffic engineer. The spillover parking lot [AREA] shall be shown on the plat, and a plat note shall be provided limiting the use of that area to spillover parking. Spillover parking lots [AREAS] shall not be counted toward required open space requirements. Spillover parking spaces in addition to the off-street parking spaces required under section 21.07.090 shall be provided for each lot fronting on a street without on-street parking under the following formula, using the maximum residential density permitted for the lot by its zoning district.

**TABLE 21.08-7: ADDITIONAL SPILLOVER PARKING SPACES REQUIRED FOR EACH LOT FRONTING ON A STREET WITHOUT ON-STREET PARKING**

Housing Type	Number of Spaces Per 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

96

22  
23  
24  
25  
26

**F. Access Streets, Peripheral Streets, and Half Streets**

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

determine the length of the access street that the subdivider shall improve. Access streets shall be improved in accordance with table 21.08-4.

**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 21.08-4, provided that peripheral streets used for access to individual lots shall be improved in accordance with tables 21.08-3 and 21.08-5.

**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 21.08-3, if underground utilities will be installed before street construction.

**G. Curbs and Gutters**

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

**H. Pedestrian Facilities**

**1. Sidewalks**

a. Sidewalks are required as determined by the transportation and connectivity standards in section 21.07.060.

b. Sidewalks shall be improved in accordance with table 21.08-8 below.

c. Sidewalks at bus stops shall comply with the specifications of the *Design Criteria Manual*.

**2. Walkways**

a. Walkways are required as determined by the transportation and connectivity standards in section 21.07.060.

b. Walkways shall be improved in accordance with table 21.08-8 below, as determined by the platting authority.

c. Walkways in dedicated pedestrian easements may be improved or unimproved, as determined by the platting authority.

**3. Pathways**

a. Pathways shall be located and constructed as determined by the Anchorage Non-Motorized Transportation Plan: Pedestrian Plan and the Anchorage Non-Motorized Transportation Plan: Bicycle Plan.

b. Where a pathway and a sidewalk are co-located, the facility shall be constructed according to the specifications for a pathway.

4. **Trails**  
 Trails shall be located and constructed as determined by the *Areawide Trails Plan* and other adopted municipal plans.

[WHERE A TRAIL AND A SIDEWALK ARE CO-LOCATED, THE FACILITY SHALL BE CONSTRUCTED ACCORDING TO THE SPECIFICATIONS FOR A TRAIL.]

TABLE 21.08-8: MINIMUM SIDEWALK, WALKWAY, AND TRAIL IMPROVEMENTS

Type of material	Minimum width	Separation from curb	Right-of-way	Notes
<b>Sidewalks</b>				
4" PCC	5	0	N/A	As a general rule, sidewalks should only be attached to the curb where on-street parking is allowed.
4" PCC	5	7	N/A	
Pavers	5	0 or 7	N/A	Decorative concrete or brick pavers
<b>Walkways</b>				
4" PCC	5		N/A	Walkways through commercial developments as required by 21.07.060 and 21.07.090 are generally not located in easements
4" PCC	5		10'	Not recommended where peat is surcharged
1 ½" AC	5		10"	Generally used for improved walkways creating through-block connections; between cul-de-sac bulbs; connecting to parks, trails, other open space
Gravel	5		10'	May be used in class B improvement areas
Unimproved			10'	
<b>Pathways</b>				
1 ½" AC	6	7		
<b>Trails</b>				
1 ½" AC	See Trails Plan	7		
Gravel		7		For class B improvement areas or nature trails
Unimproved				Generally for existing historical trails or trails through parks and open space

I. **Street Lighting**

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

J. **Traffic Control Devices**

Traffic and street name signs and traffic signals shall be installed in accordance with the requirements of the traffic engineer and the *Alaska Traffic Manual*, per the requirements of AS 28.01.010.

K. **Monuments**

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

1 **L. Drainage System**

2 A drainage system approved by the municipal engineer, including necessary storm drainage  
3 facilities, drain inlets, subdrains, footing drain stub-outs, manholes, culverts, bridges and other  
4 appurtenances, shall be installed. The design of the drainage system shall provide for the  
5 preservation of designated high-quality wetlands critical to water table levels and wildlife habitat  
6 within and surrounding the subdivision, shall protect the water quality and the re-charge of  
7 groundwater and surface watercourses, and shall comply with the following standards:

- 8 1. No surface water drainage from the subdivision shall empty into a sanitary sewer; or  
9 directly, without treatment and energy dissipation, into a creek or stream channel.
- 10 2. The size, design, and construction of drainage structures shall conform to the *Design*  
11 *Criteria Manual*.
- 12 3. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, a  
13 storm water or drainage easement shall be provided that substantially conforms with the  
14 lines of such watercourse, plus additional width that is adequate and necessary to convey  
15 expected storm flows and/or storm water drainage facilities. Streets paralleling such  
16 easement may be required in connection therewith. Lakes, ponds, creeks, and similar  
17 areas will be accepted for maintenance by the municipality only if sufficient land is  
18 dedicated as a public recreation area or park or if such area constitutes a necessary part  
19 of the storm water drainage control system.
- 20 4. The municipality shall accept no responsibility to maintain any storm drainage structures,  
21 except for those lying within a municipal right-of-way, traversing municipally owned  
22 property, authorized by permit on state or federal land, or constructed in a publicly  
23 dedicated drainage easement of sufficient width to allow access.
- 24 5. The drainage system shall comply with the standards set forth in section 21.07.040,  
25 *Drainage, Erosion and Sediment Control, Storm Water Runoff, and Prohibited*  
26 *Discharges*.
- 27 6. Unless waived by the municipal engineer, footing drain stub-outs shall be provided for  
28 each lot where there is a storm drain system.

29 **M. Telecommunication and Electric Facilities**

- 30 1. All new telecommunication and electric lines shall be installed in accordance with the  
31 specifications of the municipality and the utility providing the service.
- 32 2. All new telecommunication and electric utility distribution lines, as defined in chapter  
33 21.14, shall be placed underground:
- 34 a. As required by section 21.07.050, *Utility Distribution Facilities*; and
- 35 b. As required by the platting authority in areas with patterns of development similar  
36 to those where section 21.07.050 requires that utility distribution lines be placed  
37 underground.

38 **N. Water Supply Facilities**

- 39 1. **Access to Public Water System**
- 40 a. If the platting authority requires that a subdivision be served by a public water  
41 system, the subdivider shall install the system in accordance with the  
42 requirements of the state department of environmental conservation and the

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

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

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

- 8           **a.** If the subdivision has no access to a public water system, the platting authority  
9 shall require either wells on individual lots or a water system for the common use  
10 of the lots in the subdivision, if site conditions require such a system.

- 11           **b.** If wells on individual lots are authorized, the subdivider need not install water  
12 supply facilities. A well serving an individual lot shall conform to the  
13 requirements of the municipal on-site water and wastewater program. A common  
14 water system serving a portion of the subdivision shall not preclude individual  
15 wells for the remaining lots.

- 16           **c.** If a common system is required, the subdivider shall install the system in  
17 accordance with the requirements of the state department of environmental  
18 conservation and the specifications of the municipal water and wastewater utility.

19 **O. Sanitary Sewer Facilities**

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

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

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

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

- 31           **a.** If the subdivision has no access to a public sewer system, the platting authority  
32 shall require either a sewer system for the common use of the lots, or sewage  
33 disposal systems serving individual lots, whichever is more suitable.

- 34           **b.** If site conditions require a sewer system for the common use of lots in the  
35 subdivision, the subdivider shall install such system in conformance with the  
36 requirements of the state department of environmental conservation and the  
37 municipal water and wastewater utility.

- 38           **c.** If the platting authority authorizes sewage disposal systems serving individual  
39 lots, the subdivider need not install sewer facilities. In such case, the minimum  
40 lot size requirements of AMC title 15 shall apply. The systems shall conform to  
41 the requirements of the municipal on-site water and wastewater program.

42 **P. Natural Gas Facilities**

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

1 **Q. Erosion and Sedimentation Control**

2 All grading, excavating, and removal or destruction of natural topsoil, trees, or other natural  
3 vegetation shall conform to an erosion and sedimentation control plan prepared by the subdivider  
4 and approved by the department of **public works** [PROJECT MANAGEMENT AND  
5 ENGINEERING] before the work may commence. The plan shall conform to the requirements of  
6 section 21.07.040, *Drainage, Erosion and Sediment Control, Storm Water Runoff, and Prohibited*  
7 *Discharges*, as well as municipal guidelines and policies contained in the *Soil Erosion and*  
8 *Sediment Control Manual*, and any other applicable guidelines and policies approved by the  
9 department of **public works** [PROJECT MANAGEMENT AND ENGINEERING].

10 **R. Landscaping**

11 The subdivider shall be responsible for the provision of landscaping required under section  
12 21.07.080, *Landscaping, Screening, and Fences*, except the tree provisions of subsection  
13 21.07.080F.8., and it shall be installed by the subdivider or guaranteed under the provisions of  
14 subsection 21.08.060E.

15 **21.08.060 SUBDIVISION AGREEMENTS**

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

17 **1. Agreement Required**

18 Before a final plat for a subdivision where improvements are required under section  
19 21.08.050 is approved or filed, the subdivider shall enter into a subdivision agreement  
20 with the municipality in accordance with this section.

21 **2. Application**

22 Application for a subdivision agreement shall be made to the department of **public works**  
23 [PROJECT MANAGEMENT AND ENGINEERING]. The application shall include a copy  
24 of the platting summary of action, a copy of the preliminary plat, a tentative schedule of  
25 all proposed construction of public improvements and utilities, and an engineer's estimate  
26 of the cost of each required public improvement. The engineer's estimate shall be based  
27 on the schedule of prices for standard items for private development projects, published  
28 by the municipal engineer. The municipality may require a showing of the subdivider's  
29 financial responsibility.

30 **3. Contents**

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

- 33 **a.** A designation of the public improvements required to be constructed.
- 34 **b.** The construction and inspection requirements of the municipality or utility for  
35 which the improvements are constructed.
- 36 **c.** The time schedule for completing the improvements.
- 37 **d.** The guarantee required by subsection 21.08.060E.
- 38 **e.** A schedule for any payments required under this section.
- 39 **f.** The allocation of costs between the municipality and the subdivider for required  
40 public improvements.
- 41 **g.** The warranty required by subsection 21.08.060G.



- 1           2.       Requests for subsequent two-year time extensions require platting board approval. All  
2           time extensions shall be conditioned to require provision of an adequate performance  
3           guarantee when the existing guarantee is inadequate.

4   **D.       Payment of Costs of Required Improvements Outside the Anchorage Roads and Drainage**  
5   **Service Area**

- 6           1.       Outside of the Anchorage Roads and Drainage Service Area, the subdivider/developer  
7           shall pay 100 percent of all costs associated with construction, including but not limited to  
8           design, engineering, project administration and inspection, testing, surveillance, related  
9           bank fees and interest payments, fair market value of right-of-way, as well as all work,  
10          labor, and materials furnished for the construction of required improvements. The  
11          exception shall be those utilities whose tariffs provide cost participation.
- 12          2.       The subdivider shall retain an independent registered engineer who has no financial  
13          interest in the development, to inspect and test the improvement construction. The  
14          engineer shall maintain in good standing professional liability insurance in the amount of  
15          \$1,000,000 during the term of the agreement. Policies written on a "claims-made" basis  
16          shall [MUST] have a two year tail of coverage from the completion of the subdivision  
17          agreement term. The required insurance policy shall provide for no less than 30 days  
18          advance notice to the municipality prior to cancellation.

19   **E.       Payment of Costs of Required Improvements Inside the Anchorage Roads and Drainage**  
20   **Service Area**

21          The cost of any public improvement shall be defined to include the cost of design, engineering,  
22          contract administration, inspection, testing, and surveillance as well as all work, labor, and  
23          materials furnished for the construction of the improvement. The subdivision agreement shall  
24          provide for the apportionment of the cost of required public improvements between the  
25          municipality and the subdivider as follows:

- 26          1.       **Administrative and Recording Costs Relating to Public Improvement Guaranties**  
27          The subdivider shall pay 100 percent of all costs incurred in supplying and administering  
28          any method of public improvement guarantee provided for in subsection 21.08.060.
- 29          2.       **Inspection, Surveillance, and Testing**
- 30           a.       The subdivider shall pay 100 percent of all costs relating to any inspection,  
31           surveillance, and testing by the municipality, necessary for warranty acceptance  
32           of any required public improvement or during the warranty period. Surveillance  
33           shall be performed by the municipality during the course of construction and up  
34           to the point of final acceptance of the completed project.
- 35           b.       The subdivider shall retain an independent registered engineer who has no  
36           financial interest in the development, to inspect and test the improvement  
37           construction. The engineer shall maintain in good standing professional liability  
38           insurance in the amount of \$1,000,000 during the term of the agreement.  
39           Policies written on a "claims-made" basis shall [MUST] have a two year tail of  
40           coverage from the completion of the subdivision agreement term. The required  
41           insurance policy shall provide for no less than 30 days advance notice to the  
42           municipality prior to cancellation.
- 43          3.       **Administration of Agreement**  
44          The subdivider shall pay 100 percent of all costs of plan review, agreement  
45          administration, and attendant costs.

1           **4. Arterial and Collector Streets**

2 Reasonable costs incurred in the construction of a street designated on the *Official*  
3 *Streets and Highways Plan* (OSHP) as a collector, arterial, or greater shall be  
4 apportioned as specified in subsections E.4.a. through d. below. For purposes of this  
5 subsection, construction costs means only those costs associated with construction,  
6 design engineering, project administration and inspection, related bank fees and interest  
7 payments, and fair market value of right-of-way dedicated to the street in excess of 70  
8 feet.

9           **a. Interior Collector Streets**

10 If a collector street lies within the subdivision, the municipality shall reimburse the  
11 subdivider a sum equal to the reasonable construction cost of building to the  
12 standard specified by the platting authority, less the estimated cost of  
13 construction in accordance with the residential standard approved by the platting  
14 authority under tables 21.08-3 and 21.08-5, provided that:

15           **i.** When the subdivision agreement is executed:

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

18                   **(B)** Sufficient funds (bonds, designated state grants, or mil-levy)  
19 have been appropriated for reimbursement in the capital  
20 improvement budget for the current fiscal year; or

21           **ii.** When the preliminary plat of the subdivision is approved:

22                   **(A)** Construction to the designated standard is required by the  
23 platting authority;

24                   **(B)** Improvement to the designated standard is programmed in the  
25 six-year capital improvement program; and

26                   **(C)** Sufficient funds (bonds, designated state grants, or mil-levy)  
27 have been appropriated for reimbursement in the capital  
28 improvement budget for the current fiscal year.

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

32           **b. Interior Arterial Streets**

33 If an interior arterial or greater street is required to be constructed to arterial  
34 standards by the platting authority, the municipality shall reimburse the  
35 subdivider 100 percent of the reasonable construction cost subject to the  
36 availability of bond funds, state grants, or mil-levy funds appropriated for the  
37 construction of that street. If the platting authority has not required construction  
38 to arterial or greater standards, the subdivider shall construct the street to the  
39 standards required under subsection 21.08.050D. and shall bear 100 percent of  
40 the construction cost.

41           **c. Peripheral Streets**

42 If the subdivider is required to construct an abutting collector street, the  
43 municipality shall reimburse a sum equal to the reasonable construction cost of  
44 the standards specified by the platting authority less the estimated cost of  
45 construction in accordance with the residential standards under table 21.08-4,

1 subject to the conditions specified in subsection 4.a. above. If a subdivider is  
2 required to construct an abutting arterial or greater street to arterial or greater  
3 standards, the municipality shall reimburse in a manner and subject to the  
4 conditions set forth in subsection b. above. If the subdivider is not required to  
5 construct an abutting street to arterial or greater standards, the subdivider shall  
6 construct the street to the standards required under subsection 21.08.050F. and  
7 shall pay 100 percent of the cost of construction.

8 **d. Access Streets**

9 If the platting authority requires the construction of an access street under the  
10 authority of subsection 21.08.050D. that is designated as a collector, arterial, or  
11 greater, the municipality shall reimburse a sum equal to the reasonable  
12 construction cost of the standard specified by the platting authority less the  
13 estimated construction cost in accordance with the residential standards under  
14 table 21.08-4, subject to the availability of bond funds, state grants, or mil-levy  
15 funds appropriated for the construction of that street. If the platting authority has  
16 not required construction to collector or greater standards, the subdivider shall  
17 construct the street to the standards required under subsection 21.08.050D. and  
18 shall pay 100 percent of the construction costs.

19 **5. Other Streets**

20 Except as provided in subsection E.4., the subdivider shall pay 100 percent of the cost of  
21 streets within the boundaries of the subdivision. The subdivider shall additionally pay 100  
22 percent of the cost of all peripheral streets and access roads except as provided in  
23 subsection E.4. of this section whose construction may be required by the municipal  
24 engineer. The property within subdivisions that is later assessed by the municipality for  
25 final improvements to access and peripheral streets shall receive credit for the cost of  
26 salvageable improvements to those peripheral and access streets. Nonsalvageable  
27 improvements will not receive credit. Credit will be provided only when:

- 28 **a.** The municipality approved the award of the contract which included the work for  
29 which the credit is to be issued; and
- 30 **b.** The subdivider provided the municipality with a sworn notarized statement setting  
31 forth the distribution of the costs of salvageable improvements, which he utilized  
32 for purposes of establishing lot price, for each lot within his subdivision to which  
33 such costs were spread.

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

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

38 The subdivider shall pay the cost of constructing curbs, and sidewalks and walkways  
39 adjacent to streets, in the same manner as the cost of constructing the streets to which  
40 they are adjacent as provided in subsections E.4. and 5.

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

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

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

45 The subdivider shall pay 100 percent of the cost of storm drains, inlets, and manholes  
46 necessary to serve the subdivision, provided that, within areas where the municipality  
47 provides drainage maintenance, the municipality shall reimburse the subdivider those  
48 costs attributable to oversizing required by the municipality. In those areas where the

1 municipality does not maintain drainage facilities, the subdivider shall pay all costs,  
2 including those for any required oversizing.

3 **9. Water Improvements**

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

10 **10. Sanitary Sewer Improvements**

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

14 **11. Electrical and Telecommunication Facilities**

15 The subdivider shall provide electrical and telecommunication 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 placement of traffic  
20 control devices and electrical and telecommunication cable placement, the subdivider  
21 shall, at appropriate crossings as directed by the municipality, provide any necessary  
22 underground conduit consistent with conduit size, type, and installations standards  
23 provided by the utility.

24 **13. Street Lighting**

25 The subdivider shall pay the cost of street lighting apparatus in the same manner as the  
26 cost of constructing the streets to which it is adjacent as provided in subsections E.4. and  
27 5.

28 **14. Traffic Control Devices**

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

32 **15. Landscaping**

33 The subdivider is responsible for required landscaping as stated in subsection  
34 21.08.050S. Landscaping shall meet the standards of section 21.07.080, *Landscaping,*  
35 *Screening, and Fences.*

36 **F. Subsequent Development Reimbursement**

37 [RESERVED]

38 **G. Guarantee of Completion of Improvements Required; Amount; Methods**

39 **1. Guarantee Required**

40 To ensure the installation of required public improvements that are not accepted at the  
41 time the final plat is filed, the subdivision agreement shall require the subdivider to  
42 guarantee the completion of all such improvements by one or more of the methods  
43 specified in this section. The means of a guarantee may be changed during the  
44 guarantee period upon approval by the municipal engineer. The amount of the guarantee  
45 shall be determined on the basis of the subdivider's cost estimate. The guarantee shall

1 remain in effect until warranty acceptance of the public improvements and the posting of  
2 an acceptable security for the warranty period.

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

4 The engineer's cost estimate shall state the estimated cost of completion for each  
5 required public improvement. Cost estimates for each required public improvement shall  
6 [MUST] be approved by the department of public works [PROJECT MANAGEMENT AND  
7 ENGINEERING]. For purposes of establishing the amount necessary for the guarantee  
8 of completion of public improvements, a percentage for overrun allowance shall be added  
9 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

10 **3. Methods**

11 The subdivision agreement shall include one or more of the following methods to  
12 guarantee the construction of required public improvements:  
13

14 **a. Performance Bond**

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

25 **b. Deposit in Escrow**

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

- 32 i. Funds of the escrow account shall be held in trust until released by the  
33 municipality and may not be used or pledged by the subdivider as  
34 security in any matter during that period other than payment for the  
35 improvements.
- 36 ii. In the case of a failure on the part of the subdivider to complete any  
37 improvement within the required time period, the institution shall  
38 immediately make all funds in such account available to the municipality  
39 for use in the completion of those improvements.

40 **c. Letter of Credit**

41 The subdivider may elect to provide from a bank or other responsible financial  
42 institution authorized to do such business in the state an irrevocable letter of

1 credit. Such letter shall be filed with the municipality and shall certify the  
2 following:

- 3 i. That the creditor irrevocably guarantees funds in an amount equal to the  
4 estimated cost of all required public improvements plus overrun  
5 allowances as provided in subsection G.2. above, for the completion of  
6 all such improvements; and
- 7 ii. That in the case of failure on the part of the subdivider to complete any  
8 specified improvements within the required time period the creditor shall  
9 pay to the municipality immediately and without further action such funds  
10 as are necessary to finance the completion of those improvements up to  
11 the limit of credit stated in the letter.

12 **H. Release of Guarantee of Improvements**

- 13 1. Inspection will be made by the municipality prior to acceptance of the improvements for  
14 warranty. The municipality shall have 14 days to complete the inspection and provide a  
15 list of deficiencies, except that the municipal engineer may extend the 14 day period for  
16 unusual circumstances such as extreme weather. The 14 day period shall begin on the  
17 day the municipality receives written notice from the subdivider that his or her  
18 comprehensive inspection has confirmed that construction of all required improvements  
19 is complete, all applicable subdivision agreement requirements are fulfilled, and the  
20 project is ready for municipal inspection.
- 21 2. When all listed deficiencies have been corrected, the subdivider shall notify the  
22 municipality in writing and the municipality shall perform a final inspection of the listed  
23 deficiencies within 7 days of receiving the notification, except that the municipal engineer  
24 may extend the 7 day period for unusual circumstances such as extreme weather. If the  
25 final inspection reveals uncorrected listed deficiencies, this procedure shall be repeated.
- 26 3. The municipality shall release the obligation for performance guarantees upon the  
27 acceptance of the improvements for warranty, together with the posting of adequate  
28 security for warranty.
- 29 4. The municipality may refuse to release the obligation for any particular public  
30 improvement if the subdivider or contractor is in present or imminent default in whole or in  
31 part on the completion of any public improvement or warranty covered by the subdivision  
32 agreement.

33 **I. Improvement Warranty**

- 34 1. The subdivider shall warrant and guarantee that required public improvements  
35 constructed under the agreement will remain in good condition and meet operating  
36 specifications for two years, commencing with warranty acceptance of each public  
37 improvement when it is completed. Such warranty includes defects in design,  
38 workmanship, materials, and any damage to improvements caused by the subdivider, his  
39 or her agents, or others engaged in work to be performed under the subdivision  
40 agreement. If the municipal engineer deems appropriate, extensive repairs or  
41 modifications made during the warranty period may extend the duration of the warranty  
42 period for those repairs or modifications only. The subdivider shall not be responsible for  
43 cleaning, snow removal, ditching, grading, dust control, or similar activities during the  
44 warranty period. Nothing in this title, however, is intended to waive the requirements of  
45 AMC chapter 24.80, pertaining to miscellaneous use provisions.
- 46 2. To secure the warranty:



- 1           1.     All required public improvements are built to specifications necessary to receive warranty  
2           acceptance; and
- 3           2.     The improvements remain in good condition for the completion of the warranty period.  
4           The municipality may use guarantee funds for the construction, repair, or maintenance of  
5           required public improvements from the date of initial default until three years after the  
6           funds have become available to the municipality for such use, except that no use shall be  
7           made of the funds later than two years after satisfactory completion and warranty  
8           acceptance of the work. Following either: (1) the warranty acceptance of all public  
9           improvements and posting of the warranty security, or (2) final acceptance, or (3) the  
10          three-year period provided for in this subsection, the municipality shall pay to the  
11          subdivider all guarantee funds which were not used or obligated for the completion of the  
12          improvements.

13   **M.     Agency Coordination**

14           Upon receipt of notification of violation or concern by municipal departments or outside agencies,  
15           the municipal engineer may suspend approval on work authorized through the subdivision  
16           agreement until such time that the issue is resolved.

17   **N.     Standards May Not Be Altered; Enforcement of Chapter**

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

21   **21.08.070     CONSERVATION SUBDIVISIONS**

22   **A.     Purpose**

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

30   **B.     Applicability**

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

34   **C.     Conservation Design Process**

35           Conservation subdivisions shall be approved through the procedure set forth in section  
36           21.03.200, *Subdivisions and Plats*.

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

38           Conservation subdivisions may include one or more lots that do not conform to the minimum lot  
39           size or lot width requirements of chapter 21.06, or the dimensional requirements of subsections  
40           21.08.030J.1. and 2., provided that:

- 41          1.     The amount of any reduction in minimum lot size shall be used for common open space,  
42                 pursuant to F. below;
- 43          2.     There shall be no more than one principal single-family structure per lot;

