

TITLE 21 REWRITE

CHAPTER 21.08

Showing annotated technical edits and changes proposed by
the Administration, the Planning and Zoning Commission,
and the Assembly Title 21 Committee.

December 18, 2012

Page 469 ANNOTATION

Administration Addition
[ADMINISTRATION DELETION]

PZC Addition
[PZC DELETION]

Assy Cmte Addition
[ASSY CMTE DELETION]

Tech Edit Addition
[TECH EDIT DELETION]

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:

Page 470 ANNOTATION

This technical edit reflects a department name change that occurred during reorganization of municipal departments in 2010.

Administration Addition

[ADMINISTRATION DELETION]

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Tech Edit Addition

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- 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.

Page 471 ANNOTATION

This deletion reflects existing addressing policy.

Administration Addition
[ADMINISTRATION DELETION]

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- 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
47 into the subdivision. **WHERE A NEW STREET EXTENDS OR CONTINUES AN**

Page 472 ANNOTATION

The Assembly committee amendment clarifies that this section is not applied to individual lots.

Administration Addition
[ADMINISTRATION DELETION]

PZC Addition
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Tech Edit Addition
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1 **EXISTING STREET, THE NAME OF THE EXISTING STREET SHALL BE USED**
2 **FOR THE NEW STREET.**

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

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

8 **8. Street Addresses**

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

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

19 **G. Block Arrangement**

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

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

30 **H. Subdivisions on Slopes**

31 **1. Applicability**

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

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

34 b. 30 percent [%] of the entire property [AREA] to be subdivided has slopes of 30
35 percent [%] or greater.

36 **2. Additional Submittal Requirements**

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

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

Page 473 ANNOTATION

This deletion reflects that borehole photography is not a method used in this community and our reviewers are not familiar with the technique.

The Assembly committee supported a PZC amendment to enable pedestrian facilities along roads in steeply sloped areas to be reduced or eliminated, but the committee added some language to address how such a decision should be made.

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[ADMINISTRATION DELETION]

PZC Addition
[PZC DELETION]

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- 1 b. Slope stability analysis: conclusions concerning the effects of material addition
2 and/or removal, grading, presence of water (both on and offsite), seismic activity,
3 and erosion, on slope stability.
- 4 c. Conclusions regarding the adequacy of the site for development, and specific
5 recommendations for procedures for cut and fill slope stability, seepage and
6 drainage control, grading, and all other applicable design criteria to mitigate
7 geologic hazards, slope failure, and soil erosion, and to minimize disturbance to
8 natural ecological and drainage functions.
- 9 d. A summary of field exploration methods and tests on which the report is based,
10 such as probings, core drilling, **BOREHOLE PHOTOGRAPHY,** or test pits.
- 11 **3. Design Standards**
- 12 a. For phases of subdivisions where all the lots created are 40,000 square feet or
13 greater in area, the subdivider shall show for each lot that has an average slope
14 of 20 percent or greater, to the satisfaction of the platting authority, a **site**
15 **disturbance** **[BUILDING]** envelope that:
- 16 i. Meets the requirements of subsection 21.07.020C.3.b.; and
- 17 ii. If applicable, accommodates on-site systems meeting the requirements
18 of AMC title 15.
- 19 b. Phases of subdivisions that include any lots less than 40,000 square feet in area
20 shall use the conservation subdivision process at section 21.08.070.
- 21 **4. ROW Reductions**
- 22 The platting authority may, with the recommendation of the municipal engineer, approve
23 reductions in right-of-way standards in order to keep grading and cut and fill slopes to a
24 minimum.
- 25 **5. Downslope Lots**
- 26 Road/driveway access to all lots less than 5 acres with an average slope of 30 **percent**
27 **[%]** or greater shall be from the upslope side of the lot.
- 28 **6. Sidewalks/Pathways [TRAILS]**
- 29 **[ANY R] Requirements for sidewalks or pathways [TRAILS] along local streets [ROADS]**
30 **may be reduced or eliminated [LIMITED.] by the platting authority, TO PROVIDING A**
31 **SIDEWALK/PATHWAY ON ONE SIDE OF THE ROAD ONLY. IN SUCH CASE, THE**
32 **SIDEWALK/PATHWAY SHALL BE A MINIMUM OF 6 FEET WIDE AND SEPARATED**
33 **FROM THE ROAD]. In deciding the extent of pedestrian facilities to be required, the**
34 **platting authority shall consider negative impacts to the terrain, the cost of improvements**
35 **in relation to the anticipated use, the needs of pedestrians, and the identification of**
36 **alternate locations for pedestrian facilities.**
- 37 **7. Grading**
- 38 For phases of subdivisions where all the lots created are 40,000 square feet or greater in
39 area, grading shall be limited to the road right-of-way to the maximum extent feasible.
40 Mass grading of the entire subdivision is prohibited, except that previously disturbed
41 areas, such as former gravel pits, may be graded. Lots shall be individually graded,
42 within their **site disturbance** **[BUILDING]** envelope, at the time of building construction,
43 pursuant to section 21.07.020C. For the purposes of this subsection only, “previously
44 disturbed” means alteration of the natural landform. It does not mean simply the removal
45 of vegetation.

Page 474 ANNOTATION

This section was recommended for approval by the 2010 PZC, but recommended for deletion by the 2012 PZC. The Assembly committee recommends approval of this section, with amendments from the 2010 recommendation, in order to address the twin goals of limiting disturbance of steeply sloped areas while allowing access to and development of remote parcels in the city's sloped areas.

Administration Addition

[ADMINISTRATION DELETION]

PZC Addition

[PZC DELETION]

Assy Cmte Addition

[ASSY CMTE DELETION]

Tech Edit Addition

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8. **Vehicular Routes**

[RESERVED]

The intent of this subsection is to minimize disturbance to the natural landscape in the alpine areas of the municipality to the maximum extent feasible. This can be accomplished by a number of design techniques such as following the natural contour lines both horizontally and vertically, attaching required pedestrian paths to the edge of pavement, adjusting cut and fill slopes, or use of retaining structures.

a. Streets, roads, private access roads, and other vehicular routes shall be designed in accordance with the *Design Criteria Manual* and this subsection.

b. Land disturbance, including vegetation clearing and grubbing, grading, etc., shall be curtailed to the smallest area/extent feasible.

i. Initial land disturbance shall be limited to the proposed travel-way (lanes and shoulders) to accommodate land survey, biological investigation of the in situ materials, and “rough” construction.

ii. The ultimate extent of land disturbance is dependent upon the nature of the subsurface materials. The extent of disturbance shall be the minimum necessary and is limited to within 25 feet of the right-of-way, including utility easements. Disturbance outside of the right-of-way and utility easements shall be re-vegetated using similar native trees and shrubs that were removed for the purpose of constructing the road improvements.

iii. The subdivision agreement shall be used to implement this subsection H.8.

c. Disturbed area abutting the right-of-way on both sides shall be contained within a slope reservation easement, for the purpose of providing and maintaining the lateral support of the constructed street. The slope reservation easement shall be in the form of a general dedication note on the plat.

d. Cut and fill slopes and all disturbed areas shall be stabilized and reinforced using appropriate engineering means. Vertical or near vertical constructed slopes shall be no taller than 15 feet without an eight foot horizontal or near horizontal terrace. Vertical or near vertical surfaces that are formed from underlying rock need not be terraced. Vegetation employed as a means of stabilization outside of the right-of-way and utility easements shall replicate original native landscape conditions.

e. The platting authority may require common driveways to be shared by two or more lots, with the concurrence of the traffic engineer and the fire department, to avoid excessive and unnecessary disturbance to slopes by multiple and individual lot driveway cuts, and/or to avoid and/or reduce impacts to other natural features, such as wetlands, creeks, etc.

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

1. A geotechnical investigation shall be performed to evaluate the potential for seismic-induced ground failures across that portion of the subdivision within seismic zones 4 and 5 of the municipality’s seismic~~ally~~-induced ground failure maps **[MAPPING]**. The requirement for a geotechnical investigation shall apply to all zoning districts, unless otherwise waived by the platting authority.

Page 475 ANNOTATION

PZC recommended adding this language with no reason given. The Assembly Title 21 committee recommended providing for a small-lot housing provision, in order to help address the city's shortfall of affordable housing. See subsection 21.08.070D.

Administration Addition

[ADMINISTRATION DELETION]

PZC Addition

[PZC DELETION]

Assy Cmte Addition

[ASSY CMTE DELETION]

Tech Edit Addition

[TECH EDIT DELETION]

- 1 2. A report of the findings and recommendations of the geotechnical investigation shall be
2 prepared by a civil engineer licensed in the state of Alaska and submitted to the platting
3 authority[, PREPARED BY A CIVIL ENGINEER LICENSED IN THE STATE OF
4 ALASKA]. The report shall include a discussion of the suitability of the proposed
5 development and recommendations for any needed mitigation.

- 6 3. The scope of the geotechnical investigation shall include subsurface explorations (test
7 borings [OR EXCAVATIONS]), laboratory testing, and engineering analysis to evaluate
8 the potential for, and potential magnitude of liquefaction, settlement, and lateral
9 [HORIZONTAL] spreading, [AND FAULTING], following methods conforming with the
10 state-of-practice; and stability of existing slopes, natural or man-made, following methods
11 defined in AMC chapter 23.15, section 1802.2.6, paragraph D. These evaluations shall
12 be based on probabilistic ground motion parameters corresponding to 475-year or
13 greater return period.

- 14 4. The platting authority may reject a proposed subdivision in its entirety if the geotechnical
15 investigation does not demonstrate that the area can be developed in accordance with
16 this title and AMC title 23.

- 17 5. The geotechnical investigation submitted with the plat application may supplement the
18 requirements for geotechnical investigations included in AMC title 23.

19 **J. Avalanche Zones**

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

24 **K. Lot Dimensions**

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

- 27 1. The depth of a lot shall be at least 80 feet.

- 28 2. The width of a lot, except for a townhouse lot and a small-lot subdivision lot, shall be at
29 least one-third the depth of the lot.

- 30 3. If a lot is to be served by an on-site wastewater disposal system, the lot shall [MUST]
31 have the minimum area required for such a lot under AMC chapter 15.65.

- 32 4. Notwithstanding any other provision of this section, the width of the flagpole portion of a
33 flag-shaped lot shall be no less than:
 - 34 a. Thirty feet when both public water and sewer systems are to serve such a
35 residential lot.
 - 36 b. Forty feet when both public water and sewer systems are to serve such a
37 commercial or industrial lot.
 - 38 c. Twenty-four feet when only a public water or a public sewer system is to serve
39 such a lot.
 - 40 d. Twenty-four feet when the lot is located in the R-6, R-8, R-9, R-10 or TA districts
41 and will not be served by either the public water or the public sewer system.

Page 476 ANNOTATION

PZC states: “30 feet is the current standard and there is no reason to change this.

During testing of the standards of the proposed code, it became clear that this provision would add significant costs to land development and require more lot area to be set aside for landscaping than was intended. The removal of this provision maintains current standards which allow required landscaping to be installed in utility easements.

Administration Addition

[ADMINISTRATION DELETION]

PZC Addition

[PZC DELETION]

Assy Cmte Addition

[ASSY CMTE DELETION]

Tech Edit Addition

[TECH EDIT DELETION]

- 1 5. The length of the flag pole portion of the lot shall not exceed 300 feet in the R-6, R-8, R-
2 9, R-10 or TA districts or 120 feet in all other districts, and all other measurements shall
3 be consistent with other sections of this title.
- 4 6. To the extent possible, side lot lines shall follow natural terrain and create building sites
5 that integrate into the natural terrain and minimize the need for fill and grading.
- 6 7. Lots tracted out for open space, well protection areas, or for undevelopable areas such
7 as wetlands, are exempt from these dimensional requirements and the dimensional
8 standards of chapter 21.06.

9 **L. Lot Frontage and Access**

- 10 1. Except when platted under subsection 21.03.200E., *Unified Development Plats*, or except
11 for lots tracted out for open space, well protection areas, or for undevelopable areas such
12 as wetlands, all lots shall have frontage on a street.
- 13 2. Unless approved by the director, access to a residential use on a residential lot shall not
14 be from a collector or greater street as designated on the *Official Streets and Highways*
15 *Plan*.
- 16 3. Subdivisions shall be designed to minimize lots with access to residential major streets
17 carrying more than 1,000 average daily trips.
- 18 4. The frontage of a lot on a cul-de-sac bulb shall be at least 30 [35] feet, except that the
19 frontage on a cul-de-sac bulb of a lot with a side setback abated under subsection
20 21.06.020A.3., *Construction on Adjoining Lots*, shall be at least 18 feet. This subsection
21 does not apply to flag lots.
- 22 5. In class A improvement areas, there shall be no more than one flag lot facing onto each
23 cul-de-sac bulb.

24 **M. Landscaping**

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

34 [IF A LANDSCAPING EASEMENT IS REQUIRED, NO MORE THAN 50 PERCENT OF SUCH
35 EASEMENT SHALL COINCIDE WITH ANY UTILITY EASEMENT, PER THE REQUIREMENTS
36 OF 21.07.080G.2.C., UNLESS THE UTILITIES ARE INSTALLED IN A CONDUIT OR UTILIDOR
37 OF SUFFICIENT SIZE TO REDUCE THE RISK OF LAND DISTURBANCE IF REPAIRING,
38 REPLACING, OR UPGRADING UTILITY LINES, IN WHICH CASE THE LANDSCAPING
39 EASEMENT AND THE UTILITY EASEMENT MAY COINCIDE COMPLETELY.]

40 **N. Reserve Strips**

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

Page 477 ANNOTATION

After comprehensive discussion, the Assembly committee recommended that current code provisions--the requirement for a variance to have a private street--be retained along with clarifying language and a definition of “private street”, which can be found in chapter 21.14.

Administration Addition
[ADMINISTRATION DELETION]

PZC Addition
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Tech Edit Addition
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1 **O. Electrical and Telecommunication Utilities**

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

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

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

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

14 **21.08.040 DEDICATION**

15 **A. Streets**

16 1. All street rights-of-way shall be dedicated to the public, unless a variance for private
17 streets is approved by the platting board. Applicants for a variance for private streets
18 shall demonstrate the following:

19 a. Why a private street is appropriate and preferable to a publicly dedicated street;

20 b. That a private party is willing and able to maintain a private street to public
21 standards; and

22 c. That a private street presents no conflict or obstruction to the orderly expansion
23 of the public street system.

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

32 3. The platting authority may approve the dedication of a half-street only when the other half
33 of the street has been dedicated or when the platting authority reasonably anticipates that
34 the other half of the street will be dedicated. When a subdivision borders a dedicated half
35 street, the platting authority shall require the dedication of the other half of the street,
36 unless it determines that the street would be unnecessary or undesirable.

37 **B. Alleys**

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

41 **C. Walkways**

42 The platting authority shall require the dedication of pedestrian walkways where it finds that
43 pedestrian walkways are necessary to provide for convenient and safe pedestrian circulation, to

Page 478 ANNOTATION

This provision was carefully reworded to ensure that trail access on adopted municipal plans will be accommodated during the platting process.

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PZC Addition
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Assy Cmte Addition
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Tech Edit Addition
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1 protect pedestrians from hazardous traffic, or as required in section 21.07.060, *Transportation*
2 *and Connectivity*. The minimum width of a walkway dedication shall be 10 feet. The platting
3 authority may require a wider dedication for reasons of topography, project use, or construction
4 needs (if the walkway is to be paved).

5 **D. Trails**

6 The platting authority shall require the dedication of **access [AN EASEMENT]** for **[A]** trails
7 designated on adopted municipal plans, **unless an alternative access point is clearly agreed to be**
8 **preferable. For pedestrian access, a right-of-way dedication is the preferred method of providing**
9 **access, but the platting authority may instead approve a public use easement dedication or an**
10 **access tract where appropriate.** If the platting authority approves an alternate location for **[A]** trail
11 **access [EASEMENT]** as a substitute for an existing easement **or right-of-way**, the existing unused
12 easement **or right-of-way** shall be vacated, unless the property owner agrees otherwise. The
13 platting authority may modify the alignment, width, and scope of trail **access routes**
14 **[EASEMENTS]** as necessary to integrate trail and subdivision design.

15 **1. Access to Chugach State Park, Community Use Areas, and Natural Resource Use**
16 **Areas**

17 a. The platting authority shall require the dedication of **[A]** public pedestrian **access**
18 **[EASEMENT]** for a trail designated on adopted municipal plans, for connectivity
19 with a trail or access point to a large Community Use Area or Natural Resource
20 Use Area (as defined in the *Anchorage Bowl Park, Natural Resource, and*
21 *Recreation Facility Plan* or the *Chugiak-Eagle River Comprehensive Plan*), and
22 for connectivity with a trail or access point identified in the most current *Chugach*
23 **[STATE PARK] Access Inventory. [IF THE PLATTING AUTHORITY APPROVES**
24 **AN ALTERNATE LOCATION FOR A TRAIL EASEMENT AS A SUBSTITUTE**
25 **FOR AN EXISTING EASEMENT, THE EXISTING UNUSED EASEMENT SHALL**
26 **BE VACATED, UNLESS THE PROPERTY OWNER AGREES OTHERWISE.]**
27 The platting authority may modify the alignment, width, and scope of trail **access**
28 **routes [EASEMENTS]** as necessary to integrate trail and subdivision designs, so
29 long as the resulting trails are of comparable gradient, directness, and utility, and
30 reflect the general locations and patterns of existing **or planned** public access
31 routes. **A [N A]cceptable pedestrian access [EASEMENT] shall be platted in**
32 **accordance with relevant provisions of this code and be [AT LEAST 20 FEET**
33 **WIDE.]** centered on an existing, recognized, new, or relocated trail.

34 b. The platting authority shall require the dedication of a vehicular right-of-way for
35 public access to trails, **[AND] parks, and other public lands as defined in**
36 **subsection D.1. above that are identified [ACCESS POINTS AS DEFINED]** in an
37 adopted **municipal plan or the Chugach Access Plan.** A **[N A]cceptable vehicular**
38 **right-of-way shall be a public street that is platted and dedicated in accordance**
39 **with relevant provisions of this code.**

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

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

45 **2.** The easement shall conform substantially to the line of the watercourse. The width of the
46 easement shall be that which the platting authority finds necessary to provide access to
47 widen, deepen, slope, improve, and maintain the stream, and to protect the stream and
48 adjacent property from soil erosion, flooding, water pollution, and destruction of fish and
49 wildlife habitat. At a minimum, the easement shall be the same as the applicable setback

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1 required in the zoning district, as set forth in section 21.07.020B.4., *Buffer/Setback*
2 *Requirements*.

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

6 4. In cases where two or more easements coincide, the outer limits of the combined
7 easement shall be measured from the outer edge of the outermost watercourse edge in
8 either direction.

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

12 **F. Reserve Tracts**

13 1. **Sites Designated**

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

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

26 2. **Time for Acquisition**

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

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

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

39 **G. Utility Easements**

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

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PZC states: “Provides clarification as to the priority in the event of a conflict.”

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

- 4 3. Where a utility has demonstrated, pursuant to G.1. above, the need to locate outside the
5 right-of-way, utility easements shall be sized as follows, but the platting authority may
6 approve different standards when justified by demonstrable site conditions or utility
7 needs. The platting authority shall size the easements as small as is feasible. After
8 [effective date [DATE OF PASSAGE]] utility easements shall not be placed in tracts set
9 aside to protect environmental features, such as wetlands or steep slopes.
 - 10 a. Utility easements along rear lot or side lot lines where a primary voltage
11 conductor is placed shall be at least ten feet wide, or a total of 20 feet wide along
12 adjoining rear lots.
 - 13 b. Utility easements along rear lot or side lot lines where a service voltage
14 conductor is placed shall be five feet wide, or a total of ten feet wide along
15 adjoining side lots.
 - 16 c. Where a front yard easement is needed to accommodate a transmission utility,
17 which is included in the utility corridor plan, the easement shall generally be ten
18 feet wide.
 - 19 d. The platting authority may require wider utility easements along the rear lot lines
20 of hillside lots.

- 21 4. The platting authority shall require the dedication of utility easements when a utility
22 company demonstrates a specific need for them or an easement is needed to
23 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*. In the event of a conflict between the design standards in this chapter, the *Design Criteria Manual*, and the *Municipality of Anchorage Standard Specifications*, the design standards in this chapter shall control.

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:

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Edits to the table reflect changes made in chapter 21.04 to delete some provisionally-adopted districts and retain a district that was proposed for deletion.

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

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

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

18 **B. Improvement Areas Defined**

19 For the purpose of this section, the municipality is divided into two distinct improvement areas.
 20 The class A improvement area includes areas of more dense population and/or intensive
 21 development, and thus requires a more urbanized level of improvements. The class B
 22 improvement area includes areas that are less densely populated and/or intensely developed,
 23 and thus requires a less urbanized level of improvements. The zoning districts associated with
 24 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-1B B-3 DT-1 DT-2 DT-3 [CBD] R-O MC	
Industrial	I-1 I-2 MI	
[MIXED USE]	[NMU]	

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TABLE 21.08-1: IMPROVEMENT AREAS DEFINED		
District Type	Class A	Class B
	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.	

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C. Improvement Requirements by Improvement Area

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

TABLE 21.08-2: 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

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D. Interior Streets

1. Residential Interior Streets

a. Categories

There are two categories of residential interior streets:

i. Residential Minor Streets

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

ii. Residential Major Streets

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

residential major streets with average daily trips in excess of 1,000 should be restricted.

b. Determination of Average Daily Trips

For the purpose of classifying and designing residential streets, the average daily trips carried by a street shall be determined by applying trip rates from the most current *Institute of Transportation Engineers Trip Generation Manual* 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. ²	Street Section ¹ (feet)		Number of Lanes		Design Speed ³ (mph) ⁴	Right of Way (feet)	Spillover Parking ⁵	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 ⁶	0	30	60	Yes	No on-street parking permitted

NOTES:

¹ Street dimensions are from back of curb.

² See subsection 21.08.050D.1.b., *Determination of Average Daily Trips*.

³ Horizontal curve design of residential streets requires best judgment of planners and engineers in addition to design analysis.

⁴ Design speed (not posted speed) for vertical and horizontal curves.

⁵ Spillover parking; homeowners' association required. See subsection 21.08.050E below.

⁶ Center turning lane required.

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

A.D.T.	Street Section ^{7,9} (feet)	Design Speed ⁸ (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

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

A.D.T.	Street Section ^{7 9} (feet)	Design Speed ⁸ (mph)	Right-of-Way (feet)	Application
1,001--2,000	24	25	60	Major residential streets

⁷ Dimensions are from edge of pavement.
⁸ Design speed (not posted speed) for horizontal and vertical curves.
⁹ 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 21.08-5 below:

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

Street Section ¹⁰ (feet)	Number of Lanes		Design Speed ¹¹ (mph)	Right-of-Way (feet)	Application
	Moving	Parking			
33	2	0	30	60	No on-street parking
40	2	2 ¹²	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

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

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E. Optional Residential Interior Streets

1. Residential interior streets shall provide for on-street parking unless the platting authority finds it is practical to substitute spillover parking for on-street parking in accordance with subsection E.2. below. If the platting authority so finds, residential interior streets may be improved in accordance with this section and table 21.08-3.
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.

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These amendments coordinate this section with the residential guest parking space requirements in the off-street parking section of chapter 21.07, and update the terms used in this table to be consistent with the rest of the rewrite. The changes help avoid a development being required to provide both spillover parking spaces and guest parking spaces. The spillover space requirement is also reduced to a closer nexus with the amount of on-street parking that would have been possible on each lot frontage.

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TABLE 21.08-7: ADDITIONAL SPILLOVER PARKING SPACES REQUIRED FOR EACH LOT FRONTING ON A STREET WITHOUT ON-STREET PARKING	
Residential Use [HOUSING TYPE]	Number of Spaces Per Unit
Dwelling, single-family detached	1.0 [1.5]
Dwelling, single-family attached or two-family [(1 TO 4 UNITS)]	0.5 [1.0]
Dwelling, multi[PLE-]family (INCLUDING MULTIFAMILY DEVELOPMENTS WITH SINGLE-FAMILY-, TWO-FAMILY-, OR TOWNHOUSE-STYLE CONSTRUCTION [(EXCEEDING 4 UNITS)])	None (instead subject to guest space requirements of Table 21.07-5) [0.5]

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F. Access Streets, Peripheral Streets, and Half Streets

1. Access Streets

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

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This amendment reflects the differentiation between different types of pedestrian facilities.

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- 1 **2. Walkways**
 2 a. Walkways are required as determined by the transportation and connectivity
 3 standards in section 21.07.060.
 4 b. Walkways shall be improved in accordance with table 21.08-8 below, as
 5 determined by the platting authority.
 6 c. Walkways in dedicated pedestrian easements may be improved or unimproved,
 7 as determined by the platting authority.

- 8 **3. Pathways**
 9 a. Pathways shall be located and constructed as determined by the Anchorage
 10 Non-Motorized Transportation Plan: Pedestrian Plan and the Anchorage Non-
 11 Motorized Transportation Plan: Bicycle Plan.
 12 b. Where a pathway and a sidewalk are co-located, the facility shall be constructed
 13 according to the specifications for a pathway.

- 14 **4. Trails**
 15 Trails shall be located and constructed as determined by the *Areawide Trails Plan* and
 16 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
Sidewalks				
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
Walkways				
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'	
Pathways				
1 ½" AC	6	7		
Trails				
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

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2 **I. Street Lighting**

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

6 **J. Traffic Control Devices**

7 Traffic and street name signs and traffic signals shall be installed in accordance with the
8 requirements of the traffic engineer and the *Alaska Traffic Manual*, per the requirements of AS
9 28.01.010.

10 **K. Monuments**

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

15 **L. Drainage System**

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

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

1 **M. Telecommunication and Electric Facilities**

- 2 1. All new telecommunication and electric lines shall be installed in accordance with the
3 specifications of the municipality and the utility providing the service.
- 4 2. All new telecommunication and electric utility distribution lines, as defined in chapter
5 21.14, shall be placed underground:
- 6 a. As required by section 21.07.050, *Utility Distribution Facilities*; and
- 7 b. As required by the platting authority in areas with patterns of development similar
8 to those where section 21.07.050 requires that utility distribution lines be placed
9 underground.

10 **N. Water Supply Facilities**

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

- 12 a. If the platting authority requires that a subdivision be served by a public water
13 system, the subdivider shall install the system in accordance with the
14 requirements of the state department of environmental conservation and the
15 most current edition of the *Design Criteria for Sanitary Sewer and Water*
16 *Improvements* of the municipal water and wastewater utility.
- 17 b. Where connection to public water supply systems is required, such systems shall
18 be dedicated to the municipality for operation and maintenance, thus allowing for
19 the orderly expansion of the municipality, its water systems, and fire protection
20 services that protect the health and property of the citizens of the municipality.

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

- 22 a. If the subdivision has no access to a public water system, the platting authority
23 shall require either wells on individual lots or a water system for the common use
24 of the lots in the subdivision, if site conditions require such a system.
- 25 b. If wells on individual lots are authorized, the subdivider need not install water
26 supply facilities. A well serving an individual lot shall conform to the
27 requirements of the municipal on-site water and wastewater program. A common
28 water system serving a portion of the subdivision shall not preclude individual
29 wells for the remaining lots.
- 30 c. If a common system is required, the subdivider shall install the system in
31 accordance with the requirements of the state department of environmental
32 conservation and the specifications of the municipal water and wastewater utility.

33 **O. Sanitary Sewer Facilities**

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

- 35 a. If the platting authority or provisions of law require that a subdivision be served
36 by a public sewer system, the subdivider shall install the system in accordance
37 with the requirements of the state department of environmental conservation and
38 the most current edition of the *Design Criteria for Sanitary Sewer and Water*
39 *Improvements* of the municipal water and wastewater utility.
- 40 b. Where connection to public sanitary sewer systems is required, such systems
41 shall be dedicated to the municipality for operation and maintenance, thus
42 allowing for the orderly expansion of the municipality and its sanitary sewer
43 system, which protects the health of the citizens of the municipality.

Page 489 ANNOTATION

These technical edits reflects a department name change that occurred during reorganization of municipal departments in 2010.

Administration Addition

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PZC Addition

[PZC DELETION]

Assy Cmte Addition

[ASSY CMTE DELETION]

Tech Edit Addition

[TECH EDIT DELETION]

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

- 2 a. If the subdivision has no access to a public sewer system, the platting authority
3 shall require either a sewer system for the common use of the lots, or sewage
4 disposal systems serving individual lots, whichever is more suitable.
- 5 b. If site conditions require a sewer system for the common use of lots in the
6 subdivision, the subdivider shall install such system in conformance with the
7 requirements of the state department of environmental conservation and the
8 municipal water and wastewater utility.
- 9 c. If the platting authority authorizes sewage disposal systems serving individual
10 lots, the subdivider need not install sewer facilities. In such case, the minimum
11 lot size requirements of AMC title 15 shall apply. The systems shall conform to
12 the requirements of the municipal on-site water and wastewater program.

13 **P. Natural Gas Facilities**

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

16 **Q. Erosion and Sedimentation Control**

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

25 **R. Landscaping**

26 The subdivider shall be responsible for the provision of landscaping required under section
27 21.07.080, *Landscaping, Screening, and Fences*, except the tree provisions of subsection
28 21.07.080F.8., and it shall be installed by the subdivider or guaranteed under the provisions of
29 subsection 21.08.060E.

30 **21.08.060 SUBDIVISION AGREEMENTS**

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

32 **1. Agreement Required**

33 Before a final plat for a subdivision where improvements are required under section
34 21.08.050 is approved or filed, the subdivider shall enter into a subdivision agreement
35 with the municipality in accordance with this section.

36 **2. Application**

37 Application for a subdivision agreement shall be made to the department of **community**
38 **development** [PROJECT MANAGEMENT AND ENGINEERING]. The application shall
39 include a copy of the platting summary of action, a copy of the preliminary plat, a
40 tentative schedule of all proposed construction of public improvements and utilities, and
41 an engineer's estimate of the cost of each required public improvement. The engineer's
42 estimate shall be based on the schedule of prices for standard items for private
43 development projects, published by the **building official** [MUNICIPAL ENGINEER]. The
44 municipality may require a showing of the subdivider's financial responsibility.

1 **3. Contents**

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

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

31 **4. Exceptions**

32 If the subdivider elects to complete and obtain acceptance of all required public
33 improvements before the approval or filing of a final plat for the subdivision, the
34 subdivision agreement need not include the guarantee provisions specified in items 3.c.
35 and d. above.

36 **B. Approval by Assembly**

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

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

- 2 1. The **building official** [MUNICIPAL ENGINEER] shall determine the time duration of the
3 subdivision agreement, which shall not be less than two years nor more than three,
4 based on the size, complexity, and possible phasing of the subdivision. The
5 improvements required under the terms of the subdivision agreement shall be fully
6 completed and accepted for warranty within that time period. However, before the
7 expiration of the subdivision agreement, the subdivider may request a time extension
8 from the **building official** [MUNICIPAL ENGINEER]. The **building official** [MUNICIPAL
9 ENGINEER] may grant one subdivision agreement time extension, up to two years in
10 length, upon a showing of good cause by the developer and provided such extension
11 does not unreasonably impact adjacent properties or the general public. The **building**
12 **official** [MUNICIPAL ENGINEER] does not have the authority to modify conditions placed
13 by the platting board. The **building official** [MUNICIPAL ENGINEER] may refer any
14 extension application to the platting board if the project is in default or he or she deems
15 further or more extensive analysis and public comment concerning the continuation of the
16 subdivision agreement may be needed. In considering whether an extension should be
17 granted, the following shall be considered: the manner in which safety hazards, drainage
18 problems, sanding, snow removal, grading, and other matters will be handled during the
19 extension period. Performance conditions may be imposed on the extension to ensure
20 that such matters are adequately handled.
- 21 2. Requests for subsequent two-year time extensions require platting board approval. All
22 time extensions shall be conditioned to require provision of an adequate performance
23 guarantee when the existing guarantee is inadequate.

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

- 26 1. Outside of the Anchorage Roads and Drainage Service Area, the subdivider/developer
27 shall pay 100 percent of all costs associated with construction, including but not limited to
28 design, engineering, project administration and inspection, testing, surveillance, related
29 bank fees and interest payments, fair market value of right-of-way, as well as all work,
30 labor, and materials furnished for the construction of required improvements. The
31 exception shall be those utilities whose tariffs provide cost participation.
- 32 2. The subdivider shall retain an independent registered engineer who has no financial
33 interest in the development, to inspect and test the improvement construction. The
34 engineer shall maintain in good standing professional liability insurance in the amount of
35 \$1,000,000 during the term of the agreement. Policies written on a "claims-made" basis
36 shall [MUST] have a two year tail of coverage from the completion of the subdivision
37 agreement term. The required insurance policy shall provide for no less than 30 days
38 advance notice to the municipality prior to cancellation.

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

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

- 46 1. **Administrative and Recording Costs Relating to Public Improvement Guaranties**
47 The subdivider shall pay 100 percent of all costs incurred in supplying and administering
48 any method of public improvement guarantee provided for in subsection 21.08.060.

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

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

7 **b.** The subdivider shall retain an independent registered engineer who has no
8 financial interest in the development, to inspect and test the improvement
9 construction. The engineer shall maintain in good standing professional liability
10 insurance in the amount of \$1,000,000 during the term of the agreement.
11 Policies written on a "claims-made" basis shall [MUST] have a two year tail of
12 coverage from the completion of the subdivision agreement term. The required
13 insurance policy shall provide for no less than 30 days advance notice to the
14 municipality prior to cancellation.

15 **3. Administration of Agreement**

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

18 **4. Arterial and Collector Streets**

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

26 **a. Interior Collector Streets**

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

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

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

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

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

39 **(A)** Construction to the designated standard is required by the
40 platting authority;

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

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

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

4 **b. Interior Arterial Streets**

5 If an interior arterial or greater street is required to be constructed to arterial
6 standards by the platting authority, the municipality shall reimburse the
7 subdivider 100 percent of the reasonable construction cost subject to the
8 availability of bond funds, state grants, or mil-levy funds appropriated for the
9 construction of that street. If the platting authority has not required construction
10 to arterial or greater standards, the subdivider shall construct the street to the
11 standards required under subsection 21.08.050D. and shall bear 100 percent of
12 the construction cost.

13 **c. Peripheral Streets**

14 If the subdivider is required to construct an abutting collector street, the
15 municipality shall reimburse a sum equal to the reasonable construction cost of
16 the standards specified by the platting authority less the estimated cost of
17 construction in accordance with the residential standards under table 21.08-4,
18 subject to the conditions specified in subsection 4.a. above. If a subdivider is
19 required to construct an abutting arterial or greater street to arterial or greater
20 standards, the municipality shall reimburse in a manner and subject to the
21 conditions set forth in subsection b. above. If the subdivider is not required to
22 construct an abutting street to arterial or greater standards, the subdivider shall
23 construct the street to the standards required under subsection 21.08.050F. and
24 shall pay 100 percent of the cost of construction.

25 **d. Access Streets**

26 If the platting authority requires the construction of an access street under the
27 authority of subsection 21.08.050D. that is designated as a collector, arterial, or
28 greater, the municipality shall reimburse a sum equal to the reasonable
29 construction cost of the standard specified by the platting authority less the
30 estimated construction cost in accordance with the residential standards under
31 table 21.08-4, subject to the availability of bond funds, state grants, or mil-levy
32 funds appropriated for the construction of that street. If the platting authority has
33 not required construction to collector or greater standards, the subdivider shall
34 construct the street to the standards required under subsection 21.08.050D. and
35 shall pay 100 percent of the construction costs.

36 **5. Other Streets**

37 Except as provided in subsection E.4., the subdivider shall pay 100 percent of the cost of
38 streets within the boundaries of the subdivision. The subdivider shall additionally pay 100
39 percent of the cost of all peripheral streets and access roads except as provided in
40 subsection E.4. of this section whose construction may be required by the **building official**
41 **[MUNICIPAL ENGINEER]**. The property within subdivisions that is later assessed by the
42 municipality for final improvements to access and peripheral streets shall receive credit
43 for the cost of salvageable improvements to those peripheral and access streets.
44 Nonsalvageable improvements will not receive credit. Credit will be provided only when:

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

47 **b.** The subdivider provided the municipality with a sworn notarized statement setting
48 forth the distribution of the costs of salvageable improvements, which he utilized

1 for purposes of establishing lot price, for each lot within his subdivision to which
2 such costs were spread.

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

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

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

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

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

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

14 The subdivider shall pay 100 percent of the cost of storm drains, inlets, and manholes
15 necessary to serve the subdivision, provided that, within areas where the municipality
16 provides drainage maintenance, the municipality shall reimburse the subdivider those
17 costs attributable to oversizing required by the municipality. In those areas where the
18 municipality does not maintain drainage facilities, the subdivider shall pay all costs,
19 including those for any required oversizing.

20 **9. Water Improvements**

21 If the subdivision is to receive water service from a public utility, the subdivider shall
22 provide water facilities, including service connections to all lots, with cost participation as
23 provided in the current approved tariff of the utility. If the subdivision is to receive water
24 service from a community water system, the subdivider shall provide water facilities,
25 including service connections to all lots, and pay 100 percent of the cost of those
26 facilities.

27 **10. Sanitary Sewer Improvements**

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

31 **11. Electrical and Telecommunication Facilities**

32 The subdivider shall provide electrical and telecommunication facilities with cost
33 participation as provided in the current approved tariffs of the applicable utility
34 companies.

35 **12. Deferred Utilities**

36 When paved street or sidewalk improvements are installed prior to placement of traffic
37 control devices and electrical and telecommunication cable placement, the subdivider
38 shall, at appropriate crossings as directed by the municipality, provide any necessary
39 underground conduit consistent with conduit size, type, and installations standards
40 provided by the utility.

41 **13. Street Lighting**

42 The subdivider shall pay the cost of street lighting apparatus in the same manner as the
43 cost of constructing the streets to which it is adjacent as provided in subsections E.4.and
44 5.

1 **14. Traffic Control Devices**

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

5 **15. Landscaping**

6 The subdivider is responsible for required landscaping as stated in subsection
 7 21.08.050S. Landscaping shall meet the standards of section 21.07.080, *Landscaping,*
 8 *Screening, and Fences.*

9 **F. Subsequent Development Reimbursement**

10 [RESERVED]

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

12 **1. Guarantee Required**

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

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

22 The engineer's cost estimate shall state the estimated cost of completion for each
 23 required public improvement. Cost estimates for each required public improvement **shall**
 24 [MUST] be approved by the department of **community development** [PROJECT
 25 MANAGEMENT AND ENGINEERING]. For purposes of establishing the amount
 26 necessary for the guarantee of completion of public improvements, a percentage for
 27 overrun allowance shall be added to the total estimated cost of public improvements as
 28 follows:

TABLE 21.08-9: PERCENT FOR OVERRUN ALLOWANCE

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

29 **3. Methods**

30 The subdivision agreement shall include one or more of the following methods to
 31 guarantee the construction of required public improvements:
 32

33 **a. Performance Bond**

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

PZC states: “This section makes changes to the revised draft of this section by the municipality. There appears to be a practice by the MOA of repeatedly finding deficiencies which delays the commencement of the warranty. By delaying the commencement of the warranty, there are additional inspection fees and maintenance costs to the developer. There needs to be certainty and finality with respect to the warranty process. The warranty period should begin after the corrections of the deficiencies noted in the initial inspection. Deficiencies found after the initial inspection should not be the cause for delaying the commencement of the warranty.

Lanugage is needed that clearly provides for the last time that additional deficiencies may be noted requiring correction prior to the expiration of the warranty period. Since the warranty period is two years, notice of any deficiencies needing correction should be provided to the developer within the first twenty-two months of the warranty so that all deficiencies can be corrected and the project can be off warranty at the end of the two year warranty period.”

Administration Addition
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PZC Addition
[PZC DELETION]

Assy Cmte Addition
[ASSY CMTE DELETION]

Tech Edit Addition
[TECH EDIT DELETION]

1 **b. *Deposit in Escrow***

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

8 i. Funds of the escrow account shall be held in trust until released by the
9 municipality and may not be used or pledged by the subdivider as
10 security in any matter during that period other than payment for the
11 improvements.

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

16 **c. *Letter of Credit***

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

21 i. That the creditor irrevocably guarantees funds in an amount equal to the
22 estimated cost of all required public improvements plus overrun
23 allowances as provided in subsection G.2. above, for the completion of
24 all such improvements; and

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

30 **H. Release of Guarantee of Improvements**

31 1. Inspection will be made by the municipality prior to acceptance of the improvements for
32 warranty. The municipality shall have 14 days to complete the inspection and provide a
33 list of deficiencies, except that the **building official [MUNICIPAL ENGINEER]** may extend
34 the 14 day period for unusual circumstances such as extreme weather. The 14 day
35 period shall begin on the day the municipality receives written notice from the subdivider
36 that **the subdivider's own [HIS OR HER]** comprehensive inspection has confirmed that
37 construction of all required improvements is complete, all applicable subdivision
38 agreement requirements are fulfilled, and the project is ready for municipal inspection.

39 2. **After the initial municipal inspection provided for in subsection H.1. has been completed**
40 **and all listed deficiencies noted in the initial municipal inspection and provided in writing**
41 **to the subdivider have been corrected, [WHEN ALL LISTED DEFICIENCIES HAVE**
42 **BEEN CORRECTED,]** the subdivider shall notify the municipality in writing and the
43 municipality shall perform a final inspection of the listed deficiencies within 7 days of
44 receiving the notification, except that the **building official [MUNICIPAL ENGINEER]** may
45 extend the 7 day period for unusual circumstances such as extreme weather. **[IF THE**
46 **FINAL INSPECTION REVEALS UNCORRECTED LISTED DEFICIENCIES, THIS**
47 **PROCEDURE SHALL BE REPEATED.]**

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Administration Addition
[ADMINISTRATION DELETION]

PZC Addition
[PZC DELETION]

Assy Cmte Addition
[ASSY CMTE DELETION]

Tech Edit Addition
[TECH EDIT DELETION]

- 1 3. If the final inspection reveals uncorrected listed deficiencies that were identified in the
2 initial inspection that was provided to the subdivider in writing prior to the final inspection,
3 this procedure shall be repeated until all deficiencies noted in the initial inspection have
4 been corrected. The warranty period shall begin after all the deficiencies in the initial
5 inspection have been corrected. [THE MUNICIPALITY SHALL RELEASE THE
6 OBLIGATION FOR PERFORMANCE GUARANTEES UPON THE ACCEPTANCE OF
7 THE IMPROVEMENTS FOR WARRANTY, TOGETHER WITH THE POSTING OF
8 ADEQUATE SECURITY FOR WARRANTY.]
- 9 4. Excepting any new deficiency or deficiencies resulting from the subdivider's activities
10 correcting the deficiency or deficiencies identified above, any new deficiencies that were
11 not discovered and identified in writing and delivered to the subdivider during the initial
12 inspection, but are found in any final or any continuing inspection, shall be noted and
13 corrected by the subdivider during the warranty period. However, these deficiencies shall
14 not delay the commencement of the warranty period.
- 15 5. In addition to correcting deficiencies in the work, and prior to being placed on warranty,
16 the subdivider shall also submit:
- 17 a. A complete record of the engineer's daily inspection reports;
- 18 b. Copies of test results;
- 19 c. Reproducible mylar record drawings of the facilities constructed;
- 20 d. Acceptance letters from electric and telephone utilities that all lots have service
21 available;
- 22 e. As applicable, acceptance letters from gas and water/wastewater utilities that all
23 lots have service available;
- 24 f. Certificate of monumentation;
- 25 g. Certificate of compliance that all suppliers and subcontractors have been paid;
- 26 h. Payment in full for municipal billings associated with the subdivision agreement;
27 and
- 28 i. A deposit as required by AMC 24.20.040D. to cover administrative and
29 inspection costs during the warranty period.
- 30 6. When all deficiencies in the work have been corrected and all items listed in subsection
31 H.5. above have been submitted, reviewed, and accepted, the project shall be eligible to
32 be placed on warranty.
- 33 7. The municipality shall release the obligation for performance guarantees upon the
34 acceptance of the improvements for warranty, together with the posting of adequate
35 security for warranty.
- 36 8. The municipality may refuse to release the obligation for any particular public
37 improvement if the subdivider or contractor is in present or imminent default in whole or in
38 part on the completion of any public improvement or warranty covered by the subdivision
39 agreement.

Page 498 ANNOTATION

This amendment requires the subdivider to notify the municipality if he/she notices a problem, instead of waiting for the municipality to inspect and notice the problem.

Administration Addition

[ADMINISTRATION DELETION]

PZC Addition

[PZC DELETION]

Assy Cmte Addition

[ASSY CMTE DELETION]

Tech Edit Addition

[TECH EDIT DELETION]

I. Improvement Warranty

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

TABLE 21.08-10: PERCENT TO SECURE WARRANTY

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

J. Correction of Deficiencies Under Warranty

1. Within 30 days, or a reasonable extension at the sole discretion of the **building official** [MUNICIPAL ENGINEER], 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 and associated administrative costs, or declare the bond or deposit forfeited.
2. Notwithstanding subsection J.1. above, if the subdivider or the subdivider's engineer retained through the warranty period first identifies need for repair or reconstruction, the subdivider shall notify the municipality by certified mail, and the subdivider shall make the repair or reconstruction with authorization (in lieu of the above notification) from the municipality.

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Administration Addition
[ADMINISTRATION DELETION]

PZC Addition
[PZC DELETION]

Assy Cmte Addition
[ASSY CMTE DELETION]

Tech Edit Addition
[TECH EDIT DELETION]

1 **K. End of Warranty Period**

- 2 1. The municipality shall inspect the required improvements and provide a list of
3 deficiencies to the subdivider no later than 30 days before the end of the warranty period,
4 except that the **building official** [MUNICIPAL ENGINEER] may extend this time due to
5 inappropriate weather or other conditions that impede complete inspection.
- 6 2. All deficiencies identified in the warranty period shall be corrected, inspected, and
7 approved within 30 days, except that the **building official** [MUNICIPAL ENGINEER] may
8 extend the 30 day period for unusual circumstances or inappropriate weather. The
9 municipality is under no obligation to release any remaining security if the subdivider fails
10 to correct any identified deficiencies.
- 11 3. Upon final acceptance, the municipality will release the remaining security within 90 days.
- 12 4. If the municipality does not timely inspect and provide a report as required in K.1. above,
13 the warranty period ends.

14 **L. Default**

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

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

33 **M. Agency Coordination**

34 Upon receipt of notification of violation or concern by municipal departments or outside agencies,
35 the **building official** [MUNICIPAL ENGINEER] may suspend approval on work authorized through
36 the subdivision agreement until such time that the issue is resolved.

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

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

41 **21.08.070 ALTERNATIVE RESIDENTIAL [CONSERVATION] SUBDIVISIONS**

42 **A. Purpose**

43 This section offers three alternatives from conventional subdivisions for new residential
44 neighborhoods: conservation subdivisions, cluster housing, and narrow lot housing. The intent of

Page 500 ANNOTATION

PZC recommended both retaining the existing code's cluster housing provision, as well as providing a "small-lot" development option.

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1 these options is to give flexibility to developers to respond to environmental conditions or market
2 preferences.

3 Each alternative shall be considered through the platting process outlined in section 21.03.200,
4 Subdivisions.

5 **B. Conservation Subdivisions**

6 **1. Purpose**

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

14 **2. Applicability**

15 The conservation subdivision option may be used on any parcel with a minimum of at
16 least two acres in any residential district in which [DETACHED] single-family housing is
17 permitted, provided that the proposal is consistent with the requirements in this section
18 21.08.070.

19 **3. Conservation Design Process**

20 Conservation subdivisions shall be approved through the procedure set forth in section
21 21.03.200, *Subdivisions and Plats*.

22 **4. Reduction in Minimum Lot Area Allowed**

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

- 26 a. The amount of any reduction in minimum lot size shall be used for common open
27 space, pursuant to F. below;
- 28 b. There shall be no more than one principal single-family structure per lot;
- 29 c. Front and rear setbacks interior to the subdivision are not less than half the depth
30 required by the underlying zoning district, but side setbacks are not less than the
31 width required by the underlying zoning district;
- 32 d. On any lot that is less than the minimum lot size of the underlying zoning district,
33 the principal structure shall have a maximum floor area ratio of not more than
34 0.5;
- 35 e. In class A improvement areas, street sections shall have vertical curbs;
- 36 f. Driveways shall have a maximum width of 14 feet at the curb;
- 37 g. Where on-street parking is allowed, a minimum 20 foot separation distance
38 between the curb returns of adjacent driveways shall be provided; and
- 39 h. Common open space with level 4 Screening landscaping shall be provided along
40 any lot line abutting a residential neighborhood where any adjoining lot is greater
41 than 150% of the average lot size along that lot line of the conservation

Page 501 ANNOTATION

PZC states: “Cluster housing was not included in the provisionally adopted code. It is being added using the language in existing code. The existing provisions addressing cluster housing will need to be assimilated into the provisionally adopted code.”

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subdivision. In class B areas this abutting landscaped open space area shall be one hundred feet wide.

5. Lot Coverage Allowed

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

6. Minimum Open Space

The amount of lot size reduction of each lot shall, in total, be provided as common open space, except that under no circumstances shall the amount of common open space provided be less than 30 percent of the property shown on the subdivision plat. Open space shall be identified using the standards set forth in subsection 21.07.030B.4., *Private Open Space, Standards*, except that no portion of the land preserved as common open space may be located within the boundaries of an individual lot for residential development, or in a road right-of-way, and no portion of the land preserved as common open space may be less than 30 feet in its smallest dimension in class A districts or less than 100 feet in its smallest dimension in class B districts, or have less square footage than one-half of the square footage of the minimum lot size for that district. In order that all residents of a development have access, there should be, provided by the developer, a common pedestrian corridor leading into all common open space. Common open space areas in class B improvement areas shall remain undisturbed.

7. Dedication and Recording

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

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

C. Cluster Housing

1. Intent

- a. A cluster housing development is a design technique that provides open space and other site amenities in a subdivision by permitting individual lots of less area than otherwise permitted in the underlying use district. The community receives the benefits of open space within subdivisions and land developers may provide subdivisions at a somewhat higher density than permitted by the underlying use district.
- b. Cluster housing is intended to provide a development option particularly suited to tracts of land that include marginal areas. Marginal lands may include wetlands, steep slopes, or geophysical hazard areas. By clustering the overall number of units possible on the developable portion, construction and infrastructure costs may be lowered. Correspondingly, open space amenities are provided and environmentally sensitive lands are conserved.
- c. It is also intended to provide a design option in transition density areas, where zones of different densities abut. Lower costs in subdivision development should be reflected in housing costs.

Page 502 ANNOTATION

These current code provisions are not clear on whether cluster housing allows a reduction of lot width--this amendment clarifies.

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d. Cluster housing developments may include single-family detached and various types of attached housing.

2. General Standards

a. In addition to a preliminary plat, a cluster housing proposal shall include a site plan, to be approved by the platting authority.

b. No land use permits shall be issued until a final plat for the cluster housing development has been approved and filed in accordance with this title.

3. Maximum Density and Minimum Site Area

a. There shall be no more than one principal structure per lot.

b. The maximum number of dwelling units permitted in the cluster housing development shall be based upon the following schedule. The density shall be calculated using gross acreage.

TABLE 21.08-11: MAXIMUM DENSITY FOR CLUSTER HOUSING SUBDIVISIONS		
Zoning District	Dwelling Units Per Acre	Minimum Site Area (acres)¹³
R-1	5.0	2.5
R-1A	5.0	2.5
R-2A	10.0	1.5
R-2D	16.0	1.5
R-2M	19.0	1.5
R-3	20.0	1.0
R-4	24.0	1.0
R-5	5.0	2.5
R-6	0.8	5.0
R-7	2.0	5.0
R-8	0.2	10.0
R-9	0.4	5.0
R-10	See 21.04.0200.2	10.0
TA	As provided in the Turnagain Arm Comprehensive Plan	5.0
GR districts	See 21.09	5.0

¹³ The minimum site area may be reduced by up to 5 percent to account for irregular lots or difficult sites.

4. Review of Housing Type

The pre-application submissions for a cluster housing development in the R-1 or R-1A zoning districts, more than 50 percent of whose dwelling units are attached, are subject to review and approval by the planning and zoning commission for compatibility with surrounding land use patterns.

5. Lot Area and Width

The applicant may propose lot areas and widths that are less than the minimum required by chapter 21.06.

6. Maximum Lot Coverage

Maximum lot coverage for areas other than common areas is as follows:

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- 1 a. Two common walls per dwelling unit: 70 percent
- 2 b. One common wall per dwelling unit: 50 percent
- 3 c. All others: 40 percent
- 4 7. **Minimum Setbacks**
- 5 a. Minimum setbacks for the R-6, R-8, R-9 and R-10 zoning districts shall be as
- 6 follows:
- 7 i. Front setback: 25 feet
- 8 ii. Side setback: 10 feet
- 9 iii. Rear setback: 20 feet
- 10 b. Minimum setbacks for all other zoning districts shall be the same as the
- 11 underlying district.
- 12 8. **Common Area**
- 13 a. **General Standards**
- 14 i. Development of the common area in accordance with an approved site
- 15 plan and subdivision plat shall be guaranteed in the subdivision
- 16 agreement.
- 17 ii. All areas of the common area not devoted to buildings, structures,
- 18 parking areas, courts, walkways, improved areas for sport and game
- 19 activities, and driveways shall be covered by one or more of the
- 20 following: lawn grass, shrubbery, trees, or undisturbed indigenous
- 21 vegetation.
- 22 iii. The space between and surrounding clusters is allocated to pedestrian
- 23 circulation and open space.
- 24 b. **Common Open Space**
- 25 i. In a cluster housing development, at least 30 percent of the site area
- 26 shall be common open space. Environmentally sensitive features such
- 27 as wetlands, natural drainage ways, steep slopes, ponds, lakes, creeks,
- 28 streams, and the like may be included in the computation of open space
- 29 provided towards this requirement. Private spaces, such as patios,
- 30 decks, balconies, yards within individually owned lots, and the like are no
- 31 included in the definition of common open space.
- 32 ii. Of the required common open space, at least 600 square feet per
- 33 dwelling unit shall be provided as common usable open space within
- 34 cluster subdivisions that are created with any lots less than 6,000 square
- 35 feet in area.
- 36 c. **Common Usable Open Space**
- 37 The cluster housing development shall have a common usable open space area
- 38 with the following characteristics:
- 39 i. Shall not be less than 2,500 square feet.
- 40 ii. Shall have no dimension that is less than 30 feet.

Page 504 ANNOTATION

Staff researched various types of small-lot housing, but did not have time to develop regulations for multiple types. This proposed amendment allows narrow lot housing in some areas. Over time, staff will develop regulations for additional styles of small-lot housing.

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- 1 iii. Shall be within a distance of 1,000 feet from every lot within the cluster
2 subdivision.
- 3 iv. Shall not contain roads, parking facilities, driveways, storage, snow
4 storage, service areas, wetlands, or water bodies (unless they provide or
5 substantially contribute to a recreation area).
- 6 v. Shall have a slope equal to or less than five percent when the common
7 usable open space area is 10,000 square feet or less. A common usable
8 open space area of greater than 10,000 square feet may have slopes
9 exceeding 15 percent on no more than ten percent of the area, unless
10 the platting authority finds that a greater slope is consistent with the
11 intent of this section.
- 12 vi. Except as provided in subsection c.iv. above, shall be drained to carry
13 away storm and seepage water.
- 14 vii. May be retained as natural vegetation. Improvements may include
15 seeding with lawn grass or other seed mix approved by the planning
16 division, with an established access to a source of water for
17 maintenance. Improvements may also include pavement or other
18 appropriate surfaces or complementary structures to allow for active
19 outdoor recreation uses.

- 20 9. **Homeowner's Association**
- 21 a. A homeowner's association shall be established for all cluster housing
22 developments. All owners of property within the cluster housing development
23 shall automatically become members of the homeowner's association.
- 24 b. Any declaration under the Horizontal Property Regimes Act, common wall
25 agreements, declaration of covenants, conditions and restrictions, and
26 homeowner agreements proposed to be recorded to govern the use of land and
27 structures within a cluster housing development shall be reviewed for conformity
28 with this title by the director.
- 29 c. The responsibility for the operation and maintenance of the common area
30 facilities shall reside with the homeowner's association.

- 31 10. **Buffer Landscaping**
- 32 L2 buffer landscaping shall be planted along each lot line abutting a right-of-way
33 designated for collector or greater capacity on the *Official Streets and Highways Plan*.
34 The landscaping shall be maintained by the property owner or his or her designee.

35 D. **Narrow Lot Housing**

- 36 1. **Purpose**
- 37 Narrow lot housing is a form of small-lot housing that provides fee simple, single-family
38 home lots that are smaller than such lots created by right in various zoning districts, in
39 order to provide more affordable housing choices. As narrow lot housing will be available
40 and frequently used for infill development, there are increased design standards for
41 narrow lot housing in order to mitigate the impacts of increased density on existing
42 neighborhoods.

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- 1 2. **Applicability**
2 Narrow lot housing is permitted in the R-2A, R-2D, R-2M, R-3, R-5, and RO districts. The
3 various applicable standards of title 21 apply, unless specifically addressed and replaced
4 below.
- 5 3. **Approval Process**
6 Narrow lot housing shall be platted in accordance with 21.03.200C., and shall not be
7 eligible for the abbreviated plat process.
- 8 4. **Uses**
9 Only detached single-family homes and customary accessory uses/structures may be
10 located on narrow lots.
- 11 5. **Size of Narrow Lot Developments**
12 The total contiguous area (including streets) developed with narrow lots shall be no
13 greater than one acre.
- 14 6. **Standards**
- 15 a. **Lot Area and Width**
16 Narrow lots shall be at least 30 feet wide, and no less than 80 feet long.
- 17 b. **Setbacks**
18 The setbacks of the underlying zoning district shall apply, as provided in chapter
19 21.06, except that where an entire block is subdivided with narrow lots in a
20 residential district, the principal structure may encroach into the front setback by
21 up to ten feet.
- 22 c. **Height**
23 Structures are limited to 25 feet and two stories in height.
- 24 d. **Lot Coverage**
25 For one-story structures, the lot coverage is 50 percent. For two-story structures,
26 the lot coverage is 40 percent.
- 27 e. **Floor Area Ratio (FAR)**
28 The principal structure on each narrow lot shall have an FAR of 0.5.
- 29 f. **Access**
30 Homes on narrow lots shall not be accessed from the street abutting the shorter
31 end of the lot. Access shall be from an alley at the rear of the lot, or for corner
32 lots, from a street abutting the longer side of the lot.
- 33 g. **Number of Lots Created**
34 No more than 12 narrow lots may be created abutting one another.
- 35 h. **Design**
- 36 i. **Mix of Housing Models**
37 Any subdivision of three or more units shall have a mix of housing
38 models, as determined during the building permit process, according to
39 the following table:
40

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TABLE 21.08-12 MIX OF HOUSING MODELS FOR NARROW LOT HOUSING	
Number of units	Number of different models required
3-6	2
7-12	3
See subsection 21.07.110E.2. for how to determine a mix of housing models.	

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Where only two narrow lots are created, if the same design is proposed for both homes, the homes shall be constructed in a “mirror image.”

- ii. Primary Entrance
Homes on narrow lots shall meet the standards of subsection 21.07.110E.3.
- iii. Street-Facing Façade
Homes on narrow lots shall feature at least one design element from each of the following subsections: 21.07.110E.4.c.i., E.4.c.ii., and E.4.c.iii.
- iv. Garages
Garages shall not be longer than 30 feet in length and shall be located facing the rear of the lot, or for corner lots, may face the secondary front setback.
- v. Windows
Windows facing side lot lines are encouraged to be located in such a manner as to not be directly across from windows in neighboring narrow lot homes.