

CHAPTER 8 – SUBDIVISION STANDARDS

GENERAL OVERVIEW

- Private streets need to be allowed in subdivision if maintenance responsibility is of the homeowners association.

- Connectivity to public land.
 - Trying to balance the desire for connectivity with the cost to the developer in providing connectivity.
 - Concern that required dedication of land might be a taking without compensation.
 - Want to put more emphasis on the requirements of the park plans.

- Pedestrian access.
 - Planning authority may require dedication of public easement.

- Vehicular right-of-way.
 - Planning authority may require dedication of vehicular right-of-way that is identified and adopted in municipal or park plans.

- Clarifying the commencement and termination of the warranty period.
 - The commencement of the warranty period needs to be clear.
 - Should begin when the corrections of the deficiencies noted in the initial inspection have been made.
 - Clarity as to the termination of the warranty period is also needed-last time to identify deficiencies to be 22 months so that all warranty matters can be completed within the two year warranty period.

- Design Criteria Manual.
 - Referenced in Chapters 7 and 8 of the code.
 - Currently changed at will and without any public review process.
 - There needs to be procedures and protocols to regulate how changes are made.
 - Needs to be public comment and input into the DCM.
 - The DCM is really a form of regulation and should be adopted by the Assembly.
 - PZC recommends that DCM be updated every 2 years with amendments being in place before the end of a calendar year.
 - PZC recommends that DCM be treated as an ordinance and approved by the Assembly after public input and participation.

PZC’S PROPOSED AMENDMENTS TO CHAPTER 8: SUBDIVISION STANDARDS

| Number | Section | Amendment | Comments |
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| 1 | 21.08.010 | Add a new section C which is entitled “Application of 21.08 Standards” and provides as follows: “The standards and requirements of this chapter (21.08) shall govern in the event of a conflict between the comprehensive plan and this title.” | It is imperative that the more specific design standards and development specifications contained in this chapter apply over the general goals and policies of the comprehensive plan. |
| 2 | 21.08.030 B | Amend to add the following sentence at the end of the paragraph: “For multi-phase projects, all phases of the project may be developed utilizing the provisions of this Code as they existed at the time of approval of the first phase or may, at the election of the developer, utilize the provisions of the Code applicable at the time of development of the additional phase or phases. | Because of the language in this section regarding phasing, all of the phases in a subdivision should be allowed to be developed based upon the code provisions in effect when the first phase was approved or the developer should be allowed to develop the later phases in accordance with the new code, if the developer so elects. |
| 3 | 21.08.030 F | Amend to add a new paragraph 2. entitled “Private Streets” which provides as follows: “Private streets shall be allowed in | Private streets are allowed now and they |

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| | | subdivisions if the subdivision has a recorded declaration which provides for a homeowner's association to maintain and repair the streets and a note is placed on the plat referencing the declaration." The remaining sections should be re-numbered. | should continue to be allowed. The concern raised by the municipality is the maintenance of those streets. Accordingly, private streets should only be allowed if a homeowner's association is in place to perform the maintenance. |
| 4 | 21.08.030 F.5 | Amend to add a new section d which provides as follows: "Sidewalks, walkways, pathways and trails shall not be required in cul-de-sacs." | |
| 5 | 21.01.030 F.6 | Amend to add the following sentence: "Driveways on lot frontage where there are alleys are prohibited." | |
| 6 | 21.01.030 H.1 | Amend to add a new paragraph c which provides as follows: "The slope percentages provided herein do not apply to an individual lot." | Provides clarification |
| 7 | 21.01.030 H.3.b | Amend to provide as follows: "Phases of subdivisions that include lots less than 40,000 square feet in area may use the conservation subdivision process at section 21.08.070." | The conservation subdivision process is disfavored and is an alternate type of residential development. The use of the conservation subdivision process should be elective and |

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| | | | not mandatory. |
| 8 | 21.08.030 H.6 | Change the last sentence to read as follows: “In deciding the extent of pedestrian facilities to be required, the platting authority shall consider negative impacts to the terrain, the cost of improvements in relation to the anticipated use, and the possibility of alternate locations for pedestrian facilities.” | |
| 9 | 21.08.030 H.7 | Amend the second sentence to provide as follows: “Mass grading of the entire subdivision is prohibited, unless otherwise authorized by the Platting Board and except that previously disturbed areas, such as former gravel pits, may be graded.” | While mass grading is disfavored, by prohibiting it there is no flexibility whatsoever to allow it under any circumstances. |
| 10 | 21.08.030 H.8 | Delete entire section | |
| 11 | 21.08.030 I.1 | Amend to provide as follows: “A geotechnical investigation may, if required to insure public health and safety, be required by the Platting Board, Geotechnical Commission or the Planning and Zoning Commission in order to evaluate the potential for seismically induced ground failure within seismic zones 4 and 5, as depicted in the MOA Seismic Induced Ground Failure mapping. This report shall be prepared by a civil engineer licensed in the State of Alaska and submitted to the authority requesting the study prior to authorization of an action dependent on the results of the study. The scope of the geotechnical investigation shall be determined by the Municipal Engineer or his designee.” | |
| 12 | 21.08.030. K 2. | Add “and small subdivision lot” after “townhouse lot”. | |
| 13 | 21.08.030 L.4 | Amend the beginning of the sentence to provide as follows: “The | 30 feet is the current |

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| | | frontage of a lot on a cul-de-sac bulb shall be at least 30 feet,..." | standard and there is no reason to change this. |
| 14 | 21.08.030 M | Section M 2. which was deleted by the administration's amendments should be placed back into the code. | A portion of the utility easement should be allowed to be used as a buffer. It provides flexibility and a better use of land. |
| 15 | 21.08.040 D.1 | <p>Amend to re-name the paragraph and replace it as follows:</p> <p>“ D. Other Access Providing Connectivity to Public Lands The platting authority may require dedication of an easement for access to Community Use Areas, Natural Use Areas and Chugach State Park as identified in adopted municipal plans. If the platting authority approves an alternate location for an easement as a substitute for an existing easement, the existing unused easement shall be vacated, unless the property owner agrees otherwise. The platting authority may modify the alignment, width, and scope of trail easements as necessary to integrate trail and subdivision design.</p> <ol style="list-style-type: none"> 1. Access to Chugach State Park, Community Use Areas, and Natural Use Areas <ol style="list-style-type: none"> i. Pedestrian. The platting authority may require the dedication of a public pedestrian easement or walkway for connectivity with a trail to or access to a large Community Use Area or Natural Resources Use Area (as | The only requirement that should be placed on a developer is to provide access by way of an easement for road or trail access. The municipal or park plan should be reviewed to determine what type of access is needed. |

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| | | <p>defined in the Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan or the Chugiak-Eagle River Comprehensive Plan) and for trail connectivity or access to Chugach State Park as identified in adopted municipal plans or the Chugach State Park Access Inventory or successor plans. The platting authority may modify the alignment, width, and scope of easements as necessary to integrate trail and subdivision designs, so long as the resulting easements are of comparable gradient, directness, and utility, and reflect the general locations and patterns of existing public access routes. An acceptable pedestrian easement shall be at least 10 feet wide, centered on an existing, recognized, new, or relocated easement.</p> <p>ii. Vehicular Right-of-Way. The platting authority shall require the dedication of a vehicular right-of-way for public access to trails, parks or other public lands as defined in D.1.a that are identified in an adopted municipal plan, or the Chugach State Park Access Inventory or successor plans. An</p> | |
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| | | acceptable vehicular right-of-way shall be a public use easement that is platted and dedicated in accordance with relevant provisions of this code. | |
| 16 | 21.08.050 A. 1 | Amend to add the following sentence at the end of the paragraph: “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.” | Provides clarification as to the priority in the event of a conflict. |
| 17 | 21.08.050 Table 21.08-1 | Revise to delete the reference to R-2F and R 4A; add B-1B under commercial; delete Mixed Use and NMU, CMU, RMU | |
| 18. | 21.08.050 H | Amend to add a new section 5. entitled Number of Streets, Walkways, Pathways and Trails “ which provide as follows: “Sidewalks or walkways shall not be required in urban areas on both sided of a street or property. Pathways or trails should not be required in a rural area on both sides of a property.” | Sidewalks or walkways should not be required on both sides of the street and pathways or trails should not be required on both sides of the land. This results in constraints on the availability of land. |
| 19 | 21.08.060 H | Amend to provide as follows: “H. Release of Guarantee of Improvements 1. Inspection will be made by the municipality prior to acceptance of the improvements for warranty. The municipality shall have 14 days to complete the inspection and provide a list of deficiencies, except that the building official | This section makes changes to the revised draft of this section by the municipality. For clarification, the entire section, as revised, is included. |

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| | | <p>may extend the 14 day period for unusual circumstances such as extreme weather, for no more than 7 days. The 14 day period shall begin on the day the municipality receives written notice from the subdivider that the subdivider’s own comprehensive inspection has confirmed that construction of all required improvements is complete, all applicable subdivision agreement requirements are fulfilled and the project is ready for municipal inspection . Failure to complete the inspection within the timeframe set forth in this section constitute acceptance of the improvements for warranty.”</p> <p>2. After the initial municipal inspection provided for in subsection H.1. has been completed and all listed deficiencies noted in the initial municipal inspection and provided in writing to the subdivider have been corrected, the subdivider shall notify the municipality in writing and the municipality shall perform a final inspection of the listed deficiencies within 7 days of receiving the notification, except that the municipal engineer may extend the seven day period for unusual circumstances such as extreme weather for no more than 7 days.</p> <p>3. If the final inspection reveals uncorrected listed deficiencies identified in the initial inspection that were provided to the subdivider in writing prior to the final inspection, this procedure shall be repeated until all deficiencies noted in the initial inspection have been corrected. The warranty period shall begin after all the deficiencies in the</p> | <p>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</p> |
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| | | <p>initial inspection have been corrected.</p> <p>4. Excepting any new deficiency or deficiencies resulting from the subdivider's activities correcting the deficiency or deficiencies identified above, any new deficiencies that were not discovered and identified in writing and delivered to the subdivider during the initial inspection, but are found in any final or any continuing inspection, shall be noted and corrected by the subdivider during the warranty period. However, these deficiencies shall not delay the commencement of the warranty period.</p> <p>5. In addition to correcting deficiencies in the work, and prior to being placed on warranty, the subdivider shall also submit:</p> <ul style="list-style-type: none"> a. A complete record of the engineer's daily inspection reports; b. Copies of test results; c. Reproducible mylar record drawings of the facilities constructed; d. Acceptance letters from electric and telephone utilities that all lots have service available; e. As applicable, acceptance letters from gas, water and wastewater utilities that all lots have service available; f. Certificate of Monumentation; | <p>delaying the commencement of the warranty.</p> <p>Language 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</p> |
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| | | <p>g. Certificate of Compliance that all suppliers and subcontractors have been paid;</p> <p>h. Payment in full for municipal billings associated with the subdivision agreement; and</p> <p>i. A deposit as required by AMC 24.20.040.D. to cover administrative and inspection costs during the warranty period.</p> <p>6. When all deficiencies in the work have been corrected and all items listed in paragraph 3 have been submitted, reviewed and accepted, the project shall be eligible to be placed on warranty.</p> <p>7. The municipality shall release the obligation for performance guarantees upon the acceptance of the improvements for warranty, together with the posting of adequate security for warranty.</p> <p>8. The municipality may refuse to release the obligation for any particular public improvement if the subdivider or contractor is in present or imminent default in whole or in part on the completion of any public improvement or warranty covered by the subdivision agreement.</p> <p>9. No later than sixty (60) days prior to the expiration of the warranty period, the municipality shall provide a list of deficiencies needing correction, if any. If no deficiencies have</p> | <p>period.</p> |
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| | | been noted by that time which have not been corrected, the project shall go off warranty and the municipality shall release any security being held for warranty within sixty (60) days after the expiration of the warranty period. “ | |
| | | NOTE---THIS CHAPTER REFERS TO THE DESIGN CRITERIA MANUAL (DCM). PZC BELIEVES THE DCM IS A FORM OF REGULATION AND AS SUCH SHOULD BE SUBMITTED TO THE ASSEMBLY FOR APPROVAL. PZC RECOMMENDS THAT PROCEDURES BE IMPLEMENTED TO ADDRESS HOW AND WHEN CHANGES TO THE DCM ARE MADE. PZC RECOMMENDS THAT THE DCM BE UPDATED EVERY TWO YEARS WITH PUBLIC INPUT AND PARTICIPATION. | |

EXCEPT FOR THE CHANGES PROPOSED HEREIN, THE PLANNING AND ZONING COMMISSION RECOMMENDS APPROVAL OF THE PROVISIONALLY ADOPTED CHAPTER 8 WITH THE 2011 ADMINISTRATION PROPOSED AMENDMENTS AND THE 2010 PZC PROPOSED AMENDMENTS. ATTACHED HERETO IS A REDLINED/BLUELINED VERSION OF CHAPTER 8 WHICH REFLECTS THE ADMINISTRATION AMENDMENTS IN RED INK AND THE PZC'S AMENDMENTS IN BLUE INK.

| Section | Amendment | Purpose/Origin/Notes | |
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| | <p>adequate sight distance and safety and as prescribed in the municipal driveway standards.</p> <p>i. <u>Residential uses</u> Residential driveway entrances shall comply with subsection 21.07.110H.3., <i>Driveway Width</i>.</p> <p>ii. <u>Non-residential uses</u> <u>The total width of driveway entrances to a non-residential lot from a street shall not exceed 40 percent of the frontage of the lot, or 33 percent of the frontage if the platting authority or traffic engineer finds that conditions warrant it, unless the applicant provides for snow storage in a manner approved by the decision making body.</u></p> | <p>This amendment corrects an oversight in the provisionally adopted title 21. It ensures that current regulations for non-residential uses carry over to the new title 21.</p> | |
| 89. | <p>21.07.110H.4 .b.*</p> <p>b. In situations where a group of lots front[ING] <u>an entire block</u> on one side of a street between two intersections, abut a mid-block alley, and are being developed together, then parking access to the structures shall be from the alley, and the <u>building(s) may encroach into the front setback by up to five feet. [MAY BE REDUCED TO 10 FEET.]</u></p> | <p>Rather than reducing the setback for this specific situation, which could have ramifications for other things such as outbuildings, the provision is reworded to allow the building(s) to encroach into the setback. The effect is the same for the principal structure(s).</p> | |
| 90. | <p>21.07.130A.5 .j.ii., iii., and iv.*</p> <p>ii. <u>Peaked, arched, or other entrance</u> roof form;</p> <p>iii. <u>Transom or clerestory windows, along with double entry doors</u> or sidelight windows;</p> <p>iv. <u>Façade detail [ORNAMENTAL ARCHITECTURAL] features such as tilework, moldings, or lighting, integrated into the building design;</u> or</p> | <p>Amendments for clarity and consistency.</p> | |
| 91. | <p>21.07.130A.6 .f.*</p> <p>f. <u>Street-Facing [UPPER LEVEL] Windows</u> <u>Provide visual access windows and/or primary entrances on each street-facing building elevation (up to a maximum of two elevations) comprising at least 15 percent of the ground-floor wall area. An elevation that is more than 150 feet away from the facing street right-of-way shall be exempt, unless it is the only applicable elevation. Qualifying windows shall be no more than four feet above finished grade. [ELEVATIONS FACING STREETS AND RESIDENTIALLY ZONED LOTS SHALL PROVIDE WINDOWS ALONG 35 PERCENT OF EACH UPPER FLOOR FAÇADE. FOR THE PURPOSES OF THIS SECTION ONLY, FLOORS SHALL BE CONSIDERED 15 FOOT INCREMENTS IN HEIGHT, AND ROOFTOP MECHANICAL PENTHOUSES ARE EXEMPT.]</u></p> | <p>To make the requirement simpler, clearer, more practical, and more consistent with the provisionally adopted standards for other kinds of commercial development.</p> | |
| 92. | <p>21.08.030F.7 .a.*</p> <p>a. The subdivider shall provide names for all new streets in the subdivision, which names shall neither duplicate, nor be subject to confusion with, the spelling or the pronunciation of any existing street name in the municipality. The subdivider's selection of street names shall be subject to review by the director, who may reject any proposed street name that does not conform to this section or to any regulation promulgated pursuant to this section. The</p> | <p>Clarification based on existing policy.</p> | ACCEPT |

* = Some of the proposed amendments #1 – 106 have been available for public review since May 2010. These are marked with an asterisk*.

† = Amendments numbered R1 through R29 were already recommended for approval by PZC through two cases in the first quarter of 2010.

| Section | Amendment | Purpose/Origin/Notes |
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| | <p>municipality shall name all streets that are peripheral to the subdivision and all extensions of existing streets into the subdivision. [WHERE A NEW STREET EXTENDS OR CONTINUES AN EXISTING STREET, THE NAME OF THE EXISTING STREET SHALL BE USED FOR THE NEW STREET.]</p> | |
| 93. | <p>21.08.030H.2 .d.* d. A summary of field exploration methods and tests on which the report is based, such as probings, core drilling, [BOREHOLE PHOTOGRAPHY,] or test pits.</p> | <p>Plan reviewers in Development Services Division were unfamiliar with borehole photography.</p> |
| R27† | <p>21.08.030H.6 . 6. Sidewalks/Pathways [TRAILS] [ANY R]Requirements for sidewalks or pathways [TRAILS] along local streets [ROADS] may be reduced or eliminated [LIMITED,] by the platting authority[. TO PROVIDING A SIDEWALK/TRAIL ON ONE SIDE OF THE ROAD ONLY. IN SUCH CASE, THE SIDEWALK/TRAIL SHALL BE A MINIMUM OF 6 FEET WIDE AND SEPARATED FROM THE ROAD.] <u>In deciding the extent of pedestrian facilities to be required, the platting authority shall consider negative impacts to the terrain and the possibility of alternate locations for pedestrian facilities.</u></p> | <p>Approved by PZC in 2010</p> |
| R28† | <p>21.08.030H.8 . 8. Vehicular Routes <u>The intent of this subsection is to minimize disturbance to the natural landscape in the alpine areas of the municipality by limiting disturbed area(s) for roadway construction to the dedicated right-of-way, and that where the final constructed road embankment cannot be constructed within the right-of-way, that structural solutions, but not embankment cut and fill limits, may extend not more than 15 feet beyond the right-of-way in dedicated slope easement(s).</u></p> <p>a. <u>Streets, roads, private access roads, and other vehicular routes shall generally follow natural contour lines, and shall be designed in accordance with the <i>Design Criteria Manual</i> and this subsection.</u></p> <p>b. <u>Land disturbance, including vegetation clearing and grubbing, grading, etc., shall be curtailed to the smallest area/extent possible.</u></p> <p>i. <u>Initial land disturbance shall be limited to the proposed travel-way (lanes and shoulders) to accommodate land survey, geotechnical investigation of the in situ materials, and “rough” construction.</u></p> <p>ii. <u>The ultimate extent of land disturbance shall be dependent upon the nature of the subsurface materials. The extent of disturbance shall be the minimum necessary and shall be limited to the right-of-way, except that the municipal engineer may allow disturbance to extend 15 feet beyond the right-of-way on each side with demonstrated justification, easement permissions, and notifications. Construction of improvements up to 15 feet outside the right-of-way is for the purpose of constructing structural solutions and not to widen the roadway embankment’s footprint.</u></p> | <p>Approved by PZC in 2010</p> |

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| Section | Amendment | Purpose/Origin/Notes | |
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| | <p>iii. <u>The subdivision agreement shall be used to implement this subsection H.8.</u></p> <p>d. <u>Disturbed area within the 15 feet abutting the right-of-way on both sides shall be a slope easement, for the purpose of providing and maintaining the lateral support of the constructed street.</u></p> <p>e. <u>Cut and fill slopes and all disturbed areas shall be stabilized and reinforced using the most appropriate engineering means. Vertical or near vertical constructed retaining walls 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. Any vegetation employed as a means of stabilization shall replicate original native landscape conditions.</u></p> <p>f. <u>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.</u></p> | | |
| 94. | <p>21.08.030I.4.* The platting authority may reject a proposed subdivision in its entirety if the geotechnical investigation does not demonstrate that the area can be developed in accordance with <u>this title and AMC title 23.</u></p> | | ACCEPT |
| 95. | <p>21.08.030M.2. [2. IF A LANDSCAPING EASEMENT IS REQUIRED, NO MORE THAN 50 PERCENT OF SUCH EASEMENT SHALL COINCIDE WITH ANY UTILITY EASEMENT, PER THE REQUIREMENTS OF 21.07.080G.2.C., UNLESS THE UTILITIES ARE INSTALLED IN A CONDUIT OR UTILIDOR OF SUFFICIENT SIZE TO REDUCE THE RISK OF LAND DISTURBANCE IF REPAIRING, REPLACING, OR UPGRADING UTILITY LINES, IN WHICH CASE THE LANDSCAPING EASEMENT AND THE UTILITY EASEMENT MAY COINCIDE COMPLETELY.]</p> | Economic Impact Analysis (EIA) testing showed this provision to be unfeasible. | DON'T ACCEPT |

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| Section | Amendment | Purpose/Origin/Notes | | | | | | | | | | |
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| 96. | <p>21.08.050E. Table 21.08-7</p> <table border="1" data-bbox="639 224 1572 735"> <thead> <tr> <th data-bbox="639 224 1236 410">Residential Use Type HOUSING TYPE</th> <th data-bbox="1236 224 1572 410">Number of Spaces Per Unit</th> </tr> </thead> <tbody> <tr> <td data-bbox="639 410 1236 467">Dwelling, single-family detached</td> <td data-bbox="1236 410 1572 467">1.0[1.5]</td> </tr> <tr> <td data-bbox="639 467 1236 540">Dwelling, single-family attached or two-family [(1 TO 4 UNITS)]</td> <td data-bbox="1236 467 1572 540">0.5[1.0]</td> </tr> <tr> <td data-bbox="639 540 1236 597">Dwelling, townhouse</td> <td data-bbox="1236 540 1572 597">0.25</td> </tr> <tr> <td data-bbox="639 597 1236 735">Dwelling, multiple-family (including multiple-family dwellings with single-family, two-family, or townhouse-style construction) [(EXCEEDING 4 UNITS)]</td> <td data-bbox="1236 597 1572 735">None[0.5] (Instead subject to guest space requirements of Table 21.07-5)</td> </tr> </tbody> </table> | Residential Use Type 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, townhouse | 0.25 | Dwelling, multiple-family (including multiple-family dwellings with single-family, two-family, or townhouse-style construction) [(EXCEEDING 4 UNITS)] | None [0.5] (Instead subject to guest space requirements of Table 21.07-5) | <p>Amendment to coordinate this section with the residential guest parking space requirements in the Chapter 21.07 off-street parking section, and to update the terms used in this table to be consistent with the rest of the Title 21 rewrite.</p> <p>These changes would help to avoid a development being required to provide both spillover parking spaces and guest parking spaces.</p> <p>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.</p> |
| Residential Use Type 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, townhouse | 0.25 | | | | | | | | | | | |
| Dwelling, multiple-family (including multiple-family dwellings with single-family, two-family, or townhouse-style construction) [(EXCEEDING 4 UNITS)] | None [0.5] (Instead subject to guest space requirements of Table 21.07-5) | | | | | | | | | | | |
| 97. | <p>21.09.040B.2 .a.*</p> <p><i>Add new a.iii. as follows:</i></p> <p><u>iii. District-Specific Standard</u></p> <p><u>More than one principal structure may be allowed on any lot or tract by administrative site plan review. No portion of any structure may be closer than 10 feet to any portion of any other structure.</u></p> | <p>These amendments clarify whether or not multiple principal structures are allowed in the various Girdwood zoning districts. This issue has come up since the Girdwood chapter was adopted in 2005.</p> | | | | | | | | | | |
| 98. | <p>21.09.040B.2 .b.*</p> <p><i>Amend b.iii. as follows:</i></p> <p><u>iii. District-Specific Standards</u></p> <p><u>(A). Nonresidential uses may be allowed as provided in table 21.09.050-1, but shall be allowed only on central sewer, not septic systems.</u></p> <p><u>(B). Only one principal structure is allowed on any lot or tract.</u></p> | <p>These amendments clarify whether or not multiple principal structures are allowed in the various Girdwood zoning districts. This issue has come up since the Girdwood chapter was adopted in 2005.</p> | | | | | | | | | | |
| 99. | <p>21.09.040B.2 .c.*</p> <p><i>Amend c.iv. as follows:</i></p> <p><u>iv. District-Specific Standards</u></p> <p><u>(A). In spite of section 3.a. below, commercial vehicles, shipping containers, construction equipment, and the</u></p> | <p>These amendments clarify whether or not multiple principal structures are allowed in the various Girdwood zoning districts. This issue has come up since the Girdwood chapter was adopted in 2005.</p> | | | | | | | | | | |

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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.

C. Application of 21.08 Standards

The standards and requirements of this chapter (21.08) shall govern in the event of a conflict between the comprehensive plan and this title.

21.08.020 APPLICABILITY

A. Generally

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

B. Approvals Required

1. General

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

2. Before Certificate of Zoning Compliance

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

C. Design Criteria Manual

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

21.08.030 DESIGN STANDARDS

A. Subdivision Layout and Design Generally

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

1. Name of Subdivision

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

2. Compliance with Comprehensive Plan

The design of subdivisions shall further the goals and policies of the comprehensive plans as set forth in this title.

3. Compliance with Other Provisions of this Title

All subdivisions shall comply with all other applicable zoning, design, and development requirements set forth in this title.

B. Phasing Schedule

The platting authority may require that a subdivision conform to a phasing schedule based upon the scheduled availability of infrastructure to serve the subdivision. Submittals for the initial phase of a subdivision shall indicate utility easements and transportation connections to adjacent and undeveloped land/areas that are not part of the initial phase yet are under the same ownership. For multi-phase projects, all phases of the project may be developed utilizing the provisions of this Code as they existed at the time of approval of the first phase or may, at the election of the developer, utilize the provisions of the Code applicable at the time of development of the additional phase or phases.

C. Maintenance of Existing Natural Drainage

The general lot configuration and layout of proposed rights of way, open space tracts, and development setbacks shall be consistent with naturally occurring drainage features and historical drainage patterns within the subdivision and surrounding areas. The subdivider shall demonstrate to the department of public works [PROJECT MANAGEMENT AND ENGINEERING] that reasonable efforts have been made to avoid and/or mitigate the damming, diversion, and/or contamination of natural and historical drainageways or watercourses. The subdivision design shall ensure that neighboring parcels, adjacent rights of way, water bodies, wetlands, and existing storm drainage facilities are not adversely impacted by new or altered drainage resulting from the development.

D. Drainage Design

All drainage facilities shall comply with the standards of section 21.07.040, *Drainage, Erosion and Sediment Control, Storm Water Runoff, and Prohibited Discharges*, as implemented by the *Design Criteria Manual*.

E. Legal and Physical Access

A subdivision shall have legal and physical access.

F. Streets

All streets shall comply with the standards of this chapter and section 21.07.060, *Transportation and Connectivity*, the specifications of the *Design Criteria Manual*, and the following intent and standards:

1. Intent

Streets shall be arranged in relation to topography to provide usable lots, safe streets, safe and convenient pedestrian walkways and crossings, reasonable gradients, and minimum damage to terrain and existing vegetation.

- 1 **2. Private Streets**
2 Private Streets shall be allowed in subdivisions if the subdivision has a recorded
3 declaration which provides for a homeowner's association to maintain and repair the
4 streets and a note is placed on the plat referencing the declaration.
- 5 **3. Street Grades**
6 **a.** Except as provided in this section, cul-de-sac turnaround grades shall not exceed
7 five percent, and other street grades shall not exceed ten percent.
- 8 **b.** Notwithstanding subsection 2.a. above, residential street grades in a subdivision
9 may be up to 15 percent. However, any street grade exceeding ten percent
10 requires municipal engineer approval. [DESIGN OF GRADES IN EXCESS OF
11 TEN PERCENT IS GOVERNED BY THE *DESIGN CRITERIA MANUAL* (DCM).]
- 12 **c.** Applicable streets shall comply with the standards of subsection 21.08.030H.,
13 *Subdivisions on Slopes.*
- 14 **4. Street Alignment**
15 **a.** Arterial and collector streets shall be aligned to continue those streets from
16 adjoining areas into the proposed subdivision. Local streets shall be aligned to
17 discourage their use by through traffic. This provision is not intended to
18 encourage cul-de-sacs or dead-end streets. Stub streets with temporary
19 turnaround areas shall be extended to the boundaries of the proposed
20 subdivision, where appropriate, to provide future street connections to adjacent
21 unsubdivided areas.
- 22 **b.** Grade or median separations of street lanes may be permitted to preserve
23 natural features, provide space for landscaping, or facilitate access in
24 subdivisions containing hillside lots.
- 25 **5. Street Intersections**
26 Streets shall intersect at or as near as is feasible to a 90-degree angle and in no event at
27 less than a 75-degree angle. The distance between intersection centerlines shall be at
28 least 150 feet. Corner roundings at intersections shall conform to the standards of the
29 municipal engineer.
- 30 **6. Cul-de-Sacs**
31 **a.** Where topography and traffic circulation permit, the length of a cul-de-sac right-
32 of-way shall not exceed 900 feet in the R-6, R-8, R-9, R-10, and TA zoning
33 districts, and 600 feet in all other zoning districts. The platting authority may
34 approve longer cul-de-sacs when necessary to accommodate natural features.
- 35 **b.** The length shall be measured from the centerline of intersecting through streets
36 to the radius point of the cul-de-sac bulb.
- 37 **c.** A cul-de-sac right-of-way shall terminate with a turnaround having a minimum
38 radius of 50 feet and a minimum return radius of 50 feet. Commercial/industrial
39 cul-de-sacs shall have a minimum radius of 65 feet. The platting authority may
40 permit a cul-de-sac street to terminate with a T-shaped or Y-shaped turnaround,
41 or other turnaround approved by the traffic engineer, when such a design is
42 required by extreme environmental or topographical conditions or unusually or
43 irregularly shaped boundaries.
- 44 **d.** Sidewalks, walkways, pathways and trails shall not be required in cul-de-sacs.
- 45 **7. Alleys**
46 Dead-end alleys shall be prohibited. Driveways on lot frontage where there are alleys are
47 prohibited.

- 1 **8. Street Names and Addresses**
2 **a.** The subdivider shall provide names for all new streets in the subdivision, which
3 names shall neither duplicate, nor be subject to confusion with, the spelling or the
4 pronunciation of any existing street name in the municipality. The subdivider's
5 selection of street names shall be subject to review by the director, who may
6 reject any proposed street name that does not conform to this section or to any
7 regulation promulgated pursuant to this section. The municipality shall name all
8 streets that are peripheral to the subdivision and all extensions of existing streets
9 into the subdivision. ~~Where a new street extends or continues an existing street,~~
10 ~~the name of the existing street shall be used for the new street.~~
- 11 **b.** The director may promulgate regulations establishing a uniform street
12 designation terminology. All street names shall conform to the terminology so
13 established.
- 14 **c.** Street names may be modified using the procedure adopted by the director,
15 which shall be approved by the platting board.
- 16 **9. Street Addresses**
17 **a.** The director shall assign all official street address numbers within the
18 municipality. A permanent address shall be assigned to occupiable buildings,
19 and to other locations at the discretion of the director. Buildings with more than
20 one unit shall be assigned sub-addresses. Addresses shall be displayed as
21 required in section 21.07.010C.
- 22 **b.** The director may promulgate regulations establishing uniform street address
23 numbering technology and procedures. All street addresses shall conform to the
24 numbering technology and procedures adopted by regulation, unless unusual or
25 exceptional circumstances warrant utilization of alternate technology or
26 procedures.
- 27 **G. Block Arrangement**
28 **1.** Blocks shall have sufficient width to provide for two tiers of lots of depth meeting the
29 minimum requirements of this title, except where lots back onto a collector or greater
30 street, natural feature, or subdivision boundary, or where lots face an approved loop road
31 or cul-de-sac.
- 32 **2.** Residential blocks in class A improvement areas (as defined in 21.08.050B) shall not be
33 less than 300 feet nor more than 500 feet long. Residential blocks in class B
34 improvement areas shall not be less than 300 feet nor more than 1,320 feet long. The
35 platting authority may approve a longer block length when necessary to accommodate
36 natural features such as steep slopes, or when the longer block is divided by an improved
37 pedestrian easement that provides connectivity and traffic circulation is not impaired.
- 38 **H. Subdivisions on Slopes**
39 **1. Applicability**
40 This section applies to parcels to be subdivided that are five acres or more, and
- 41 **a.** Have an average slope of 20 percent or greater over the entire property; or
- 42 **b.** 30 percent [%] of the area to be subdivided has slopes of 30 percent [%] or
43 greater.
- 44 **c.** The slope percentages provided herein do not apply to an individual lot.

1 **2. Additional Submittal Requirements**

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

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

9 **b.** Slope stability analysis: conclusions concerning the effects of material addition
10 and/or removal, grading, presence of water (both on and offsite), seismic activity,
11 and erosion, on slope stability.

12 **c.** Conclusions regarding the adequacy of the site for development, and specific
13 recommendations for procedures for cut and fill slope stability, seepage and
14 drainage control, grading, and all other applicable design criteria to mitigate
15 geologic hazards, slope failure, and soil erosion, and to minimize disturbance to
16 natural ecological and drainage functions.

17 **d.** A summary of field exploration methods and tests on which the report is based,
18 such as probings, core drilling, ~~borehole photography~~, or test pits.

19 **3. Design Standards**

20 **a.** For phases of subdivisions where all the lots created are 40,000 square feet or
21 greater in area, the subdivider shall show for each lot that has an average slope
22 of 20 percent or greater, to the satisfaction of the platting authority, a **site**
23 **disturbance** [BUILDING] envelope that:

24 **i.** Meets the requirements of subsection 21.07.020C.3.b.; and

25 **ii.** If applicable, accommodates on-site systems meeting the requirements
26 of AMC title 15.

27 **b.** Phases of subdivisions that include any lots less than 40,000 square feet in area
28 ~~shall~~ **may** use the conservation subdivision process at section 21.08.070.

29 **4. ROW Reductions**

30 The platting authority may, with the recommendation of the municipal engineer, approve
31 reductions in right-of-way standards in order to keep grading and cut and fill slopes to a
32 minimum.

33 **5. Downslope Lots**

34 Road/driveway access to all lots less than 5 acres with an average slope of 30 **percent**
35 [%] or greater shall be from the upslope side of the lot.

36 **6. Sidewalks/Pathways [TRAILS]**

37 ~~Any r~~ Requirements for sidewalks or **pathways [TRAILS] along local streets** ~~roads may be~~
38 ~~reduced or eliminated~~ **limited**, by the platting authority, ~~to providing a sidewalk/pathway~~
39 ~~[TRAIL] on one side of the road only. In such case, the sidewalk/pathway [TRAIL] shall~~
40 ~~be a minimum of 6 feet wide and separated from the road. In deciding the extent of~~
41 ~~pedestrian facilities to be required, the platting authority shall consider negative impacts~~
42 ~~to the terrain, the cost of improvements in relation to the anticipated use, and the~~
43 ~~possibility of alternate locations for pedestrian facilities.~~ **possibility of alternate locations for pedestrian facilities.**

44 **7. Grading**

45 For phases of subdivisions where all the lots created are 40,000 square feet or greater in
46 area, grading shall be limited to the road right-of-way to the maximum extent feasible.

1 Mass grading of the entire subdivision is prohibited, unless authorized by the Platting
2 Board and except that previously disturbed areas, such as former gravel pits, may be
3 graded. Lots shall be individually graded, within their site disturbance [BUILDING]
4 envelope, at the time of building construction, pursuant to section 21.07.020C. For the
5 purposes of this subsection only, "previously disturbed" means alteration of the natural
6 landform. It does not mean simply the removal of vegetation.

7 **8. Vehicular Routes**

8 ~~[RESERVED] The intent of this subsection is to minimize disturbance to the natural~~
9 ~~landscape in the alpine areas of the municipality by limiting disturbed area(s) for roadway~~
10 ~~construction to the dedicated right-of-way, and that where the final constructed road~~
11 ~~embankment cannot be constructed within the right-of-way, that structural solutions, but~~
12 ~~not embankment cut and fill limits, may extend not more than 15 feet beyond the right-of-~~
13 ~~way in dedicated slope easement(s)~~

14 ~~a. Streets, roads, private access roads, and other vehicular routes shall generally~~
15 ~~follow natural contour lines, and shall be designed in accordance with the Design~~
16 ~~Criteria Manual and this subsection.~~

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

19 ~~i. Initial land disturbance shall be limited to the proposed travel way (lanes~~
20 ~~and shoulders) to accommodate land survey, geotechnical investigation~~
21 ~~of the in-situ materials, and "rough" construction.~~

22 ~~ii. The ultimate extent of land disturbance shall be dependent upon the~~
23 ~~nature of the subsurface materials. The extent of disturbance shall be~~
24 ~~the minimum necessary and shall be limited to the right-of-way, except~~
25 ~~that the municipal engineer may allow disturbance to extend 15 feet~~
26 ~~beyond the right-of-way on each side with demonstrated justification,~~
27 ~~easement permissions, and notifications. Construction of improvements~~
28 ~~up to 15 feet outside the right-of-way is for the purpose of constructing~~
29 ~~structural solutions and not to widen the roadway embankment's~~
30 ~~footprint.~~

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

33 ~~c. Disturbed area within the 15 feet abutting the right of way on both sides shall be~~
34 ~~a slope easement, for the purpose of providing and maintaining the lateral~~
35 ~~support of the constructed street.~~

36 ~~d. Cut and fill slopes and all disturbed areas shall be stabilized and reinforced using~~
37 ~~the most appropriate engineering means. Vertical or near vertical constructed~~
38 ~~retaining walls shall be no taller than 15 feet without an eight foot horizontal or~~
39 ~~near horizontal terrace. Vertical or near vertical surfaces that are formed from~~
40 ~~underlying rock need not be terraced. Any vegetation employed as a means of~~
41 ~~stabilization shall replicate original native landscape conditions.~~

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

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

2 1. ~~A geotechnical investigation shall be performed to evaluate the potential for seismic-~~
3 ~~induced ground failures across that portion of the subdivision within seismic zones 4 and~~
4 ~~5 of the municipality's Seismic-Induced Ground Failure mapping. The requirement for a~~
5 ~~geotechnical investigation shall apply to all zoning districts, unless otherwise waived by~~
6 ~~the platting authority.~~

7 A geotechnical investigation may, if required to insure public health and safety, be
8 required by the Platting Board, Geotechnical Commission or the Planning and Zoning
9 Commission in order to evaluate the potential for seismically induced ground failure
10 within seismic zones 4 and 5, as depicted in the MOA Seismic Induced Ground Failure
11 mapping. This report shall be prepared by a civil engineer licensed in the State of Alaska
12 and submitted to the authority requesting the study prior to authorization of an action
13 dependent on the results of the study. The scope of the geotechnical investigation shall
14 be determined by the Municipal Engineer or his designee.

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

20 3. The scope of geotechnical investigation shall include subsurface explorations (test
21 borings or excavations), laboratory testing, and engineering analysis to evaluate the
22 potential for, and potential magnitude of liquefaction, settlement, horizontal spreading,
23 and faulting, following methods conforming with the state-of-practice; and stability of
24 existing slopes, natural or man-made, following methods defined in AMC chapter 23.15,
25 section 1802.2.6, paragraph D. These evaluations shall be based on probabilistic ground
26 motion parameters corresponding to 475-year or greater return period.

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

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

32 **J. Avalanche Zones**

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

37 **K. Lot Dimensions**

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

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

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

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

- 1 4. Notwithstanding any other provision of this section, the width of the flagpole portion of a
2 flag-shaped lot shall be no less than:
- 3 a. Thirty feet when both public water and sewer systems are to serve such a
4 residential lot.
- 5 b. Forty feet when both public water and sewer systems are to serve such a
6 commercial or industrial lot.
- 7 c. Twenty-four feet when only a public water or a public sewer system is to serve
8 such a lot.
- 9 d. Twenty-four feet when the lot is located in the R-6, R-8, R-9, R-10 or TA districts
10 and will not be served by either the public water or the public sewer system.
- 11 5. The length of the flag pole portion of the lot shall not exceed 300 feet in the R-6, R-8, R-
12 9, R-10 or TA districts or 120 feet in all other districts, and all other measurements shall
13 be consistent with other sections of this title.
- 14 6. To the extent possible, side lot lines shall follow natural terrain and create building sites
15 that integrate into the natural terrain and minimize the need for fill and grading.
- 16 7. Lots tracted out for open space, well protection areas, or for undevelopable areas such
17 as wetlands, are exempt from these dimensional requirements and the dimensional
18 standards of chapter 21.06.

19 **L. Lot Frontage and Access**

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

34 **M. Landscaping**

- 35 1. The platting authority shall consider and require, where appropriate, landscaping and
36 screening under section 21.07.080, *Landscaping, Screening, and Fences* to separate
37 property from incompatible uses or structures, including but not limited to streets
38 designated for collector or greater capacity on the *Official Streets and Highways Plan*,
39 commercial, or industrial uses. The area containing the landscaping shall be shown as
40 an easement or open space area on the plat. The landscaping shall be installed before
41 final plat approval, or its installation shall be guaranteed under section 21.08.060,
42 *Subdivision Agreements*, or by other performance guarantees acceptable to the platting
43 authority. The landscaping shall be maintained by the property owner or designee.

- 1 2. If a landscaping easement is required, no more than 50 percent of such easement shall
2 coincide with any utility easement, per the requirements of 21.07.080G.2.c., unless the
3 utilities are installed in a conduit or utilidor of sufficient size to reduce the risk of land
4 disturbance if repairing, replacing, or upgrading utility lines, in which case the
5 landscaping easement and the utility easement may coincide completely.

6 **N. Reserve Strips**

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

8 **O. Electrical and Telecommunication Utilities**

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

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

- 14 1. The design standards in this chapter are minimum standards. The platting authority may
15 impose more restrictive standards when it finds they are necessary to conform the design
16 of a proposed subdivision to the approval criteria for subdivisions or to meet other
17 requirements set forth in this title.
- 18 2. When the platting authority finds that it is not feasible to conform the design of a
19 proposed subdivision to meet the approval criteria for subdivisions or other requirements
20 set forth in this title, the platting authority may reject a proposed subdivision in its entirety.

21 **21.08.040 DEDICATION**

22 **A. Streets**

- 23 1. All street rights-of-way shall be dedicated to the public.
- 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
44 protect pedestrians from hazardous traffic, or as required in section 21.07.060, *Transportation*
45 *and Connectivity*. The minimum width of a walkway dedication shall be 10 feet. The platting

1 authority may require a wider dedication for reasons of topography, project use, or construction
2 needs (if the walkway is to be paved).

3 **D. Trails**

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

10 **Other Access Providing Connectivity to Public Lands**

11 The platting authority may require dedication of an easement for access to Community Use
12 Areas, Natural Use Areas and Chugach State Park as identified in adopted municipal plans. If the
13 platting authority approves an alternate location for an easement as a substitute for an existing
14 easement, the existing unused easement shall be vacated, unless the property owner agrees
15 otherwise. The platting authority may modify the alignment, width, and scope of trail easements
16 as necessary to integrate trail and subdivision design.

17 **1. Access to Chugach State Park, Community Use Areas, and Natural Resource Use**
18 **Areas**

19 **a. Pedestrian**

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

35 The platting authority may require the dedication of a public pedestrian easement
36 or walkway for connectivity with a trail to or access to a large Community Use
37 Area or Natural Resources Use Area (as defined in the Anchorage Bowl Park,
38 Natural Resource, and Recreation Facility Plan or the Chugiak-Eagle River
39 Comprehensive Plan) and for trail connectivity or access to Chugach State Park
40 as identified in adopted municipal plans or the Chugach State Park Access
41 Inventory or successor plans. The platting authority may modify the alignment,
42 width, and scope of easements as necessary to integrate trail and subdivision
43 designs, so long as the resulting easements are of comparable gradient,
44 directness, and utility, and reflect the general locations and patterns of existing
45 public access routes. An acceptable pedestrian easement shall be at least 10
46 feet wide, centered on an existing, recognized, new, or relocated easement.

47 **b.** ~~The platting authority shall require the dedication of a vehicular right-of-way for~~
48 ~~public access to trails and parks access points as defined in an adopted plan. An~~
49 ~~acceptable vehicular right-of-way shall be a public street that is platted and~~
50 ~~dedicated in accordance with relevant provisions of this code~~
51

1 **Vehicular Right-Of-Way**

2 The platting authority shall require the dedication of a vehicular right-of-way for
3 public access to trails, parks or other public lands as defined in D.1.a that are
4 identified in an adopted municipal plan, or the Chugach State Park Access
5 Inventory or successor plans. An acceptable vehicular right-of-way shall be a
6 public use easement that is platted and dedicated in accordance with relevant
7 provisions of this code.

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

- 9 1. The platting authority shall require the dedication of riparian maintenance and protection
10 easements where a stream, water body, or wetland traverses or is adjacent to the
11 subdivision, in accordance with subsection 21.07.020B., *Stream, Water Body, and*
12 *Wetland Protection*.
- 13 2. The easement shall conform substantially to the line of the watercourse. The width of the
14 easement shall be that which the platting authority finds necessary to provide access to
15 widen, deepen, slope, improve, and maintain the stream, and to protect the stream and
16 adjacent property from soil erosion, flooding, water pollution, and destruction of fish and
17 wildlife habitat. At a minimum, the easement shall be the same as the applicable setback
18 required in the zoning district, as set forth in section 21.07.020B.4., *Buffer/Setback*
19 *Requirements*.
- 20 3. Section 21.07.020B., *Stream, Water Body, and Wetland Protection*, sets forth additional
21 restrictions on development and the use of land and structures within the easement and,
22 in some districts, beyond the easement.
- 23 4. In cases where two or more easements coincide, the outer limits of the combined
24 easement shall be measured from the outer edge of the outermost watercourse edge in
25 either direction.
- 26 5. Credit towards other open space dedication or private open space set-aside
27 requirements shall be given for the dedication of riparian protection and maintenance
28 easements at a ratio of one-to-one.

29 **F. Reserve Tracts**

30 1. **Sites Designated**

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

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

43 2. **Time for Acquisition**

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

- 1 **b.** If a reserve tract is not acquired within such time, it shall be released from the
2 reserve tract designation, unless the time for acquisition is extended by the
3 reserve tract's owners, or by another provision of law.
- 4 **c.** In consideration of the reservation, the municipality shall pay the owners of the
5 reserve tract an amount equal to the municipal real property taxes that accrue on
6 the reserve tract, during the period of reservation.

7 **G. Utility Easements**

- 8 **1.** Public utilities shall be placed in dedicated rights-of-way unless the utility demonstrates
9 that there is a specific need that warrants a location elsewhere. Pad-mounted facilities
10 may be located in easements abutting rights-of-way. Electric and telecommunication
11 utilities are encouraged to co-locate in trenches.
- 12 **2.** In situations where utilities may not be placed within rights-of-way, easements shall be
13 provided for utilities, and shall be centered along or adjacent to lot lines to the greatest
14 extent practicable.
- 15 **3.** Where a utility has demonstrated, pursuant to G.1. above, the need to locate outside the
16 right-of-way, utility easements shall be sized as follows, but the platting authority may
17 approve different standards when justified by demonstrable site conditions or utility
18 needs. The platting authority shall size the easements as small as is feasible. After
19 effective date [DATE OF PASSAGE] utility easements shall not be placed in tracts set
20 aside to protect environmental features, such as wetlands or steep slopes.
- 21 **a.** Utility easements along rear lot or side lot lines where a primary voltage
22 conductor is placed shall be at least ten feet wide, or a total of 20 feet wide along
23 adjoining rear lots.
- 24 **b.** Utility easements along rear lot or side lot lines where a service voltage
25 conductor is placed shall be five feet wide, or a total of ten feet wide along
26 adjoining side lots.
- 27 **c.** Where a front yard easement is needed to accommodate a transmission utility,
28 which is included in the utility corridor plan, the easement shall generally be ten
29 feet wide.
- 30 **d.** The platting authority may require wider utility easements along the rear lot lines
31 of hillside lots.
- 32 **4.** The platting authority shall require the dedication of utility easements when a utility
33 company demonstrates a specific need for them or an easement is needed to
34 accommodate the routing included in the *Utility Corridor Plan*.

35 **21.08.050 IMPROVEMENTS**

36 **A. General Requirements**

37 **1. Compliance**

38 The subdivider shall construct and install improvements in accordance with this section,
39 the design standards in section 21.08.030, and the Design Criteria Manual and
40 Municipality of Anchorage Standard Specifications. [In the event of a conflict between the](#)
41 [design standards in this chapter, the Design Criteria Manual and the Municipality of](#)
42 [Anchorage Standard Specifications, the design standards in this chapter shall control.](#)

43 **2. Minimum Standards**

44 The improvement standards in this section are minimum standards. The platting
45 authority may require additional or more extensive improvements when it finds they are

necessary to conform a proposed subdivision to the standards of section 21.08.030, or the subdivider may provide such additional or more extensive improvements.

3. Eligibility for Warranty

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

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

i. All other improvements are accepted for warranty;

ii. Temporary erosion control is maintained throughout the winter;

iii. The warranty guarantee plus a performance guarantee for landscaping is provided;

iv. The subdivider/developer meets all of the criteria to go on warranty; and

v. A separate warranty period is provided for the landscaping/permanent erosion control.

4. Engineer Registered in the State of Alaska

a. The subdivider shall have construction plans for the improvements required under this section prepared by an engineer registered in the state of Alaska, in accordance with the requirements of the municipal engineer.

b. The engineer shall maintain in good standing professional liability insurance in the amount of \$1,000,000 during the term of the agreement. Policies written on a "claims-made" basis shall [MUST] have a two year tail of coverage from the completion of the subdivision agreement term. The required insurance policy shall provide for no less than 30 days advance notice to the municipality prior to cancellation.

B. Improvement Areas Defined

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

| TABLE 21.08-1: IMPROVEMENT AREAS DEFINED | | |
|--|---------|----------------------------------|
| District Type | Class A | Class B |
| Residential | R-1 | R-6 R-7 R-8 R-9 R-10 |
| | R-1A | |
| | R-2A | |
| | R-2D | |
| | R-2M | |
| Residential (cont.) | R-2F | |
| | R-3 | |
| | R-4 | |
| | R-4A | |
| | R-5 | |

| TABLE 21.08-1: IMPROVEMENT AREAS DEFINED | | |
|--|---|----------|
| District Type | Class A | Class B |
| 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 CMU RMU [MMU] | |
| Other Districts | A[D] | TA WS |
| AF District DR District PCD District PLI District PR District TR 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.

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| 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 |
| 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

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1. Residential interior streets shall provide for on-street parking unless the platting authority finds it is practical to substitute spillover parking for on-street parking in accordance with subsection 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

1 street without on-street parking under the following formula, using the maximum
 2 residential density permitted for the lot by its zoning district.

| Residential Use Type/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, townhouse | 0.25 |
| Dwelling, multiple-family (including multiple-family dwellings with single-family, two-family, or townhouse-style construction (exceeding 4 units)) | None 0.5 (Instead subject to quest space requirements of Table 21.07-5) |

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

5 **1. Access Streets**
 6 The platting authority may require access streets when it finds that they are necessary for
 7 the efficient flow of traffic or for emergency vehicle access. The platting authority shall
 8 determine the length of the access street that the subdivider shall improve. Access
 9 streets shall be improved in accordance with table 21.08-4.

10 **2. Peripheral Streets**
 11 **a.** The platting authority may require the improvement of peripheral streets when it
 12 finds that they are necessary for the efficient flow of traffic or for emergency
 13 vehicle access.
 14 **b.** Peripheral streets whose improvement is required under this subsection shall be
 15 improved in accordance with table 21.08-4, provided that peripheral streets used
 16 for access to individual lots shall be improved in accordance with tables 21.08-3
 17 and 21.08-5.

18 **3. Half Streets**
 19 The municipal engineer or the platting authority may require the improvement of a half
 20 street in the urban area to one-half of the street width specified in table 21.08-3, if
 21 underground utilities will be installed before street construction.

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

28 **H. Pedestrian Facilities**
 29 **1. Sidewalks**
 30 **a.** Sidewalks are required as determined by the transportation and connectivity
 31 standards in section 21.07.060.
 32 **b.** Sidewalks shall be improved in accordance with table 21.08-8 below.
 33 **c.** Sidewalks at bus stops shall comply with the specifications of the *Design Criteria*
 34 *Manual*.

- 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.
- 17 *[WHERE A TRAIL AND A SIDEWALK ARE CO-LOCATED, THE FACILITY SHALL BE*
- 18 *CONSTRUCTED ACCORDING TO THE SPECIFICATIONS FOR A TRAIL.]*
- 19
- 20 **5. Number of Streets, Walkways, Pathways and Trails**
- 21 Sidewalks or walkways shall not be required in urban areas on both sides of a street or
- 22 property. Pathways or trails should not be required in a rural area on both sides of a
- 23 property.
- 24

| 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 | | | | |

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

| Type of material | Minimum width | Separation from curb | Right-of-way | Notes |
|------------------|-----------------|----------------------|--------------|---|
| 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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I. Street Lighting

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

J. Traffic Control Devices

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

K. Monuments

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

L. Drainage System

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

1. No surface water drainage from the subdivision shall empty into a sanitary sewer; or directly, without treatment and energy dissipation, into a creek or stream channel.
2. The size, design, and construction of drainage structures shall conform to the *Design Criteria Manual*.
3. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, a storm water or drainage easement shall be provided that substantially conforms with the lines of such watercourse, plus additional width that is adequate and necessary to convey expected storm flows and/or storm water drainage facilities. Streets paralleling such easement may be required in connection therewith. Lakes, ponds, creeks, and similar areas will be accepted for maintenance by the municipality only if sufficient land is dedicated as a public recreation area or park or if such area constitutes a necessary part of the storm water drainage control system.
4. The municipality shall accept no responsibility to maintain any storm drainage structures, except for those lying within a municipal right-of-way, traversing municipally owned property, authorized by permit on state or federal land, or constructed in a publicly dedicated drainage easement of sufficient width to allow access.

1 5. The drainage system shall comply with the standards set forth in section 21.07.040,
2 *Drainage, Erosion and Sediment Control, Storm Water Runoff, and Prohibited*
3 *Discharges.*

4 6. Unless waived by the municipal engineer, footing drain stub-outs shall be provided for
5 each lot where there is a storm drain system.

6 **M. Telecommunication and Electric Facilities**

7 1. All new telecommunication and electric lines shall be installed in accordance with the
8 specifications of the municipality and the utility providing the service.

9 2. All new telecommunication and electric utility distribution lines, as defined in chapter
10 21.14, shall be placed underground:

11 a. As required by section 21.07.050, *Utility Distribution Facilities*; and

12 b. As required by the platting authority in areas with patterns of development similar
13 to those where section 21.07.050 requires that utility distribution lines be placed
14 underground.

15 **N. Water Supply Facilities**

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

17 a. If the platting authority requires that a subdivision be served by a public water
18 system, the subdivider shall install the system in accordance with the
19 requirements of the state department of environmental conservation and the
20 most current edition of the *Design Criteria for Sanitary Sewer and Water*
21 *Improvements* of the municipal water and wastewater utility.

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

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

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

30 b. If wells on individual lots are authorized, the subdivider need not install water
31 supply facilities. A well serving an individual lot shall conform to the
32 requirements of the municipal on-site water and wastewater program. A common
33 water system serving a portion of the subdivision shall not preclude individual
34 wells for the remaining lots.

35 c. If a common system is required, the subdivider shall install the system in
36 accordance with the requirements of the state department of environmental
37 conservation and the specifications of the municipal water and wastewater utility.

38 **O. Sanitary Sewer Facilities**

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

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

1 **b.** Where connection to public sanitary sewer systems is required, such systems
2 shall be dedicated to the municipality for operation and maintenance, thus
3 allowing for the orderly expansion of the municipality and its sanitary sewer
4 system, which protects the health of the citizens of the municipality.

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

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

9 **b.** If site conditions require a sewer system for the common use of lots in the
10 subdivision, the subdivider shall install such system in conformance with the
11 requirements of the state department of environmental conservation and the
12 municipal water and wastewater utility.

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

17 **P. Natural Gas Facilities**

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

20 **Q. Erosion and Sedimentation Control**

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

29 **R. Landscaping**

30 The subdivider shall be responsible for the provision of landscaping required under section
31 21.07.080, *Landscaping, Screening, and Fences*, except the tree provisions of subsection
32 21.07.080F.8., and it shall be installed by the subdivider or guaranteed under the provisions of
33 subsection 21.08.060E.

34 **21.08.060 SUBDIVISION AGREEMENTS**

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

36 **1. Agreement Required**

37 Before a final plat for a subdivision where improvements are required under section
38 21.08.050 is approved or filed, the subdivider shall enter into a subdivision agreement
39 with the municipality in accordance with this section.

40 **2. Application**

41 Application for a subdivision agreement shall be made to the department of **public works**
42 [PROJECT MANAGEMENT AND ENGINEERING]. The application shall include a copy
43 of the platting summary of action, a copy of the preliminary plat, a tentative schedule of
44 all proposed construction of public improvements and utilities, and an engineer's estimate
45 of the cost of each required public improvement. The engineer's estimate shall be based
46 on the schedule of prices for standard items for private development projects, published

1 by the municipal engineer. The municipality may require a showing of the subdivider's
2 financial responsibility.

3 **3. Contents**

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

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

33 **4. Exceptions**

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

38 **B. Approval by Assembly**

39 Approval by the assembly shall be required to enter into those subdivision agreements where
40 municipal participation in the cost of the required public improvements is estimated to be
41 \$30,000.00 or more.

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

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

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

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

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

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

- 45 1. **Administrative and Recording Costs Relating to Public Improvement Guaranties**
46 The subdivider shall pay 100 percent of all costs incurred in supplying and administering
47 any method of public improvement guarantee provided for in subsection 21.08.060.
- 48 2. **Inspection, Surveillance, and Testing**
49 a. The subdivider shall pay 100 percent of all costs relating to any inspection,
50 surveillance, and testing by the municipality, necessary for warranty acceptance

1 of any required public improvement or during the warranty period. Surveillance
2 shall be performed by the municipality during the course of construction and up
3 to the point of final acceptance of the completed project.

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

12 **3. Administration of Agreement**

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

15 **4. Arterial and Collector Streets**

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

23 **a. Interior Collector Streets**

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

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

- 30 **(A)** The street is programmed for improvement to the designated
31 standard in the six-year capital improvement program; and
32 **(B)** Sufficient funds (bonds, designated state grants, or mil-levy)
33 have been appropriated for reimbursement in the capital
34 improvement budget for the current fiscal year; or

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

- 36 **(A)** Construction to the designated standard is required by the
37 platting authority;
38 **(B)** Improvement to the designated standard is programmed in the
39 six-year capital improvement program; and
40 **(C)** Sufficient funds (bonds, designated state grants, or mil-levy)
41 have been appropriated for reimbursement in the capital
42 improvement budget for the current fiscal year.

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

1 **b. *Interior Arterial Streets***

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

10 **c. *Peripheral Streets***

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

22 **d. *Access Streets***

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

33 **5. Other Streets**

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

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

44 **b.** The subdivider provided the municipality with a sworn notarized statement setting
45 forth the distribution of the costs of salvageable improvements, which he utilized
46 for purposes of establishing lot price, for each lot within his subdivision to which
47 such costs were spread.

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

- 1 **6. Curbs, Sidewalks, and Walkways Adjacent to Streets**
2 The subdivider shall pay the cost of constructing curbs, and sidewalks and walkways
3 adjacent to streets, in the same manner as the cost of constructing the streets to which
4 they are adjacent as provided in subsections E.4.and 5.
- 5 **7. Sidewalks and Walkways not Adjacent to Streets**
6 The subdivider shall pay 100 percent of the cost of constructing all sidewalks and
7 walkways not adjacent to streets.
- 8 **8. Storm Drains, Inlets, and Manholes**
9 The subdivider shall pay 100 percent of the cost of storm drains, inlets, and manholes
10 necessary to serve the subdivision, provided that, within areas where the municipality
11 provides drainage maintenance, the municipality shall reimburse the subdivider those
12 costs attributable to oversizing required by the municipality. In those areas where the
13 municipality does not maintain drainage facilities, the subdivider shall pay all costs,
14 including those for any required oversizing.
- 15 **9. Water Improvements**
16 If the subdivision is to receive water service from a public utility, the subdivider shall
17 provide water facilities, including service connections to all lots, with cost participation as
18 provided in the current approved tariff of the utility. If the subdivision is to receive water
19 service from a community water system, the subdivider shall provide water facilities,
20 including service connections to all lots, and pay 100 percent of the cost of those
21 facilities.
- 22 **10. Sanitary Sewer Improvements**
23 The subdivider shall provide sanitary sewer facilities, including service connections to all
24 lots, with cost participation as provided in the current approved tariff of the municipal
25 sanitary sewer utility.
- 26 **11. Electrical and Telecommunication Facilities**
27 The subdivider shall provide electrical and telecommunication facilities with cost
28 participation as provided in the current approved tariffs of the applicable utility
29 companies.
- 30 **12. Deferred Utilities**
31 When paved street or sidewalk improvements are installed prior to placement of traffic
32 control devices and electrical and telecommunication cable placement, the subdivider
33 shall, at appropriate crossings as directed by the municipality, provide any necessary
34 underground conduit consistent with conduit size, type, and installations standards
35 provided by the utility.
- 36 **13. Street Lighting**
37 The subdivider shall pay the cost of street lighting apparatus in the same manner as the
38 cost of constructing the streets to which it is adjacent as provided in subsections E.4.and
39 5.
- 40 **14. Traffic Control Devices**
41 The subdivider shall pay 100 percent of the cost of traffic control devices. Traffic control
42 devices, except electric-operated traffic signals, shall be installed prior to any structure
43 being occupied in the subdivision.
- 44 **15. Landscaping**
45 The subdivider is responsible for required landscaping as stated in subsection
46 21.08.050S. Landscaping shall meet the standards of section 21.07.080, *Landscaping,*
47 *Screening, and Fences.*

1 **F. Subsequent Development Reimbursement**

2 [RESERVED]

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

4 **1. Guarantee Required**

5 To ensure the installation of required public improvements that are not accepted at the
6 time the final plat is filed, the subdivision agreement shall require the subdivider to
7 guarantee the completion of all such improvements by one or more of the methods
8 specified in this section. The means of a guarantee may be changed during the
9 guarantee period upon approval by the municipal engineer. The amount of the guarantee
10 shall be determined on the basis of the subdivider's cost estimate. The guarantee shall
11 remain in effect until warranty acceptance of the public improvements and the posting of
12 an acceptable security for the warranty period.

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

14 The engineer's cost estimate shall state the estimated cost of completion for each
15 required public improvement. Cost estimates for each required public improvement shall
16 [MUST] be approved by the department of public works [PROJECT MANAGEMENT AND
17 ENGINEERING]. For purposes of establishing the amount necessary for the guarantee
18 of completion of public improvements, a percentage for overrun allowance shall be added
19 to the total estimated cost of public improvements as follows:

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

20
21 **3. Methods**

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

24 **a. Performance Bond**

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

35 **b. Deposit in Escrow**

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

42 **i.** Funds of the escrow account shall be held in trust until released by the
43 municipality and may not be used or pledged by the subdivider as
44 security in any matter during that period other than payment for the
45 improvements.

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

5 c. **Letter of Credit**

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

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

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

19 H. **Release of Guarantee of Improvements**

20 1. Inspection will be made by the municipality prior to acceptance of the improvements for
21 warranty. The municipality shall have 14 days to complete the inspection and provide a
22 list of deficiencies, except that the ~~municipal engineer~~ building official may extend the 14
23 day period for unusual circumstances such as extreme weather, ~~for no more than 7 days.~~
24 The 14 day period shall begin on the day the municipality receives written notice from the
25 subdivider that ~~his or her~~ the subdivider's own comprehensive inspection has confirmed
26 that construction of all required improvements is complete, all applicable subdivision
27 agreement requirements are fulfilled and the project is ready for municipal inspection.
28 ~~Failure to complete the inspection within the timeframe set forth in this section constitute~~
29 acceptance of the improvements for warranty.

30 2. ~~When all listed deficiencies have been corrected~~ After the initial municipal inspection
31 provided for in subsection H.1. has been completed and all listed deficiencies noted in
32 the initial municipal inspection and provided in writing to the subdivider have been
33 corrected, the subdivider shall notify the municipality in writing and the municipality shall
34 perform a final inspection of the listed deficiencies within 7 days of receiving the
35 notification, except that the municipal engineer may extend the seven day period for
36 unusual circumstances such as extreme weather for no more than 7 days. ~~If the final~~
37 inspection reveals uncorrected listed deficiencies, this procedure shall be repeated.

38 3. ~~The municipality shall release the obligation for performance guarantees upon the~~
39 acceptance of the improvements for warranty, together with the posting of adequate
40 security for warranty. ~~If the final inspection reveals uncorrected listed deficiencies~~
41 identified in the initial inspection that were provided to the subdivider in writing prior to the
42 final inspection, this procedure shall be repeated until all deficiencies noted in the initial
43 inspection have been corrected. The warranty period shall begin after all the deficiencies
44 in the initial inspection have been corrected.

45 4. ~~The municipality may refuse to release the obligation for any particular public~~
46 improvement if the subdivider or contractor is in present or imminent default in whole or in
47 part on the completion of any public improvement or warranty covered by the subdivision
48 agreement. ~~Excepting any new deficiency or deficiencies resulting from the subdivider's~~
49 activities correcting the deficiency or deficiencies identified above, any new deficiencies
50 that were not discovered and identified in writing and delivered to the subdivider during

1 the initial inspection, but are found in any final or any continuing inspection, shall be
2 noted and corrected by the subdivider during the warranty period. However, these
3 deficiencies shall not delay the commencement of the warranty period.

4 5. In addition to correcting deficiencies in the work, and prior to being placed on warranty,
5 the subdivider shall also submit:

6 a. A complete record of the engineer's daily inspection reports;

7 b. Copies of test results;

8 c. Reproducible mylar record drawings of the facilities constructed;

9 d. Acceptance letters from electric and telephone utilities that all lots have service
10 available;

11 e. As applicable, acceptance letters from gas, water and wastewater utilities that all
12 lots have service available;

13 f. Certificate of Monumentation;

14 g. Certificate of Compliance that all suppliers and subcontractors have been paid;

15 h. Payment in full for municipal billings associated with the subdivision agreement;
16 and

17 i. A deposit as required by AMC 24.20.040.D. to cover administrative and
18 inspection costs during the warranty period.

19 6. When all deficiencies in the work have been corrected and all items listed in paragraph 3
20 have been submitted, reviewed and accepted, the project shall be eligible to be placed on
21 warranty

22 7. The municipality shall release the obligation for performance guarantees upon the
23 acceptance of the improvements for warranty, together with the posting of adequate
24 security for warranty.

25 8. The municipality may refuse to release the obligation for any particular public
26 improvement if the subdivider or contractor is in present or imminent default in whole or in
27 part on the completion of any public improvement or warranty covered by the subdivision
28 agreement.

29 9. No later than sixty (60) days prior to the expiration of the warranty period, the municipality
30 shall provide a list of deficiencies needing correction, if any. If no deficiencies have been
31 noted by that time which have not been corrected, the project shall go off warranty and
32 the municipality shall release any security being held for warranty within sixty (60) days
33 after the expiration of the warranty period.

34 **I. Improvement Warranty**

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

47 2. To secure the warranty:

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

11 **M. Agency Coordination**

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

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

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

19 **21.08.070 CONSERVATION SUBDIVISIONS**

20 **A. Purpose**

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

28 **B. Applicability**

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

32 **C. Conservation Design Process**

33 Conservation subdivisions shall be approved through the procedure set forth in section
34 21.03.200, *Subdivisions and Plats*.

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

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

- 39 **1.** The amount of any reduction in minimum lot size shall be used for common open space,
40 pursuant to F. below;
- 41 **2.** There shall be no more than one principal single-family structure per lot;
- 42 **3.** Front and rear setbacks interior to the subdivision are not less than half the depth
43 required by the underlying zoning district, but side setbacks are not less than the width
44 required by the underlying zoning district;

- 1 4. On any lot that is less than the minimum lot size of the underlying zoning district, the
2 principal structure shall have a maximum floor area ratio of not more than 0.5;
- 3 5. In class A improvement areas, street sections shall have vertical curbs;
- 4 6. Driveways shall have a maximum width of 14 feet at the curb;
- 5 7. Where on-street parking is allowed, a minimum 20 foot separation distance between the
6 curb returns of adjacent driveways shall be provided; and
- 7 8. Common open space with level 4 Screening landscaping shall be provided along any lot
8 line abutting a residential neighborhood where any adjoining lot is greater than 150% of
9 the average lot size along that lot line of the conservation subdivision. In class B areas
10 this abutting landscaped open space area shall be one hundred feet wide.

11 **E. Lot Coverage Allowed**

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

14 **F. Minimum Open Space**

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

27 **G. Dedication and Recording**

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

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

35
36