



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Meeting Agenda

City Council

Wednesday, May 7, 2025

5:30 PM

Council Chambers

Joint Work Session with Planning & Zoning Commission - Title 16

WORK SESSION AGENDA - 5:30 pm

Transcribed minutes are not taken for Work Sessions. Audio is available upon request.

1. [Title 16 Subdivision Code Revision Work Session 1](#)



Legislation Text

File #: 25-0205, **Version:** 1

ITEM TITLE:

Title 16 Subdivision Code Revision Work Session 1

SUBMITTED BY: Kate Huber, Community Development Director

FISCAL NOTES:

Expenditure Required: n/a

Unencumbered Balance: n/a

Funding Source: n/a

RECOMMENDATION:

n/a

SUMMARY STATEMENT:

The Community Development Department is working on a complete revision of Title 16, the subdivision ordinance. In collaboration with a team from R&M consultants, com dev staff will revise the code to bring it into conformance with Plan Valdez - the 2021 comprehensive plan and the newly revised Title 17 zoning code.

This work session is a joint work session of Valdez City Council and the Planning & Zoning Commission to meet the project team, review the existing Title 16 code, and discuss desired changes to improve the code and make it easier to interpret and implement.

Agenda:

- I. Introduction to the Subdivision Code and Revision Project
- II. Current Code Analysis and Guidance from Plan Valdez
- III. Feedback from City Council and Planning & Zoning

Attached for review is the existing Title 16 Subdivision ordinance and a technical memo dated 02/28/2025 that identifies areas of the code that need to be considered for amendment. Following the presentation, the project team hopes to hear feedback from the council members and commissioners regarding how the existing subdivision code is working (or not working) for the community and any areas that they would like to see amended.

**Title 16
SUBDIVISIONS**

Chapters:

[16.04 General Provisions](#)

[16.08 Preliminary Plats](#)

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Chapter 16.04 GENERAL PROVISIONS

Sections:

[16.04.010 Purpose—General standards for plat approval.](#)

[16.04.020 Definitions.](#)

[16.04.030 Applicability.](#)

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16.04.010 Purpose—General standards for plat approval.

The purpose of this title is to promote the public health, safety and general welfare of the residents of the city. These regulations are made with consideration, among other things, of the character of and conditions in Valdez with consideration to conserving the value of buildings and property, and providing the best possible conditions and safety for the people of Valdez.

- A. The platting authority may approve a preliminary or final plat only if it finds that the plat:
1. Conforms to the provisions of this title and other applicable city ordinances;
 2. Promotes the public health, safety and welfare;
 3. Mitigates the effects of incompatibilities between land uses or residential densities in the subdivision and the land uses and residential densities in the surrounding neighborhood, including, but not limited to visual, noise, traffic and environmental effects;
 4. Provides for the proper arrangement of streets in relation to existing or proposed streets;
 5. Provides for the efficient movement of vehicular and pedestrian traffic;
 6. Assures adequate and properly placed utilities;
 7. Provides access for emergency vehicles;
 8. Facilitates the orderly and efficient layout and use of land;

9. Furthers the goals and policies of the comprehensive development plan, the coastal management plan and other adopted city policies and plans.

B. The platting authority may impose conditions upon the approval of a preliminary or final plat that it finds necessary to conform the plat to the standards of this chapter. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-1)

16.04.020 Definitions.

A. For the purposes of this title, any word or term not interpreted or defined by this section shall be used with a meaning of common or standard utilization.

B. The following words and phrases shall have the meanings respectively ascribed to them by this section:

“Buildable area” means the area on a lot within all setback lines and easements which restrict building.

“City engineer” means the city engineer for the city of Valdez.

“Commission” means the planning and zoning commission of the city of Valdez.

“Director” means the director of the Valdez department of community development or designee.

“Plat” means the map prepared, as required by this title, for the purpose of recording subdivisions or other divisions of land as provided in this title.

“Platting authority” means the planning and zoning commission.

“Street” means a way for vehicular traffic.

1. “Major streets” are the roadways which serve as the principal arteries of through traffic movement. They are generally high speed highways with limited access.

2. “Collector streets” are those which carry traffic from minor streets to the system of major streets including the principal entrance streets of a residential development and streets for circulation within such a development.

3. “Minor streets” are those which are used primarily for access to the abutting properties.

The official Valdez street map showing official classifications is on file with the director.

“Snow storage” means land dedicated to the city for the storage of snow. The amount of snow storage required to be dedicated is equal to one square foot of snow storage for every square foot of constructed street area, including sidewalks, but not less than a minimum street width of thirty feet.

“Subdivider” means the owner or agent of the owner of land which is being divided pursuant to this chapter.

“Subdivision” means the division of a tract or parcel of land into two or more or other divisions irrespective of their size before or after division and further includes the dedication to public use of a street or other specified area in or through a tract of land. Subdivision is not limited only to the conveyance of title but includes contracts to convey title, leases of land for ten or more years and conveyance by a metes and bounds description.

1. “Major subdivision” is the creation of more than four lots.
2. “Minor subdivision” is the creation of four lots or less or meeting the other requirements of Section [16.08.070](#).

“Surveyor” means a land surveyor registered and licensed in the state of Alaska. (Ord. 05-11 § 1; Ord. 96-27 § 1 (part); Ord. 93-03 § 1 (part); prior code § 24-2)

16.04.030 Applicability.

A. 1. This title applies to, except as provided in subsection B of this section, all subdivisions or resubdivisions which result in the partitioning, dividing, combining or altering of any lot, parcel or tract of land, including subdivisions or resubdivisions created by an exercise of the power of eminent domain by an agency of the state or municipality.

2. No provision of this chapter applies to any lot or lots in a subdivision legally created and filed on record before the effective date of the provision, unless the lot or lots are further subdivided or resubdivided. Subdivisions given preliminary or final approval by the platting authority under regulations existing prior to this title shall comply only with the regulations existing at the time of that approval.

B. Waivers. In individual cases and in accord with AS 29.40.090 the commission may exempt a subdivision from the requirements of this chapter when it finds that:

1. Each parcel in the subdivision will have adequate physical and legal public access to a public highway or street; and
2. Each parcel in the subdivision is five acres in size or larger and that the land is divided into four or fewer parcels; and
3. The subdivision is not made for the purpose of, or in connection with, a present or projected subdivision development; and
4. No dedication of any classification of a street or other public area is involved or required. (Ord. 05-11 § 2; Ord. 96-27 § 1 (part); Ord. 93-03 § 1 (part); prior code § 24-3)

16.04.040 Sale of land prior to compliance with this title prohibited.

No owner or agent of the owner of land located within a subdivision shall transfer, sell, offer to sell, or enter into a contract to sell land in a subdivision before a plat of the subdivision has been prepared, approved and recorded in compliance with this title. Each sale of a lot or parcel in violation of this section shall be a separate offense. The city may enjoin a transfer or sale or agreement to sell, and may recover the penalty therefor by appropriate legal action. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-4)

16.04.050 Compliance with title required prior to issuance of permits.

No building or occupancy permit shall be issued for a new building on a lot which did not exist as a described and recorded parcel on February 8, 1965, or that was not created by recorded subdivision pursuant to state statute, or by a recorded plat pursuant to provisions of this title. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-5)

16.04.060 Variances.

When, in the judgment of the commission, it would be inappropriate to apply literally a provision of this title the commission may waive or vary such provisions so that substantial justice may be done and the public interest secured; provided, that in no event shall the requirement of filing and recording the plat or survey map be waived. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-6)

16.04.070 Appeals.

Any person may file an appeal to the commission on a decision of the director within thirty days of such decision. Any person may file an appeal to the city council on a decision of the commission within thirty days of such decision. An appeal to the city council will be in compliance with Section 17.12.140 of this code, except that the time period in Section 17.12.140(C) shall be thirty days and the report in Section 17.12.140(G) shall be prepared by the director if it is the director's decision being appealed. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-7)

16.04.080 Fees.

The council shall adopt by resolution a fee schedule for all actions, reviews and approval under this title. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-8)

16.04.090 Notification requirements.

A. A notice shall be sent by mail at least ten days prior to the first scheduled meeting of the planning and zoning commission to consider the preliminary plat approval to each owner of property within a distance of three hundred feet of the exterior boundary of the lot or parcel described in the application for subdivision.

B. Consideration of Evidence. The planning and zoning commission shall hear and consider evidence and facts from any person during preliminary and final plat approval or written communication from any person relative to the matter. The right of any person to present evidence

shall not be denied for the reason that any such person was not required to be informed of such subdivision of land. (Ord. 03-10)

Chapter 16.08 PRELIMINARY PLATS

Sections:

[16.08.010 Preliminary consultation.](#)

[16.08.020 Preliminary plat required.](#)

[16.08.030 Form and contents.](#)

[16.08.040 Review agencies.](#)

[16.08.050 Acceptance for review.](#)

[16.08.070 Preliminary plat approval.](#)

[16.08.080 Review by city engineer.](#)

16.08.010 Preliminary consultation.

A. The subdivider shall, before submitting the preliminary plat of a subdivision for review, meet with the director for preliminary consultation in order to ensure that the plat is acceptable for processing.

B. The following information shall be provided by the subdivider at the time of the preliminary consultation:

1. General. Information including data on existing covenants, land characteristics and available community facilities and utilities, and information describing the subdivision proposal such as number of residential lots, typical lot width and depth, business areas, playgrounds, park areas and other public areas, tree planting, proposed protective covenants and proposed utilities and street improvements.
2. Location Map. A location map showing the relationship of the proposed subdivision area and its location to existing community facilities which serve or would be influenced by it, and nearby subdivided areas.
3. Proposed Layout. A map showing a simple sketch of the proposed layout of streets, snow storage, lots and other features in relation to existing conditions. The map may be a freehand pencil sketch made directly on a print of the topographic survey. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-9)

16.08.020 Preliminary plat required.

Before submitting a final plat of a subdivision for approval for recording, the subdivider shall submit a preliminary plat for approval. The form and data required for preliminary plat submittal is designated under this chapter. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-10)

16.08.030 Form and contents.

The preliminary plat of a subdivision shall be clearly and legibly drawn. The subdivider shall submit one reproducible copy and thirteen copies for distribution. The size of the map shall not be less than twenty-four inches by thirty-six inches. The subdivider shall consult with the director to determine the map scale to be used. All attempts shall be made to draw the map of a subdivision containing six acres or less at a scale of one inch equals fifty feet. All other subdivisions shall be drawn at a scale of one inch equals one hundred feet, unless otherwise required by the director. The preliminary plat shall contain the following information:

- A. The date, scale and north point;
- B. The proposed subdivision name: which shall not be the same as the name of any plat previously recorded in the city;
- C. The name and address of the owner(s), the surveyor preparing the plat and the name, address and telephone number of a primary contact person;
- D. The location of the subdivision by township and range, section and meridian;
- E. A small scale vicinity map at a scale of not less than one inch to the mile of the section or government subdivision of the section in which the subdivision lies, with the location of the subdivision indicated thereon;
- F. Unless waived and made a condition of preliminary approval, the exact length and bearing of the exterior boundaries of the subdivision;
- G. The location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land;
- H. Zoning on and adjacent to the subdivision;
- I. Location, widths and names of all existing and platted streets, or other public ways and easements, and utility rights-of-way, parks, cemeteries, watercourses, drainage ditches, permanent buildings, bridges and other pertinent data as determined by the director;
- J. The water elevations of adjoining bays, lakes or streams at the date of the survey and the approximate mean high and mean low water elevations of such bays, lakes or streams;
- K. If the subdivision borders a bay, lake or stream, the distances and bearing on a meander line established not less than twenty feet back from the mean high water mark of the bay, lake or stream;
- L. Areas designated as wetlands by the U.S. Corps of Engineers or in adopted city plans or

studies;

M. The layout, width and approximate grades of all new streets and rights-of-way, such as highways, easements for sewers, water mains and other public utilities;

N. The direction and distance to the nearest water and sewer mains;

O. The approximate dimensions and areas of lots;

P. The proposed building area for each lot;

Q. The approximate radii of all curves and length of the tangent between curves;

R. The approximate location and area of property proposed to be dedicated for public use or to be reserved by deed covenant for use of all property owners in the subdivision with the conditions, if any, of such dedication or reservation;

S. Utility easements along rear lot lines shall be at least ten feet wide, or a total of twenty feet wide along adjoining rear lots. Utility easements along side lot lines shall be five feet wide, or a total of ten feet wide along adjoining side lots. Where a front-yard easement is needed to accommodate a transmission utility, the easement shall generally be ten feet wide. The platting authority may require wider utility easements along the rear lot lines of hillside lots. Whenever possible, utilities shall be placed in dedicated rights-of-way except where that placement conflicts with a city or state transportation project;

T. If the subdivision is proposed to be completed in several phases, the sequence of development must be indicated;

U. If after consultations with the director it is determined that the location of the proposed subdivision is such, the following information will be required to be included on the preliminary plat: areas known to be susceptible to geophysical hazards including but not limited to landslide, mud and earth flow, soil creep, soil liquification, avalanche chutes, run-outs, or wind blast shall be indicated. Subdivisions which include areas within the tidal wave run up zone as indicated on official city maps and adopted studies shall have these areas identified and labeled "not for human occupation, tidal wave run up area";

V. If the proposed subdivision is located on land that has a difference in elevation of greater than six percent, the following information shall be provided on the preliminary plat: contours at five-foot vertical intervals. All pertinent elevations should be shown and shall be based on the mean sea level. Where slope exceeds twelve percent, contour lines may be shown at a suitable interval not to exceed twenty feet. The area for which contour data is to be shown shall extend beyond the boundaries of the actual property being platted a distance which will adequately relate the plat to its surroundings. All vertical control shall be based upon mean high water as referenced by the

National Oceanic and Atmospheric Administration Port of Valdez, sixty-one degrees eight minutes north, one hundred forty-six degrees twenty-one minutes west, North American 1927 Datum. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-11)

16.08.040 Review agencies.

The commission may designate review agencies to aid in the examination of preliminary plats. Review agencies shall submit comments on the proposed subdivision in writing no later than three working days prior to the commission meeting on the preliminary plat. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-12)

16.08.050 Acceptance for review.

If the preliminary plat of a subdivision meets the requirements of this title the director shall accept or reject the preliminary plat for review within five working days of submittal by the subdivider. Any rejection must be in writing and state the reasons for rejection under this title. Following acceptance by the director for review by the commission of the preliminary plat of a subdivision, the plat shall be forwarded to review agencies and commission members for review. The director will retain one copy in the official file and make available copies to the public. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-13)

16.08.070 Preliminary plat approval.

A. Review by the Director. The director shall, within thirty days of the submission of the preliminary plat, review the preliminary plat for completeness. The subdivider shall be notified, in writing, of any items that need to be added or corrected prior to submission to the platting authority for review and approval.

B. Approval by the Commission. The commission shall, within sixty days of the acceptance by the director, approve, approve conditionally or reject the preliminary plat of a major subdivision. The subdivider shall be notified, in writing, of any conditions of approval or the reasons for rejection.

C. General.

1. Approval of the preliminary plat is the commission's preliminary approval of the layout shown by such plat. If the final plat conforms substantially to such layout and conditions of approval have been met, final approval can be sought pursuant to Chapter [16.12](#). Application for final approval must be completed and filed within twelve months of preliminary plat approval. The director may grant one twelve-month extension to this deadline after a written request and justification is submitted by the subdivider.

2. If the commission does not approve, disapprove or return the plat to the applicant within sixty days, the plat is considered approved and a certificate of approval shall be issued on demand. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-15)

16.08.080 Review by city engineer.

Following approval of the preliminary plat of a major subdivision; and prior to submittal of a final plat, the subdivider shall furnish to the city engineer for review and approval, the following engineering data pertaining to utilities and improvements required in the subdivision:

- A. Plans and profiles showing existing and established grades for all streets, public rights-of-way and snow storage areas;
- B. Plans and profiles of all storm sewers, culverts and surface water drainage facilities;
- C. Plans and profiles of all sanitary sewers, including one sanitary sewer lateral per lot to run to the lot lines;
- D. Plans and profiles of all water distribution lines including stop boxes and appurtenances including one water lateral per lot to run to the lot line;
- E. All other improvements required under Chapter [16.20](#) of this title. (Ord. 05-11 § 3; Ord. 96-27 § 1 (part); Ord. 93-03 § 1 (part); prior code § 24-16)

Chapter 16.12 FINAL PLATS

Sections:

[16.12.010 Submittal.](#)

[16.12.020 Form and contents.](#)

[16.12.030 Approval by the commission.](#)

16.12.010 Submittal.

A. In order to insure that the final plat of a subdivision is acceptable for processing, subdividers are encouraged to submit copies to the director of community development for checking prior to formal submittal. The final plat of a subdivision and thirteen copies thereof shall be submitted to the director of community development within twelve months of approval of the preliminary plat. If an approval of the preliminary plat must be obtained from another authority subsequent to approval by the commission, the final plat shall be submitted within sixteen months of approval of the preliminary plat. No approval shall be granted until it has been certified that there is no objection to the plat by any state or federal agency authorized to review.

B. Except for lot line adjustments, a title search showing all parties with a secured interest in the property shall be provided to the director. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-17)

16.12.020 Form and contents.

A. Form. A reproducible copy of the final plat drawn to scale with nonfading black ink on mylar material approved by the director.

The plat shall be at the scale approved by the platting authority at the time of the preliminary plat approval. The plat or plats shall be a sheet size of twenty-four inches by thirty-six inches, or thirty inches by forty-two inches as determined after consultation with the director, with a one and a one-half inch binder border at the left end of the longer sheet dimension and a one-half inch border along the other three edges. When multiple sheets are required, each must be numbered, be the same size, and show clearly labeled match lines. Match lines shall follow street centerlines or be otherwise located to avoid cutting lots or blocks in two.

B. Contents. The plats shall show all existing and established monuments and courses and distances necessary to restake any portion of the plat. The allowable error of closure shall not exceed one foot in fifteen thousand feet (1:15,000) and shall conform, in addition to the following, to the standards established by the American Land Title Association current standards for Class A surveys and the Alaska Society of Professional Land Surveyors Standards of Practice as amended.

The final plat shall show the following:

1. The boundary of the subdivided area showing clearly what stakes, monuments, or other evidence were found or established on the ground to determine the boundary of the subdivision;
2. Bearing and distance to all monuments used to locate the subdivision boundary;
3. The basis of bearing and its source shall be shown;
4. All monuments found shall be indicated. If the monuments were reset by ties, that fact shall be stated;
5. Within the subdivision, the plat shall show the following:
 - a. Centerlines of all streets:
 - i. Tangents, lengths and bearings,
 - ii. Curve radii of all curves, curve data which may be in tabular form and include central angles, lengths, radii, and arc and chord bearings,
 - iii. Central or deflection angles of all curves,
 - iv. Arc lengths of all curves,
 - b. Classification and total width of each street, walkway, trail or path being dedicated,
 - c. Classification and width of any existing dedication,
 - d. Width of portions of streets each side of the centerline,
 - e. Width of the following rights-of-way:
 - i. Patent reserves,
 - ii. Section line easements,
 - iii. Public utility easements,
 - iv. Any other easements existing or dedicated, by the plat,
 - f. All lot lines should, if possible, be radial to a curve. If not, they shall be labeled "not radial,"
 - g. Dimensions shall be in feet and hundredths of a foot,
 - h. Bearings shall be shown to the nearest five seconds;
6. The width of any existing dedication which provides access to the subdivision;
7. The width, bearing, and other data necessary to delineate all easements to which lots are

subject.

- a. Easements shall be denoted by broken lines,
- b. If an easement is not parallel to and adjoining the lot lines, distances and bearings on the side lines of the lots which are cut by the easements shall be shown so as to indicate clearly the actual length of the lot line from the lot corners to the easement;
8. All lots and blocks shall be numbered in a simple, consecutive, easy to follow manner;
9. Sufficient data shall be shown on lot and block boundaries to determine readily the length and bearing of each line;
10. No ditto marks shall be used;
11. The name of adjoining subdivisions and numbers of adjoining lots as well as adjoining easements and roads;
12. North arrow;
13. Three-inch bar scale;
14. Title block arranged in the lower right-hand corner which shall include the following:
 - a. Date survey was completed,
 - b. Subdivision name,
 - c. Surveyor's name, address, telephone number and registration number,
 - d. Draftperson's initials,
 - e. Checker's initials,
 - f. Legal description of the subdivision location,
 - g. Name of owner(s) of record;
15. The area of each lot in square footage to the nearest ten square feet or acres to three decimal places;
16. A vicinity map arranged in upper right-hand corner at a scale no smaller than one inch equals one mile, showing major street systems, section lines and north arrow;
17. A legend with appropriate symbols indicating pertinent information;
18. If the property lies within Flood Zone A the area shall be delineated and a note shall be

included on the plat, stating that “The property within Flood Zone A as identified by the Federal Emergency Management Agency shall be required to comply with Federal Regulations”;

19. If the property contains any other hazard areas these areas shall be delineated and noted as to hazard.

C. The director shall designate the certificates required for each plat.

1. Required certificates shall be printed on the plat in a form supplied by the director.

2. The certificate of ownership must be signed by all vested owners.

a. Other parties with a secured interest in the property to be subdivided or dedicated.

b. A standard form provided by the director may be signed and notarized, authorizing subdivision or dedication in place of signing the certificate on the plat.

c. Official seals of the attesting officers, of the land surveyor who prepared the plat and approval certificates from state agencies shall be placed on the plat. (Ord. 05-08 § 1; Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-18)

16.12.030 Approval by the commission.

The commission shall approve or reject the final plat of a subdivision within thirty days of its submittal, unless the time is extended by agreement with the subdivider. The subdivider shall certify the respects in which the final plat differs from the approved preliminary plat and all modifications made to meet the conditions of approval. Reasons for a rejection shall be stated in writing to the subdivider. The original approved plat will be filed by the city at the district recorder's office. The director will retain a reproducible copy on polyester and the subdivider shall provide a copy of the approved plat in DXF or ASCI II format compatible with the Valdez computer geographic information system. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-19)

Chapter 16.16 DESIGN STANDARDS

Sections:

[16.16.010 Conformance to standards generally.](#)

[16.16.020 Design—Lot layout.](#)

[16.16.030 Design—Lot dimensions.](#)

[16.16.040 Design—Lot lines.](#)

[16.16.050 Design—Lot frontage and access.](#)

[16.16.055 Design—Snow storage.](#)

[16.16.060 Design—Reserve strips.](#)

[16.16.070 Design—Hazardous areas.](#)

[16.16.080 Design—Phasing schedule.](#)

[16.16.090 Design—Block arrangement.](#)

[16.16.100 Streets—General design considerations.](#)

[16.16.110 Design—Street grades.](#)

[16.16.120 Design—Street alignment.](#)

[16.16.130 Design—Street intersections.](#)

[16.16.140 Design—Culs-de-sac.](#)

[16.16.150 Design—Street names.](#)

[16.16.160 Design—Street addresses.](#)

[16.16.170 Design—Geometric and profiles.](#)

[16.16.180 Engineering and design criteria.](#)

16.16.010 Conformance to standards generally.

A proposed subdivision design shall conform to the following standards:

- A. All applicable provisions of this code and any other ordinances of the city;
- B. The comprehensive development plan;

- C. The official map;
- D. The regulations of the State Department of Environmental Conservation relating to lot size and lot elevation if the subdivision is not served by a public sewer and provision for such service has not been made;
- E. The regulations of the State Department of Transportation and Public Facilities relating to safety of access and the preservation of the public interest and investment if the subdivision or any lot contained therein abuts on a state highway;
- F. The Valdez coastal management plan. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-20)

16.16.020 Design—Lot layout.

In areas served by municipal sewer and water the preferred lot layout is two tiers of lots on a cul-de-sac street with snow storage at the street end. Examples of the preferred development layout are available from the director. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-21)

16.16.030 Design—Lot dimensions.

- A. Subject to the lot dimension and area requirements in the zoning regulations, all lots shall have the minimum dimensions required by this section.
- B. The depth of a lot shall be at least one hundred feet.
- C. The width of a corner lot shall be a minimum of seventy-five feet. Corner lots shall be designed to permit full setback on both streets as required by the applicable zoning district requirements.
- D. The width of a lot shall be at least one-third the depth of the lot.
- E. Double frontage and reversed frontage lots shall be avoided, except where necessary to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
- F. Where lots are created of a size larger than the minimum for the area, the commission may require that the plat be so designed as to allow for the possible future re-subdivision of such lots into the minimum size required for the area.
- G. Notwithstanding any other provision of this section, the width of the flag pole portion of a flag shaped lot shall be no less than:
 - 1. Thirty feet when both public water and sewer systems are to serve such a residential lot;
 - 2. Forty feet when both public water and sewer systems are to serve such a commercial or industrial lot;

3. Twenty feet when only a public water or a public sewer system are to serve such a lot;
4. Twenty feet when the lot is located in a rural area and will not be served by either public water or public sewer systems. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-22)

16.16.040 Design—Lot lines.

To the extent feasible, side lot lines shall be perpendicular to straight streets and radial to curved streets. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-23)

16.16.050 Design—Lot frontage and access.

- A. All lots shall have frontage on a publicly dedicated street or navigable water.
- B. The front lot line of a residential lot shall not abut a major street and shall not face a lot zoned or used for industrial purposes, except that an exemption may be granted in rural areas where access is limited to such streets.
- C. The total width of driveway entrances to a lot from a street shall not exceed two-fifths of the frontage of that lot on that street, unless the subdivider provides for snow storage in a manner approved by the platting authority.
- D. The frontage of a lot on a cul-de-sac bulb shall be at least thirty feet. This subsection does not apply to flag lots.
- E. All street rights-of-way shall include an open area, which may contain sidewalks, for snow storage. The open area shall extend ten feet outward from the back of the curb.
- F. No driveway shall be located closer than fifty feet from the corner of an intersection.
- G. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. (Ord. 05-11 § 4; Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-24)

16.16.055 Design—Snow storage.

- A. Snow storage areas shall be dedicated to the city. The size of the snow storage shall be equal to one square foot for every square foot of constructed street area, including sidewalks, with a minimum street width of thirty feet. The snow storage lots shall not be located more than one thousand feet apart. The location and layout of snow storage lots shall be designated after consultation with the public works director and approved by the commission.
- B. The snow storage lots shall be cleared and graded to ensure that drainage from the snow storage lots does not adversely impact adjacent property. The final drainage plan for the snow storage lots shall be approved by the city engineer. (Ord. 96-27 § 1 (part))

16.16.060 Design—Reserve strips.

Privately owned strips may not be reserved to control access to public rights-of-way. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-25)

16.16.070 Design—Hazardous areas.

The design of a subdivision containing or abutting hazardous areas shall conform to this section, in addition to the remainder of this title.

A. The subdivider shall demonstrate to the satisfaction of the platting authority, that the design is specifically adapted to the proposed development and that the design takes into account other development in the vicinity and does not increase hazards to other areas.

B. The commission may require the dedication of easements to construct and maintain cut and fill slopes and other control structures including but not limited to dikes or riprap.

C. Subdivision design shall take into consideration known areas susceptible to geophysical hazards including but not limited to landslide, mud and earth flow, soil creep, soil liquefaction, avalanche chutes, run-outs, or wind blast. Subdivisions which include areas within the tidal wave run up zone as indicated on official city maps and adopted studies shall have these areas identified and labeled “not for human occupation, tidal wave run up area.”

D. The commission shall require the dedication of stream maintenance and protection easements where a river, stream, creek, important surface watercourse, or drainage course traverses or is adjacent to the subdivision. The easement shall conform substantially to the line of the stream. Subject to subsection B of this section, the width of the easement shall be that which the platting authority or the director, as the authority applies, finds necessary to provide access to widen, deepen, slope, improve and maintain the stream, and to protect the stream and adjacent property from soil erosion, flooding, water pollution, and destruction of fish and wildlife habitat.

E. All stream maintenance and protection easements shall be at least twenty-five feet wide on either side of the stream, measured landward from the ordinary high water mark.

F. Within a stream maintenance and protection easement, all structures shall be readily movable or temporary. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-26)

16.16.080 Design—Phasing schedule.

The commission may require that a subdivision conform to a phasing schedule based upon the scheduled availability of infrastructure to serve the subdivision. The commission, upon a showing of good cause by the subdivider, may authorize the subdivider to proceed with the installation of improvements required under this title on a portion or part of the subdivision. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-27)

16.16.090 Design—Block arrangement.

Blocks shall consist of two tiers of lots, except where lots back onto a major street, natural feature or subdivision boundary. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-28)

16.16.100 Streets—General design considerations.

A. The streets in a subdivision shall be designed and located in relation to existing and planned streets, to topographical conditions and natural terrain features such as streams and existing tree growth, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. All subdivisions shall have legal and physical access.

1. Major Streets. Major streets shall be properly integrated with the existing and proposed system of major streets and highways.

2. Collector Streets. Collector streets shall be properly related to special traffic generating from facilities such as schools, churches and shopping areas to population densities, and to major streets into which they feed.

3. Minor Streets. Minor streets shall be laid out to conform as much as possible to topography, to discourage use by through traffic, to permit efficient snow removal, drainage and sewer systems and to require the minimum amount of street necessary to provide convenient, safe access to property.

B. Where a subdivision borders on or contains an existing or proposed major street, the commission may require that adjacent collector or minor streets be provided.

C. The rights-of-way of all streets shall be of the width specified on the official map or comprehensive plan or, if no width is specified there, they shall be not less than the width specified below, unless necessitated by unusual topographic, physical or design features.

Street	Right-of-Way (feet)
Major streets	100
Collector streets	80
Minor streets	50

(Ord. 05-11 §§ 5, 6; Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-29)

16.16.110 Design—Street grades.

A. Streets shall be arranged properly in relation to topography to provide usable lots, safe streets, reasonable gradients, and minimum damage to terrain and existing vegetation. The minimum grade of all streets shall be no less than one-half percent and such minimum shall not be permitted for

distances greater than six hundred feet.

B. Cul-de-sac turnaround grades shall not exceed five percent.

C. Major and collector street grades shall not exceed six percent unless necessitated by exceptional topography and approved by the commission. Minor street grades proving access to steep lots shall not exceed eight percent. Any street grade exceeding six percent shall be on a straight alignment no more than one hundred feet long; provided, that the commission may allow the grade to be longer where required by topographic conditions and consistent with sound design principles. (Ord. 96-27 § 1 (part); Ord. 93-03 § 1 (part); prior code § 24-30)

16.16.120 Design—Street alignment.

A. Collector streets shall be aligned to continue existing streets from adjoining areas into the proposed subdivision. Local streets shall be aligned to discourage their use by through traffic.

B. Stub streets with temporary turnaround areas shall be extended to the boundaries of the proposed subdivision where appropriate to provide future street connections to adjacent unsubdivided areas.

C. Grade or median separations of street lanes may be permitted to preserve natural features, provide space for landscaping, or facilitate access in subdivisions containing steep lots.

D. The minimizing of potential wind damage and snow removal shall be considered in aligning streets. (Ord. 05-11 § 7; Ord. 96-27 § 1 (part); Ord. 93-03 § 1 (part); prior code § 24-31)

16.16.130 Design—Street intersections.

Streets shall intersect at or as near as feasible to a ninety-degree angle and in no event less than a seventy-five-degree angle. The distance between intersection centerlines shall be at least one hundred fifty feet. Corner roundings at intersections shall have a minimum radius of twenty feet. A minimum sight distance shall conform with AASHTO policy for geometric design or highway and streets, with clear visibility, measured along the centerline of the street, shall be provided for at least three hundred feet on major streets, two hundred feet for collector streets and one hundred feet on minor streets. Pedestrian crosswalks not less than fifteen feet wide may be required by the commission where deemed desirable to provide convenient pedestrian circulation or access to schools, playgrounds, shopping areas, transportation and other community facilities. (Ord. 96-27 § 1 (part); Ord. 93-03 § 1 (part); prior code § 24-32)

16.16.140 Design—Culs-de-sac.

Where topography and traffic circulation permit, the length of a cul-de-sac shall not exceed nine hundred feet. The length shall be measured from centerline of intersecting through streets to the radius point of cul-de-sac bulb or a line running from the radius point perpendicular to the street centerline. A cul-de-sac shall terminate with a turnaround having a minimum radius of the right-of-way of fifty feet, and forty-one and one-half feet back of curb for constructed streets. In rural

residential subdivisions, the minimum radius shall be eighty feet. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-33)

16.16.150 Design—Street names.

New street names shall not duplicate the names of existing streets, but streets that are continuations of others already in existence and named shall bear the name of the existing streets. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-34)

16.16.160 Design—Street addresses.

A. The director shall assign all official street address numbers. A permanent address shall be assigned only for property that is subject to a plat filed depicting the dedicated right-of-way serving the property.

B. The director may establish uniform street address numbering procedures. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-35)

16.16.170 Design—Geometric and profiles.

In addition to the requirements below, the provisions of Chapter 12.04 and Section [16.16.180](#) apply. Detailed requirements for current construction materials and methods are available from the director.

A. Horizontal Curves. Changes in horizontal alignment of roads shall be made through the use of horizontal circular curves. The radii of such curves shall not be less than:

1. Major streets, eight hundred feet;
2. Collector street, six hundred feet;
3. Minor street, one hundred fifty feet.

B. Compound curves and broken-back curves should not be used. Reverse curves should have an intermediate tangent of one hundred feet or more unless the curve radii are three hundred feet or more.

C. Cross Slopes. The minimum road cross slope shall not be less than two percent.

D. Superelevations shall be installed in accordance with the AASHTO policy on geometric design of highways and streets. The maximum superelevation allowed is six percent. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-36)

16.16.180 Engineering and design criteria.

A. Dedicated streets in any residential subdivision within any service area of the city shall receive street maintenance and snow removal only if all of the streets located within such subdivision are dedicated to public use and meet the engineering and design criteria set by the

planning and zoning commission. In determining the engineering and design criteria to be applied to such subdivision the planning and zoning commission shall consider the following factors:

1. The anticipated population density within the subdivision;
2. The anticipated level of vehicular traffic upon the subdivision streets;
3. The anticipated level of pedestrian traffic upon the subdivision streets;
4. The cost of constructing such streets to higher engineering and design criteria as compared to the benefits derived from such higher criteria.

The acceptable criteria are set forth in Exhibit A, and the planning and zoning commission shall specify Type I, II or III, or a combination thereof. The planning and zoning commission may impose additional conditions or requirements as it deems to be in the public interest. It may set different engineering and design criteria for different subdivisions and for different streets within a subdivision and is not limited by any of the requirements of this title.

B. A subdivision in which the streets do not meet the criteria or requirements set forth by the planning and zoning commission will not be accepted.

C. The criteria and requirements referred to in subsection A of this section shall be determined by the planning and zoning commission prior to final approval of a subdivision plat and shall be noted on the face of the plat.

D. The city or any property owner within the city may appeal to the city council from the criteria determined by the planning and zoning commission by giving written notice of the appeal, stating the reasons therefor, to the city clerk within thirty days from the determination.

E. The planning and zoning commission shall determine criteria and requirements for subdivisions presently in existence, but which have streets not in conformance with street design requirements presently existing under this title. The commission shall require streets of Type I, II or III, or a combination thereof, together with such additional requirements as the commission may deem to be in the public interest. For any particular street in a subdivision which the commission determines may be a Type III street, and which presently is constructed in accord with Type III standards except that its width is between twenty-four and thirty feet, the commission, in its discretion, may approve a road width of not less than twenty-four feet. These criteria and requirements shall be set within ninety days after the effective date of the ordinance from which this section is derived, after twenty days' notice to property owners of record in the subject subdivision. No determination of criteria and requirements need be made for existing subdivisions in which all streets meet Type I or II standards. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 23-5)

Chapter 16.20 IMPROVEMENTS

Sections:

[16.20.010 Monuments.](#)

[16.20.020 Required facilities.](#)

[16.20.030 Bond required.](#)

[16.20.040 Approval of city engineer.](#)

[16.20.050 Development in stages.](#)

[16.20.060 Dedication of facilities.](#)

16.20.010 Monuments.

A. Angle Points. All exterior angle points in the subdivision shall be marked with primary monuments permanently set as follows:

1. If not located within roadways or walkways, flush to the surface or protruding no more than four inches above ground level;
2. If located within walkways, roadways or snow storage areas at least six inches below the surface in a survey box;
3. Primary monuments shall be stamped with the following information:
 - a. Location and identification,
 - b. Year set,
 - c. Surveyor's license number,
 - d. Exact transit point,
 - e. Horizontal control in accordance with the Alaska State Plane Coordinate System.

B. All primary monuments shall be referenced by two secondary monuments. The secondary monuments shall be in a single line, preferably along a surveyed or boundary line.

C. All other corners shall be monumented with secondary monuments permanently set:

1. Flush to the surface; or
2. Protruding no more than four inches above the surface; and

3. Stamped with the following information:

- a. Location and identification,
- b. Surveyor's license number,
- c. Year set.

D. Monument Material. The following monument material or equal shall be employed in the survey:

1. Primary Monuments. Alloyed iron pipe, zinc coated or aluminum pipe.

- a. Outside diameter, two inch or larger,
- b. Cut in thirty inch lengths,
- c. One end of the pipe shall be split for several inches and the two halves spread to form flanges or a commercially manufactured foot attached;

2. A brass or aluminum cap two and one-half inches or larger in diameter shall be securely attached to the other end by mechanical means;

3. If aluminum pipe is used, the monument must contain a magnetic insert as an integral part of its composition;

4. In areas where primary monuments are located on rock outcrops or concrete surfaces, a brass or aluminum tablet two and one-half inch diameter with a one-half inch diameter stem shall be cemented into a drilled hole. The tablet shall be flush with the surrounding surface. The tablet shall include a magnetic insert as an integral part of its composition.

E. Secondary Monuments.

1. Cap one and one-half inch or larger secured by friction fit or mechanical means to five-eighths inch steel rebar or other ferrous metal rod.

2. The rods shall penetrate a minimum of thirty inches below the surface.

3. Plastic stakes specifically designed for survey purposes are allowable if they meet penetration requirements and are detectable by commonly used metal detectors.

4. In areas where secondary monuments are located on rock outcrop or concrete surfaces, the procedure for primary monuments shall be followed.

F. Reference Monuments.

1. Minimum requirements are the same as those for secondary monuments.
 2. All reference caps will be marked with the following information:
 - a. Distance to monument;
 - b. Surveyor's license number;
 - c. Designation of and an arrow pointing to the referenced "corner";
 - d. Date set.
- G. Monument material requirements are minimum standards. Other materials of equal or higher quality approved by the city engineer shall be allowed. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-37)

16.20.020 Required facilities.

Where applicable, before the final plat of a subdivision may be considered for approval, the subdivider shall provide and dedicate the following facilities and improvements according to standards established by the city. The subdivider shall provide to the city engineer certified by an engineer licensed in Alaska as-built drawings of the improvements. Facilities and improvements shall be installed within the time required by the city, but in no event to exceed two years.

- A. **Water and Sewer.** Water and sanitary sewer mains, lift stations and laterals to the lot lines in those cases where the subdivision is within two hundred feet of land served by water and sewer.
- B. **Streets.** All new streets graded and surfaced with paving, and additional right-of-way along existing streets in conformity with the established street width map of the city. Except for cul-de-sacs and street boulevards for center strip drainage, no required dedication shall exceed one hundred feet of width. Where principal thoroughfares lie within the plat, the subdivider shall not be required to provide improvements in excess of those normally required to serve the development itself. The commission may waive the requirement for paving where the subdivision is located in a rural area.
- C. **Stormwater Mains.** Stormwater mains shall be provided as deemed necessary by the city engineer.
- D. **Surface Drainage.** Curb and gutter or other adequate facilities to provide surface water drainage as deemed necessary by the city engineer.
- E. **Erosion Control.** All open cuts of ground shall be returned in a satisfactory manner. Seeding shall be provided for any open cut subject to excessive erosion. Barriers shall be placed at intervals and at right angles to the flow of water in order to prevent erosion.

F. Snow Storage. Snow storage shall be provided per Section [16.16.055](#) and dedicated to the city.

G. Street Signs. Street signs indicating street name, speed limits, and other appropriate notification shall be provided as deemed necessary by the city engineer and community development department.

H. Street Lights. Street lights illuminating intersections and lengths of street shall be provided as deemed necessary by the city engineer. (Ord. 03-13 § 1: Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-38)

16.20.030 Bond required.

In the event the facilities and improvements required by this chapter have not been fully installed at the time the plat of a subdivision is submitted for final approval; the subdivider shall file with the director a surety bond executed by the subdivider as principal and a responsible bonding company duly licensed and authorized to do business in the state of Alaska as surety; payable to the city and conditioned upon the faithful performance and payment of all work to be performed by the subdivider pursuant to this title; or any other satisfactory financial guarantee for this purpose. Such bond or other financial guarantee shall be approved by the city attorney and shall be of an amount determined by the city engineer to cover the cost of completing such facilities and improvements. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-39)

16.20.040 Approval of city engineer.

The adequacy of the facilities and improvements required by this chapter and their proper installation shall be subject to approval of the city engineer. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-40)

16.20.050 Development in stages.

In instances where in the determination of the commission that the whole of a platted subdivision cannot immediately be fully improved with respect to the installation of all required facilities and street improvements, for good reason or cause, the commission may authorize the subdivider to proceed with the installation of improvements required under this title on a portion or part of such subdivision. In such event the requirements of this title shall apply to that portion or part thereof authorized for immediate improvement. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-41)

16.20.060 Dedication of facilities.

All facilities and improvements installed prior to the final approval of the plat of a subdivision shall be considered dedicated along with streets and other public areas upon the approval of the final plat. Facilities and improvements completed under bond or other financial guarantee after the approval of the plat shall be considered dedicated upon their approval and acceptance and release of the bond or other guarantee. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-42)

Chapter 16.24 PUBLIC SITES AND OPEN SPACES

Sections:

[16.24.010 Purpose.](#)

[16.24.020 Reservation of potential sites.](#)

[16.24.030 Excessive street dedication.](#)

[16.24.040 Determination of feasibility.](#)

[16.24.050 Dedication—Streets.](#)

[16.24.060 Dedication—Walkways, trails and paths.](#)

[16.24.070 Dedication—Utility easements.](#)

[16.24.080 Dedication—Snow storage.](#)

16.24.010 Purpose.

In order that adequate open spaces and sites for public uses may be properly located and preserved as the community develops, and in order that the cost of providing the public school, park and recreation sites and facilities necessary to serve the additional families brought into the community by subdivision development may be most equitably apportioned on the basis of the additional need created by the individual subdivision development, the provisions of this chapter are established. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-43)

16.24.020 Reservation of potential sites.

A. Design Consideration. In the design of the plat of a subdivision, consideration shall be given to the adequate provision or correlation with such public sites or open areas as indicated on the comprehensive development plan of the city or as determined by the commission as being required. Special, natural or man-made features of historical significance in a proposed subdivision which enhance or have unique value to the community may be set aside in a reserve tract for acquisition or voluntarily dedicated to the public.

B. Reservation May Be Required. Where it is determined by the commission that a portion of the plat is required for such public sites or open spaces, the subdivider may be required to reserve such area for a period not to exceed three years. Within three years of the filing of a final plat, the city or any other public or private agency may acquire any parcel designated as reserve tract on the plat, by purchase or as otherwise authorized by law, for the purpose or purposes for which the parcel was reserved. The designation of an area to be reserved shall be supported by a report from the director containing a statement from the entity proposing to acquire the tract that it intends to acquire the designated area. If a reserve tract is not acquired within the three-year period it shall be

released from the reserve tract designation unless the time for acquisition is extended by the reserve tract's owners or by another provision of law.

C. How Determined. The amount of land to be provided shall be an amount of land up to five percent of the net residential lot area created by the subdivision.

D. Exemptions. The commission may waive the dedication in the case of rural large lot subdivisions or where the division results in the creation of not more than one additional lot or parcel, or for a parcel on which a permanent residential structure has existed for at least one year prior to the date of the division.

E. Redivision. Where a lot or parcel for which a dedication has once been made is further divided, dedications shall be required only for the additional lots or parcels created. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-44)

16.24.030 Excessive street dedication.

In the case of major thoroughfares lying within the plat of a subdivision, the subdivider may dedicate the width in excess of that required by this title and receive credit towards areas required under this chapter. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-45)

16.24.040 Determination of feasibility.

The determination as to the feasibility of dedication shall be made by the platting authority. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-46)

16.24.050 Dedication—Streets.

All street rights-of-way shall be dedicated to the public. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-47)

16.24.060 Dedication—Walkways, trails and paths.

The platting authority may require the dedication of pedestrian walkways or nonmotorized vehicle trails and paths where it finds they are necessary for convenient circulation or to protect pedestrians, bicycles, snow machines or other traffic from hazardous motorized vehicle traffic. The minimum width of a dedication shall be ten feet. The platting authority may require the dedication of pedestrian walkways and/or nonmotorized vehicle trails and paths to provide public access to any stream, lake or ocean if the subdivision is adjacent to any. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-48)

16.24.070 Dedication—Utility easements.

The platting authority may require the dedication of utility easements when a utility company or the city demonstrates a specific need for them. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-49)

16.24.080 Dedication—Snow storage.

All land dedicated for snow storage shall be dedicated to the city. (Ord. 96-27 § 1 (part))

Chapter 16.28 OTHER LAND DIVISIONS

Sections:

[16.28.010 Preliminary plat.](#)

[16.28.020 Final plat.](#)

[16.28.030 Right-of-way acquisition plats.](#)

[16.28.040 Standards and requirements generally.](#)

[16.28.050 Certificates and affidavits required.](#)

[16.28.060 Recordation.](#)

16.28.010 Preliminary plat.

Before submitting a final plat of a land division other than a subdivision for approval or recording, the subdivider shall submit a preliminary plat according to the procedure designated for a subdivision under this title. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-50)

16.28.020 Final plat.

The final plat of a land division other than a subdivision, in the form of a certified survey map, shall be submitted according to the procedure designated for a subdivision under this chapter, and if the platting does not involve the creation of additional new streets the approval of the commission shall be required. Six copies of the final plat shall be submitted. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-51)

16.28.030 Right-of-way acquisition plats.

A. A plat for a subdivision created, a government agency's acquisition of a street right-of-way, airport, highway right-of-way or airport parcel, or for other public purposes is subject to approval under this section only and is not subject to any other approval procedure for plats under this title, except where hereinafter stated. Certain provisions of this section may also apply to other parties who volunteer a formal dedication of rights-of-way to the public.

B. Submission Requirements. A government right-of-way acquisition plat submitted under this section must contain the following information:

1. The location, name and number of the project for which the acquisition is required;
2. The proposed timetable for acquisition and construction;
3. The dimensions and area of the parcels to be acquired and of each remainder parcel;
4. The names of the property owners identified by parcel.

C. Review and Approval Procedures. The director, or his designee, shall review the preliminary right-of-way acquisition plat for completeness prior to consideration by the commission. If the plat does not meet the requirements of this section it shall be returned to the submitting agency with an explanation of the deficiencies.

1. The preliminary approval of a right-of-way acquisition plat is effective for twenty-four months, provided the director may grant an extension for filing the final plat upon the finding that it is in the public interest to do so.

2. No parcel, other than a parcel of record, may be acquired for right-of-way purposes until a preliminary plat of the parcel has received final approval.

D. Survey and Monumentation. Unless otherwise agreed to in writing by the commission, all monumentation, remonumentation, right-of-way alignment and reconstruction and other requirements of the commission or of this title must be met before approval of the final plat unless it is clearly impractical or legally impossible to accomplish prior to final plat approval. Any action required as a condition of final plat approval but not to be accomplished prior to such approval must be completed under such terms and conditions as are set out in writing by the commission.

E. Remainder Parcels. No remainder parcel resulting from the right-of-way acquisition plat shall be allowed which does not conform to applicable city codes unless a note is placed on the plat indicating that damages have been paid to the owner of the remainder and that the nonconforming remainder cannot be developed without first being replatted so as to conform to applicable city codes. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-52)

16.28.040 Standards and requirements generally.

A. Reasonable Compliance. To the extent reasonably practicable, the plat of a land division other than a subdivision shall comply with the provisions of this title relating to general requirements and design standards and required improvements of subdivisions.

B. Registered Survey. The survey shall be performed and the map prepared by a surveyor registered in Alaska. Such map shall describe the entire ownership involved in the process of division; provided, that where the division results in a residual parcel in excess of ten acres, not intended for immediate sale or other conveyance, the commission may waive the requirement for inclusion of the residual parcel. In this event, a supplementary map of reasonable accuracy shall be attached showing the relationship to the original ownership of the parcel being severed.

C. Monuments. All corners shall be permanently monumented.

D. Drafting Standards. The final plat shall be clearly and legibly drawn in nonfading black ink, on mylar. The size of the map shall not be less than twenty-four inches by thirty-six inches. The map of a subdivision containing six acres or less shall be drawn at a scale of one inch equals fifty feet.

All other subdivisions shall be drawn at a scale of one inch equals one hundred feet, unless otherwise required by the commission.

E. Percolation Tests. If any lots in the plat are not to be served by sanitary sewer, percolation tests shall be submitted according to the procedure designated under the rules of the State Department of Environmental Conservation applicable to subdivisions. All State Department of Environmental Conservation regulations for subdivisions are applicable where sanitary sewers are not used. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-53)

16.28.050 Certificates and affidavits required.

A. Owners and Surveyors. The map of a land division other than a subdivision shall include the certificate of ownership and the affidavit of the surveyor who surveyed and mapped the parcel, typed, lettered or reproduced legibly with nonfading black ink, giving a clear and concise description of the land surveyed by bearings and distances, commencing with some corner marked and established in the U.S. public land survey or some corner providing reference to a corner marked and established in the U.S. public land survey. Such affidavit shall include the statement of the surveyor to the effect that he has fully complied with the requirements of this section. Every plat, subdivision or dedication shall show the initial point of survey, the basis of bearing original or re-established corners, with description of them, referencing the recorded distance and bearings and the source of record and actual traverse showing area of closure and all measured, calculated and recorded distances required to determine initial point, corners and distances of the plat.

B. Certificate of Approval. Certificates of approval, as required, shall be typed, lettered or reproduced legibly with nonfading black ink on the face of the map. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-54)

16.28.060 Recordation.

Following approval of the final plat of a land division other than a subdivision the certified survey map shall be filed by the subdivider for recording with the city clerk. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-55)

To: Paul Nylund, Project Manager and Kate Huber, City of Valdez Community Development Director

From: Dave Whitfield, Senior Planner, R&M Consultants, Inc.

Date: February 28, 2025

RE: City of Valdez Title 16 *Subdivisions* Code and *Plan Valdez* Analysis

R&M Consultants, Inc., in collaboration with Valdez Community Development Department staff, has reviewed the City of Valdez Comprehensive Plan, *Plan Valdez*, Title 17 *Zoning* code, and Title 16 *Subdivision* code. The following memo identifies where Title 16 *Subdivisions* code appears in conflict with *Plan Valdez* and Title 17 *Zoning* code. These areas of conflict should be considered for an amendment to bring Title 16 *Subdivision* code in line with the goals and policies of *Plan Valdez* and the most recent update to Title 17 *Zoning* code. Below are broad areas of Title 16 that should be considered for amendment and the Comprehensive Plan Goals the proposed amendment would implement.

MINOR SUBDIVISIONS: CONSIDER ESTABLISHING AN ADMINISTRATIVE APPROVAL PROCESS

GOAL 2.2 – ENCOURAGE REDEVELOPMENT AND NEW DEVELOPMENT.

Finding ways to streamline, facilitate and incentivize development will help to generate higher quality development, new investment in underperforming properties and aging buildings, and new construction.

Reinvestment programs should include smaller-scale redevelopment efforts or infill development and feature more targeted programs to improve building quality, adaptive reuse of parcels and buildings.

GOAL 2.3 D - PROVIDE EXPEDITED DEVELOPMENT REVIEW AND PERMITTING FOR NEW HOUSING CONSTRUCTION IN STRATEGIC HOUSING INVESTMENT AREAS.

This can help support diverse types of development by limiting the uncertainty associated with project review, zoning, permitting, entitlement, and other approval processes.

Title 16 provides definitions for both minor and major subdivisions. However, it does not distinguish a separate process for each. Currently, all preliminary plat applications are reviewed and approved by the Planning and Zoning Commission following a public hearing. Establishing an administrative review and approval process for smaller, less complicated subdivisions has community benefits. Valdez, being a winter city, depends heavily on the short summer months for

construction. Creating a streamlined process for plat review and approval allows simple subdivisions to record expeditiously, while at the same time maintaining oversight and compliance with development regulations.

FORMAL PROCESS AND CRITERIA FOR VACATION OF RIGHTS-OF-WAY (ROW) AND EASEMENTS

GOAL 1.2 A – IMPLEMENT CONSISTENT, CODE-BASED DECISION-MAKING PROCESSES FOR LAND USE ACTIONS.

Develop consistent, code required review processes specific to development actions to facilitate predictable reviews for developers and the public. The process should describe the steps in each review process by land use action type, required applications, approximate timelines, when the public is able to provide input, who is the reviewing body, etc.

Title 16 currently lacks a formal process and criteria in evaluating requests for relinquishment of public right-of-way and public interest in land. Establishment of a formal process with criteria helps ensure that public interest is protected, that the request is consistent with *Plan Valdez* and other adopted plans, that private property rights are considered, and that there is legal compliance. The Title 16 rewrite should consider establishing a formal process with criteria for review of requests to vacate public right-of-way and other public interests in land.

FORMAL CRITERIA FOR VARIANCES/WAIVERS

GOAL 1.2 A – IMPLEMENT CONSISTENT, CODE-BASED DECISION-MAKING PROCESSES FOR LAND USE ACTIONS.

Develop consistent, code required review processes specific to development actions to facilitate predictable reviews for developers and the public. The process should describe the steps in each review process by land use action type, required applications, approximate timelines, when the public is able to provide input, who is the reviewing body, etc.

Section 16.04.060 states in part “When, in the judgment of the commission, it would be inappropriate to apply literally a provision of this title the commission may waive or vary such provisions so that substantial justice may be done, and the public interest secured....” While this section does provide the Planning and Zoning Commission the discretion to grant variances, it does not establish formal criteria for which the variance request is to be evaluated against. Establishing criteria ensures that exceptions are granted only when necessary and in a way that maintains the overall integrity of the code and the adopted plans. It helps prevent unfair advantages and personal bias, while allowing flexibility to property owners and preventing harm to adjacent property and/or the public. The establishment of criteria provides the Planning and Zoning Commission the ability to establish defensible findings more easily to be used in case of an appeal.



SNOW STORAGE AREAS AND LOTS

GOAL 2.1 N - ENSURE THAT SNOW STORAGE SITES ARE MAINTAINED AND ASSESSED TO MATCH DEVELOPMENT AND COMMUNITY NEEDS.

Future land use and development in the community may modify the need, location, and size of snow storage areas to allow the community to operate in winter. Climate change over time may also modify snow storage needs. Mapping and monitoring will allow assessment of snow storage needs over time in the developed areas.

Current requirements of Title 16 state that “snow storage areas shall be dedicated to the city.” However, Title 16 does not clarify how the snow storage area is to be “dedicated to the city.” Should snow storage areas be dedicated as right-of-way or lots deeded to the City of Valdez, or should ownership be retained by developer with “use rights” (by easement) given to City of Valdez? The Title 16 rewrite should clarify the mechanism by which snow storage areas are dedicated to the city.

ALTERNATIVE SUBDIVISION DESIGNS

GOAL 7.1 K - DISCOURAGE NEW SUBDIVISIONS AND INCREASED DENSITY IN HAZARD AREAS SUBJECT TO FLOODING.

The City of Valdez has invested a great deal of resources to mitigate hazards associated with development that exists in the areas most prone to flooding. Increased density in these areas could create a further financial burden and put people and facilities at risk.

Goal 7.1 K places great importance on environmentally sensitive lands and discourages density in high hazard areas. With this goal in mind, the Title 16 rewrite may evaluate alternative subdivision designs that place value on the preservation of environmentally sensitive lands in exchange for higher densities in areas more suitable for development. Providing incentives for the preservation of environmentally sensitive lands has, in many cases, both a public and private benefit.

FINAL PLAT CERTIFICATIONS

Final plat certifications vary widely across the platting jurisdictions in Alaska. Each community develops their own ownership, dedication and survey certifications based on their legal requirements. It makes sense to allow for some flexibility in the language contained in the certifications, however, the intent of language used in legal certifications is to convey precise and unambiguous meaning, ensuring all parties involved fully understand their rights and obligations within the legal framework. Developing standard plat certifications that are vetted by Valdez’s legal department and included in the Title 16 Rewrite will ensure that all final plats contain substantially the same language and meets the legal intent of each certification.

PUBLIC IMPROVEMENTS 16.20.020

Section 16.20.020 identifies the public improvements required as part of the subdivision approval process. While the existing language provides for administrative flexibility, it leaves the development community with uncertainty as to what the improvement expectations are. The level of improvements required, in many cases, determines the economic feasibility



of a development. To provide more certainty in development, the public improvement standards should be added to Title 16.

DEFINITIONS SECTION

A review of Title 16 found that some terms used were not defined in the Title. Defining terms used within a community's subdivision regulations provides several benefits. It provides clarity by eliminating ambiguity, provides consistency in application, reduces the risk of legal challenge, makes for more efficient decision-making, and creates better public understanding. The Title 16 rewrite may consider further defining commonly used terms within the Title.

OTHER AMENDMENTS FOR CONSIDERATION

Code Citation	Description
16.04.070-Appeals	Review appeals section and identify areas that deserve clarity.
16.08.030-Forms and Content	Review of submittal requirements for preliminary plats.
16.12.020-Forms and Content	Review of submittal requirements for final plats.

PLAN VALDEZ 2021 - RELEVANT GOALS HELPING TO INFORM TITLE 16 CODE REVISIONS

GOAL 1.1 B – DEVELOP PLANNING AND ZONING COMMISSION CHECK LIST FOR NEW DEVELOPMENTS TO VERIFY THEY FURTHER THE GOALS OF ALL ADOPTED PLANS.

Develop a reference document that would provide direct guidance for review, and references to documents or code sections that should be referenced in more detail in findings of facts as part of the decision-making process. This tool would also be useful for applicants and new businesses so they can understand process and submit the necessary information to facilitate and expedite reviews.

GOAL 1.2 A – IMPLEMENT CONSISTENT, CODE-BASED DECISION-MAKING PROCESSES FOR LAND USE ACTIONS.

Develop consistent, code required review processes specific to development actions to facilitate predictable reviews for developers and the public. The process should describe the steps in each review process by land use



action type, required applications, approximate timelines, when the public is able to provide input, who is the reviewing body, etc.

GOAL 2.1 A – ADOPT TWO NEW ZONING DISTRICTS: RESIDENTIAL/RECREATION PLANNED DEVELOPMENT DISTRICT; AND INDUSTRIAL/WORKING WATERFRONT PLANNED DEVELOPMENT DISTRICT.

The zoning districts should outline a process that describes the minimum subdivision, development, and design standards based on site characteristics. For example, it should require that the nature and intensity of development be supported by adequate utilities, transportation network, drainage systems and open space to serve the development, and to minimize impacts on adjacent existing and future development and sensitive lands.

GOAL 2.1 E – REZONE PARCELS TO ALIGN WITH THE FUTURE LAND USE MAP.

Work with property owners to identify willing participants to rezone lands to bring them into conformity with the adopted future place type mapping and reduce incompatible land uses. The City should consider sponsoring the rezones at no cost to the property owner.

GOAL 2.1 L – CONDUCT RESEARCH ON INNOVATIVE APPROACHES FOR “REHABILITATION OF ABANDONED AND DILAPIDATED BUILDINGS” IN OTHER STATES/ CITIES TO SEE IF A SIMILAR PROGRAM WOULD BE FEASIBLE IN VALDEZ.

Some jurisdictions have identified a receivership tool that fosters partnerships through a receivership program between local governments, private sector and nonprofit organizations to remedy problems associated with hazardous structures and to help save demolition costs. The program helps avoid the costly process of condemnation and increases the opportunities of salvaging property instead of using demolition to abate the problem.

GOAL 2.1 N - ENSURE THAT SNOW STORAGE SITES ARE MAINTAINED AND ASSESSED TO MATCH DEVELOPMENT AND COMMUNITY NEEDS.

Future land use and development in the community may modify the need, location, and size of snow storage areas to allow the community to operate in winter. Climate change over time may also modify snow storage needs. Mapping and monitoring will allow assessment of snow storage needs over time in the developed areas.

GOAL 2.1 O - OFFICIALLY ADOPT OTHER CITY OF VALDEZ DISTRICT, SPECIAL USE AREAS, AND MASTER PLANS DEVELOPED.

Adoption of these documents which includes, but not limited to, district, special use area, trails and parks, and land use master plans that will allow incorporation of their goals and recommendations into the Comprehensive Plan.

GOAL 2.2 B - CREATE AN INCENTIVE PROGRAM FOR THE INFILL/REDEVELOPMENT OF PROPERTIES ALREADY SERVED BY PUBLIC WATER AND SEWER.

Identify programs and eligibility standards to make infill/redevelopment projects more attractive to developers, including regulatory and financial incentives such as tax credits/ abatements/waivers, waiver or reduction in permit/plan review fees, expedited review process, and/or flexible zoning regulations. Priority areas should include the Town Center, and adjacent working waterfront and mixed-use place types.



GOAL 2.2 E - IDENTIFY STRATEGIC VACANT AND/OR UNDERDEVELOPED PARCELS FOR REDEVELOPMENT THAT MAY BENEFIT FROM A PUBLIC PRIVATE PARTNERSHIP.

The city should consider subdividing, rezoning, and extending utilities and roads as part of a development agreement with private developers to encourage preferred developments in strategic areas.

GOAL 2.2 G - INVESTIGATE UTILITY EXTENSIONS TO CONNECT EXISTING SEPTIC/ WELL SITES TO CITY WATER/SEWER TO IMPROVE PUBLIC HEALTH, EMERGENCY RESPONSE (FIRE HYDRANTS) AND REDUCE ENVIRONMENTAL CONTAMINATION.

To eliminate the possibility of site contamination and to ensure quality of drinking water, connect developments to City sewer and water. This will also increase fire protection coverage. Areas to be prioritized are based on data related to health and safety, development density, and lot sizes. Priority areas include Blue Spruce, Northern Lights, and Robe River Subdivisions. Explore options for shared costs for utility extensions and hook-ups.

GOAL 2.2 H - EXTEND SEWER AND WATER UTILITIES TO SERVICE FUTURE DEVELOPMENT.

To eliminate the possibility of site contamination and to ensure quality of drinking water and health issues, connect new developments to City sewer and water with a priority along perimeter of service areas. This will also increase fire protection coverage. Priority areas include Mineral Creek and high priority future housing areas. Explore options for shared costs for utility extensions and hook-ups.

GOAL 2.3 A - IDENTIFY AND ADOPT STRATEGIC HOUSING INVESTMENT AREAS.

Targeting and scaling programs and policies can increase near-term impact. It is recommended these areas are targeted within the New Town site, Town Center, and Mixed-Use Place Types.

GOAL 2.3 C - REVISE TITLE 17 TO PROVIDE GUIDELINES FOR SHORT TERM RENTAL HOUSING AND ACCESSORY DWELLING UNITS.

There is a need for both short-term rental units and accessory dwelling units to create more housing inventory, housing choice and to enable housing to be more attainable and affordable. Revisions should strike a balance between demand for short-term and long-term rental housing in the community.

GOAL 2.3 D - PROVIDE EXPEDITED DEVELOPMENT REVIEW AND PERMITTING FOR NEW HOUSING CONSTRUCTION IN STRATEGIC HOUSING INVESTMENT AREAS.

This can help support diverse types of development by limiting the uncertainty associated with project review, zoning, permitting, entitlement, and other approval processes.

GOAL 2.3 H EVALUATE LAND FOR CONSIDERATION FOR FUTURE MANUFACTURED HOMES AND OTHER FORMS OF LOWER COST HOUSING.

Evaluate all land zoned for residential, mixed use, and commercial, except for single family and rural residential areas, for consideration for future manufactured and other forms of low-cost housing to offset any future loss of existing residential units in industrial areas. As housing is phased out of industrial areas, the intent is a no-net-loss, or increase in housing.



GOAL 4.2 A - UPDATE AND MODERNIZE ROAD STANDARDS INCLUSIVE OF NON-MOTORIZED FACILITIES.

Develop a Design Criteria Manual (DCM) for road standards including non-motorized facilities for consistent development within the City of Valdez. The DCM should be adopted by the City Council. Remove references to design standards in the Municipal code and refer to the DCM. This approach facilitates amendments to the document that are based on design objectives and sound engineering principals to meet specific goals for safety, functionality, constructability, and maintenance.

GOAL 7.1 K - DISCOURAGE NEW SUBDIVISIONS AND INCREASED DENSITY IN HAZARD AREAS SUBJECT TO FLOODING.

The City of Valdez has invested a great deal of resources to mitigate hazards associated with development that exists in the areas most prone to flooding. Increased density in these areas could create a further financial burden and put people and facilities at risk.

