

## **CITY OF VALDEZ**

# **APPLICATION FOR SUBDIVISION**

The subdivision of any land within the city limits of the City of Valdez is regulated by Title 16 of the Valdez Municipal Code.

### **16.04.020 Definitions.**

“Subdivision” means the division of any parcel of land into two or more lots, blocks or sites as specified by Alaska State statute, with or without streets or highways, for the purpose of sale, long-term lease, transfer of ownership, or development. The term “subdivision” may include any alteration of lots lines or dimensions of any lots or sites shown on a plat previously approved and filed in the Recorder’s Office of the State of Alaska.

Community & Economic Development Department, City Hall  
212 Chenega Ave  
Valdez, AK 99686  
(907) 834-3401

## INTRODUCTION

The following is a general overview of the subdivision process in the City of Valdez. For specific requirements and standards, applicants should refer to the City of Valdez Municipal Code, Title 16 Subdivisions and Title 17 Zoning (if applicable). These documents are available at City Hall from the City Clerk or online at <http://www.codepublishing.com/AK/Valdez/>. The Community Development Department Staff can also respond to general questions you may have.

## PROCESS OVERVIEW

The subdivision process requires several steps, including: Staff review at an in-house level; public notification, a preliminary plat hearing before the Planning and Zoning Commission at an evening meeting (bi monthly); final plat action by the Planning and Zoning Commission at a separate evening meeting (bi monthly). Depending on where the subdivision is located and whether or not City land is involved, action may also be required by the Ports and Harbor Commission and the Parks and Recreation Commission. Action may also be required by the City Council at an evening meeting (semi-monthly). Generally, *this process requires a minimum of three months to complete.*

At each level, every request is reviewed on the basis of the applicable standards within the Subdivision and Zoning codes, as well as relevant sections of the Valdez Comprehensive Plan or other recognized City Plans and Studies as applicable.

*Scheduling of all requests for the Planning and Zoning meetings shall be at the discretion of the Community Development Department based on conclusion of Staff review, public comments, and the order of submittal of completed applications.*

## NOTIFICATION OF SUBDIVISION

Notification of subdivision is a formal procedure that must follow code requirements. After the preliminary plat is submitted and reviewed and staff has chosen a Planning and Zoning meeting date, a written notification of subdivision and copy of the preliminary plat is mailed to every resident within 300 feet of the boundaries of the land involved in the subdivision a minimum of 10 days before the meeting date. Additionally, this notification is given to each of the departments within the City and a copy is posted for the public at City Hall beneath the Planning and Zoning section of the town bulletin board. A copy is mailed to each of the local utilities.

Comments can be submitted in writing to City staff or residents are invited to attend the Planning and Zoning meeting. Anyone can come to the meeting and submit their comments to the Planning and Zoning meeting, there is no requirement that they be within the 300 foot radius. Comment can be taken at both preliminary and final plat action items at the Planning and Zoning Commission.

#### AUTHORITY

The Planning and Zoning Commission has the authority to approve or deny all subdivision requests. Both preliminarily and final plat approval or denial often includes specific conditions that must be met for the request, especially when following considerable public comment. If the public comments cannot be concluded at the first meeting, or if more information is required, the Planning and Zoning Commission may vote to postpone the action to a later date.

The City Council, acting as the Board of Adjustment, has the final authority to uphold or overturn Planning and Zoning Commission decisions upon appeal. Final approval of a subdivision request may still include conditions that must be addressed prior to recording the plat at the Valdez Recorder's office.

*NOTE: Every approved plat must be signed by the Chair of the Planning and Zoning Commission and the City Clerk of the City of Valdez. At the time of recordation, the applicant(s) may not have any outstanding taxes on any of the property, nor outstanding issues with the building or zoning department on any improvements within any of the affected property.*

#### MINOR OR MAJOR SUBDIVISION

A Minor subdivision is defined as: any subdivision containing not more than four lots fronting on an existing street, not involving any new street or road or the extension of municipal facilities and not adversely affecting the development of the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Comprehensive Plan, Official Map or Zoning Ordinance, if such exists, or Valdez Municipal Code.

*This includes simple lot line removals or simple lot line adjustments.*

A Major subdivision is defined as: a subdivision that has more than four lots, or involves dedicating access, or involves a new street or road or the extension of municipal facilities, or a waiver or variance to an Official Map, Zoning Ordinance and/or Valdez Municipal Code or design standards.

*This includes creating two or more lots out of a single lot. It includes dedicated ROW to the City and impacts City services.*

#### PRE-SUBMISSION CONFERENCE WITH CITY OF VALDEZ

Although it is not a requirement, the City of Valdez recommends meeting with Community and Economic Development staff prior to filing application and/or hiring a surveyor. These pre-submission meetings, in which an applicant brings a sketch or concept plan, are a good time to discuss the proposed subdivision and the requirements necessary for subdivision review. The pre-submission conference does not constitute a formal review, but it is a practical necessity when the project is large or when the developer is new to subdivisions. It is beneficial to both parties because the community will gain knowledge of the developer's intent and the developer will learn about the regulatory obligations, before committing to significant outlays of time and money.

# APPLICATION FOR SUBDIVISION

## PROPERTY INFORMATION

*Required for Major & Minor Subdivisions*

Current Subdivision Name(s): NORTHERN LIGHTS PHASE 2

Current Legal Description(s): TRACT 2C OF NORTHERN LIGHTS PHASE 2

Current Physical Address(es): \_\_\_\_\_

Number of Current Lots Involved: 1 Current Zoning(s): RC

Proposed Subdivision Name: BLUE SPRUCE SUBDIVISION

Total number of Proposed Lots: 21 Approx Acreage: 8.51

Additional Information: \_\_\_\_\_

\_\_\_\_\_

### THIS SUBDIVISION IS:

☐ A Minor Subdivision

☒ A Major Subdivision

*See description of Minor and Major subdivisions on Page 3 of this application*

## OWNER(S) OF RECORD (Attach additional sheets if more than two owners)

*Required for Major & Minor Subdivisions*

Name: BRAD BARNETT

Address: PO BOX 182

City/State: VALDEZ, AK Zip: 99686

Phone: 907-255-2723

E-Mail: barnett.building24@gmail.com

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

## SURVEYOR

*Required for Major & Minor Subdivisions*

Company: WRANGELL MTN TECH SERV

Name: ALLEN MINISH

Address: PO BOX 118

City/State: CHITINA, AK Zip: 99566

Phone: 907-259-2280

E-Mail: WRANGELLMTS@YAHOO.COM

Surveyor must have a current professional surveying license with the State of Alaska.

LICENSE #: 8205

# APPLICATION FOR SUBDIVISION

## SUPPLEMENTARY INFORMATION (Attach separate sheet if necessary)

*Required for Minor and Major Subdivisions*

1. What is the purpose of this subdivision? CREATE RESIDENTIAL LOTS

2. What is the proposed timeline for subdivision completion? 2018-2019

3. Is any part of the proposed subdivision within the regulated floodplain as designated by the Federal Insurance Rate Maps (FIRMs) adopted by the City of Valdez on December 1983? ☐ Yes ☒ NO. If yes, explain what area is in the floodplain and how this is being accounted for in the subdivision process.

4. Is there additional information which may aid in the processing of this application. (e.g., proposed variances, zoning change requests, concurrent subdivisions, etc.)? NO

5. Are there any potential adverse environmental impacts that could be triggered by this subdivision? Include any impacts to wetlands, surface water, groundwater, flooding, plants and animals, aesthetics, Historic sites, open space, recreation, transportation, noise, odor, light, geological features, etc. (Attach separate pages as necessary). NO

# APPLICATION FOR SUBDIVISION

## MAJOR SUBDIVISIONS (Attach separate sheet if necessary)

*Required for Major Subdivisions Only*

### WATER PROVISIONS

Will this Subdivision Utilize Public City Water?

☒ Yes ☐ NO

If Yes, will this Subdivision require the installation of additional water services? How many additional services? What kind? \_\_\_\_\_  
NEW WATER MAIN

If No, what will the source for drinking water be for this subdivision? \_\_\_\_\_  
\_\_\_\_\_

### SEWER PROVISIONS

Will this Subdivision Utilize the Public Sewer system?

☐ Yes ☒ NO

If Yes, will this Subdivision require the installation of additional water services? How many additional services? What kind? \_\_\_\_\_  
\_\_\_\_\_

If No, what will the method be for wastewater disposal in this subdivision? Has the area been tested for suitability? \_\_\_\_\_  
ON-SITE WASTEWATER SYSTEMS

### DRAINAGE PROVISIONS

Will this subdivision tie into the public storm water collection system?

☐ Yes ☒ NO

If Yes, will this Subdivision require the installation of additional storm drains? How many additional services? What kind? \_\_\_\_\_  
\_\_\_\_\_

If No, are there areas that require ditching or French drains? YES

Is it feasible for all building sites to have positive drainage away from building structures? YES

### IMPROVEMENTS

Are there any roads or access ways involved in this subdivision?

☒ Yes ☐ NO

Any sidewalks?

☐ Yes ☒ NO

Does the subdividor intend to have the City accept part of all of the improvements built in conjunction with this subdivision?

☒ Yes ☐ NO

If yes, will the roads meet all the requirements of the City of Valdez standards and specifications for road building? \_\_\_\_\_

☒ Yes ☐ NO

If yes, will the roads be built before the final plat, or does the subdividor intend to bond with the City and build the roads after the final plat? NO ROAD WILL BE BUILT AFTER FINAL PLAT

The City of Valdez requires a minimum of 1 sq ft of snow storage to be publically dedicated for every 1 sq ft of road surface built. Does this subdivision meet or exceed the minimum snow storage requirements? YES

### **PUBLIC DEDICATIONS**

Are any existing easements being changed or removed?

☐ Yes ☒ NO

If so, please describe: \_\_\_\_\_

Are any new easements being created?

☒ Yes ☐ NO

In addition to any snow storage requirements, are any other spaces being dedicated to the public in this plat? For what purpose? \_\_\_\_\_

### **OTHER CONSIDERATIONS**

#### **Lot Layout**

Is the lot layout consistent with the municipal code requirements?

☒ Yes ☐ NO

Does the lot layout compliment that physical character of the underlying land (ie, natural drainage areas, knolls, etc)

☒ Yes ☐ NO

#### **Other Utilities**

Will this subdivision require the installation of street lights?

☐ Yes ☒ NO

Has the subdivider provided electrical and telecommunications services to each lot?

☒ Yes ☐ NO

#### **Improvements**

Are there improvements planned in conjunction with the subdivision?

☐ Yes ☒ NO

Do these improvements meet the zoning requirements?

☐ Yes ☐ NO

Have the improvements been looked at by the building department?

☐ Yes ☐ NO

#### **Planned Unit Development (PUD)**

Is the subdivision a Planned Unit Development?

☐ Yes ☒ NO

Has it been reviewed for and does it meet the requirements of the PUD section of the zoning code?

☐ Yes ☐ NO

## NOTARIZED OWNER'S ACKNOWLEDGMENT/ AUTHORIZATION TO SUBDIVIDE

LEGAL DESCRIPTION:

PHYSICAL ADDRESS:

TRACT 2C OF NORTHERN LIGHTS SUBDIVISION - PHASE 2  
200 Dylan Dr.

### ACKNOWLEDGMENTS

1. I am aware of and consent to the filing of this application.
2. I confirm that the information provided in this application is true and correct to the best of my knowledge and I assume all responsibility for the truth and validity of this application and all associated exhibits and documents submitted.
3. I agree to allow representatives of the City of Valdez to go on or about the subject property for inspection purposes in connection with this application.
4. I confirm that I have uncontested legal ownership of the subject property, without any outstanding rights, reservations or encumbrances which could nullify the intended development and use of this subdivision (if there is a loan or mortgage on the affected property, the loan holder must sign the beneficiary interest portion of this application).
5. If the owner is a corporation, partnership, limited liability company (LLC), governmental agency or other entity, I confirm that I am authorized to act on behalf of the corporation, partnership, LLC, governmental agency or other entity in processing this application.
6. I acknowledge that any potential or existing separate lots, land titles, partitions, previously subdivided lots or other such land units will be consolidated with this subdivision action and upon final subdivision approval only the newly created lot(s) will be recognized.

I (We), the owner(s) of the subject property, do authorize my (our) agent(s) to represent me (us) in processing this application and to do any and all acts required to obtain final subdivision approval.



Signature of Owner

Brad Barnett

Print Name

11/13/17

Date

Company/Partnership/LLC/Agency/Entity Name Title:

Signature of Owner

Print Name

Date

Company/Partnership/LLC/Agency/Entity Name Title:

Attach additional sheets if more than two owners

### BENEFICIARY INTEREST (if applicable)

Name of Interest Holder: Ronald F. Hursh

Address: PO Box 3058

Valdez, AK 99686

Phone: (907) 835-3135

I certify that as a representative of the beneficiary interest in this property, I am aware of this subdivision application and do not object to it moving forward.



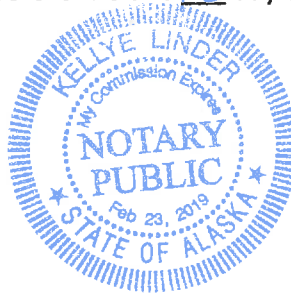
Title: POA - Ron Hursh Date: 11/17/17

**SIGNATURE OF OWNER**

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )

The foregoing instrument was acknowledged before me this 13 day of November, 2017, by  
Brodie Barnett.

Kellye Linder  
NOTARY PUBLIC FOR ALASKA  
My Commission expires: Feb 23, 2019



**SIGNATURE OF OWNER**

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
\_\_\_\_\_.

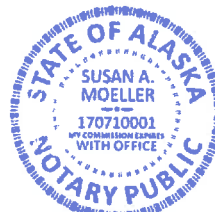
\_\_\_\_\_  
NOTARY PUBLIC FOR ALASKA  
My Commission expires: \_\_\_\_\_

**SIGNATURE OF BENEFICIARY INTEREST**

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )

The foregoing instrument was acknowledged before me this 17 day of November, 2017, by  
Melissa L. Metzger.

Melissa Metzger (POA)  
NOTARY PUBLIC FOR ALASKA  
My Commission expires: Upon Office



Susan A. Moeller

**POWER OF ATTORNEY**  
**"STATUTORY DURABLE FORM"**

THE POWERS GRANTED FROM THE PRINCIPAL TO THE AGENT OR AGENTS IN THE FOLLOWING DOCUMENT ARE VERY BROAD. THEY MAY INCLUDE THE POWER TO DISPOSE, SELL, CONVEY, AND ENCUMBER YOUR REAL AND PERSONAL PROPERTY, AND THE POWER TO MAKE YOUR HEALTH CARE DECISIONS. ACCORDINGLY, THE FOLLOWING DOCUMENT SHOULD ONLY BE USED AFTER CAREFUL CONSIDERATION. IF YOU HAVE ANY QUESTIONS ABOUT THIS DOCUMENT, YOU SHOULD SEEK COMPETENT LEGAL ADVICE. YOU MAY REVOKE THIS POWER OF ATTORNEY AT ANY TIME.

Pursuant to AS 13.26.338-13.26.353, I, Ronald F. Hursh

(Name of Principal)

of 3309 Exp. Ave. Valdez, AK

(Address of Principal)

do hereby appoint Melissa Hursh-Metger

(Name and Address of Attorney(s)-in-fact)

306 Clark St. Valdez, AK, my attorney(s)-in-fact to act as I have checked below my name, place, and stead in any way which I myself could do, if I were personally present, with respect to the following matters, as each of them is defined in AS 13.26.344, to the full extent that I am permitted by law to act through an agent:

The agent or agents you have appointed will have all the powers listed below unless you draw a line through a category: and initial the box opposite the category.

- |  |       |
|--|-------|
| (A) real estate transactions   | _____ |
| (B) transactions involving tangible personal property, chattels, and goods | _____ |
| (C) bonds, shares, and commodities transactions                            | _____ |
| (D) banking transactions   | _____ |
| (E) business operating transactions  | _____ |
| (F) insurance transactions   | _____ |
| (G) estate transactions  | _____ |
| (H) gift transactions  | _____ |
| (I) claims and litigation  | _____ |

- (J) personal relationships and affairs
- (K) benefits from government programs and military service
- (L) health care services
- (M) records, reports, and statements
- (N) delegation
- (O) all other matters, including those specified as follows:

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**If you have appointed more than one agent, check one of the following:**

- ( ) Each agent may exercise the powers conferred separately without consent of any other agent.
- ( ) All agents shall exercise the powers conferred jointly, with consent of all other agents.

**To indicate when this document shall become effective, check one of the following:**

☒ This document shall become effective upon the date of my signature.

( ) This document shall become effective upon the date of my disability or incapacity.

**If you have indicated that this document shall become effective upon the date of your disability and not otherwise affected by your disability, complete the following:**

I shall be determined to be disabled or incapacitated if my ability to receive and evaluate information, or to communicate decisions, is impaired as a result of mental illness, mental deficiency, physical illness, physical disability, advanced age, use of drugs, chronic intoxication or other similar medical or psychological reason, to such an extent that I am unable to manage my property or affairs, as certified by the affidavit of:

( ) Two physicians or similarly qualified medical professional who have personally examined me; however, the affidavit may be signed by only one physician or similarly qualified medical professional if only one is available, and the affidavit executed by the person so states.

**If you have indicated that this document shall become effective on the date of your signature, check one of the following:**

☒ This document shall not be affected by my subsequent disability.

( ) This document shall be revoked by my subsequent disability.

**If you have indicated that this document shall become effective upon the date of your signature and want to limit the term of this document, complete the following:**

This document shall automatically expire without any further action by me, in the event that I have not become incompetent or incapacitated within ( ) years from the date of my signature.

#### **OPTIONAL PROVISIONS**

**If you have given the agent authority regarding health care services under subdivision (L), complete the following:**

☒ I have executed a separate declaration under AS 18.12.010, known as a "Living Will".

( ) I have not executed a "Living Will".

**You may designate an alternate Attorney-in-fact. Any alternate you designate will be able to exercise the same powers as the agent(s) you named at the beginning of this document. If you wish to designate an alternate or alternates, complete the following.**

If the agent(s) named at the beginning of this document is unable or unwilling to serve or continue to serve, then I appoint the following agent to serve with the same powers:

Cameroon P. Hurst  
(First Alternate or Successor Attorney-in-fact)

3063 Mendenhall St., Valdez, AK  
(Address of First Alternate)

\_\_\_\_\_  
(Second Alternate or Successor Attorney-in-fact)

\_\_\_\_\_  
(Address of Second Alternate)

**You may nominate a guardian or conservator. If you wish to nominate a guardian or conservator, complete the following:**

In the event that a court decides that it is necessary to appoint a guardian or conservator for me, I hereby nominate Melissa - Hurst - Metzger

(Name of Guardian or Conservator)

306 Clark St., Valdez, AK

(Address of Guardian or Conservator)

to be considered by the court for appointment to serve as my guardian or conservator, or in any similar representative capacity.

### NOTICE OF REVOCATION OF THE POWERS GRANTED IN THIS DOCUMENT

You may revoke one or more of the powers granted in this document at any time through the common law methods of revocation; such methods include, without limitation, express revocation by a subsequent instrument.

### NOTICE TO THIRD PARTIES

A third party who relies on the reasonable representation of an Attorney-in-fact as to a matter relating to a power granted by a properly executed statutory power of attorney does not incur any liability to the principal or to the principal heirs, assigns, or estate for a civil penalty, plus damages, costs, and fees associated with failure to comply with the statutory form power of attorney. If the power of attorney is one which becomes effective upon the disability of the principal, the disability of the principal is established by an affidavit, as required by law.

IN WITNESS WHEREOF, I hereby sign my name to this Durable Power of Attorney this 9<sup>th</sup> day of Nov, 19 2015.

Ronald H. Hurst  
(Signature Principal)

STATE OF ALASKA  
3<sup>rd</sup> JUDICIAL DISTRICT

} SS.

THIS IS TO CERTIFY that on this 9<sup>th</sup> day of Nov, 19 2015, before me the undersigned authority in and for the State of Alaska, duly commissioned and sworn as such, personally appeared Ronald Hurst known to me to be the person described herein, who executed, swore to and acknowledged before me the foregoing instrument.

[Signature]  
(Officer or Notary Public)

My Commission Expires w/office

