

**CITY AND BOROUGH OF SITKA
ORDINANCE NO. 2018-07**

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA GENERAL
CODE TITLE 21 "SUBDIVISION"**

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.

2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.

3. **PURPOSE.** The purpose of this ordinance is to revise the monumentation and flagging requirements for subdivisions to reduce costs, create continuity between practice and code, provide for reasonable, durable and accurate monumentation, while providing an accurate and fair subdivision process that is not excessively burdensome.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 21 Subdivision, be amended as follows (new language underlined; deleted language stricken):

**Title 21
SUBDIVISION**

**Chapter 21.12
MINOR SUBDIVISION**

Sections:

- 21.12.010 Application.
- 21.12.020 Concept plat.
- 21.12.030 Final plat.
- 21.12.040 Recording timetable.

21.12.010 Application.

A. The minor subdivision plat procedure shall apply to the following plats:

1. Plats that create no more than four additional tracts or lots;
2. Plats that create parcels that will become integral parts of the adjoining lots or rights-of-way;
3. A movement or creation of lot lines that does not result in an increase in the density or number of residential units within the area being subdivided or resubdivided;
4. A subdivision involving the vacation of a street or alley;
5. A subdivision created for a government agency acquisition of a street right-of-way.

B. Basic Criteria. The following general conditions are necessary for approval of a minor subdivision:

1. No dedications are needed;

2. Monuments exist sufficient to locate all proposed lots on the site, as required by section 21.40.160;

3. The plat includes all contiguous land under common ownership;

4. Maintenance agreements as necessary.

C. Preapplication. Participation in preapplication procedures as described in the major subdivision plat requirements (Section 21.32.020) is advised to address any questions regarding the minor subdivision application.

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21.12.030 Final plat.

A. A final plat shall be prepared by a registered land surveyor and submitted for planning commission review following the board review of the concept plat. The plat shall comply with all the major subdivision final plat submission requirements in Section 21.32.160. The easements and improvements shall comply with all the applicable standards in Chapter 21.40. It must be submitted at least thirteen days prior to the next planning commission meeting. ~~The perimeter of the subdivision shall be flagged with readily viewable marking at least ten days prior to the planning commission hearing. In addition, the planning office may require that interior subdivision lot corners shall be marked with two-inch square wooden hubs and flagging ten days prior to the planning commission hearing.~~ Flagging may be required along the proposed plat's existing or proposed boundaries or features as required by the platting authority pursuant to section 21.40.160. Notices and a public hearing shall be required and given as provided for Chapter 21.52.

B. In addition to providing a plat that conforms to the major subdivision final plat requirements, the following shall be submitted:

1. General topography of the site and immediate surroundings, showing specific topographic features and spot elevations. The purpose of this topography is to provide an understanding of the overall terrain of the site and to confirm the grades of access easements and rights-of-way. The planning commission may also require more detailed topographic information of existing and proposed grades.

C. The planning commission shall approve, deny, or approve with conditions the final plat at a regularly scheduled meeting and the action shall be given within sixty days of the date of submission of a complete final plat. A delay in commission action may be requested in writing by the applicant, may result from the application being incomplete, or may result from evidence requiring further city consideration. If the plat approval is denied or the applicant is not satisfied with the conditions placed on the plat, the matter shall be reconsidered by the planning commission unless the applicant files an appeal directly to the assembly.

D. After the final plat is approved, a recordable plat shall be prepared by a registered land surveyor including any required certificates as also required of a major subdivision, all applicable plat notes required by this title, and all plat notes required by the planning commission during the approval process. The recordable document shall reference all monuments that have been installed following the approval of the plat.

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Chapter 21.32 MAJOR SUBDIVISIONS

Sections:

- 21.32.010 General outline of procedure for major plat approval.
- 21.32.020 Major subdivision preapplication.
- 21.32.030 Major subdivision—Suggested concept plan submittal.
- 21.32.040 Major subdivision—Preliminary plat submission requirements.
- 21.32.050 Preliminary plat review and approval.
- 21.32.160 Major subdivision—Final plat submission requirements.
- 21.32.170 Final subdivision plat review and approval by the planning commission.
- 21.32.180 Final subdivision plat review and approval by the assembly.
- 21.32.190 Appeal to superior court.

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21.32.040 Major subdivision--- Preliminary plat submission requirements.

A. In the event the owner or developer does not elect to go through the concept plat review process and submit a complete application at that time, an application for subdivision plat approval shall precede the submission of a preliminary plat. If a previous application does not incorporate any request for any necessary platting variances and vacations, those requests shall accompany the applications. Applications shall be in a form approved by the city.

B. Preliminary plat applications shall be signed by all persons holding an interest in the property that is the subject of the application. If the applicant intends to develop the land covered by the preliminary plat in phases, the application for preliminary plat approval shall include a master phasing plan specifying the timing and sequence of development.

C. The preliminary plat shall include all contiguous land under the applicant's ownership even if under separate legal description. If only a portion of the applicant's land is intended for development under the proposed subdivision, the remaining portion shall be given a tract designation and shall be part of the preliminary and final plat.

D. The applicant shall submit the application for preliminary plat approval, including the following items, within the time required by the city in order for staff review before the regular meeting of the planning commission at which the plat is to be considered. The city shall determine the completeness of the application and notify the applicant if additional information is necessary. The perimeter of the subdivision ~~shall~~ may be flagged with readily viewable marking ~~at least ten days prior to the planning commission hearing~~ when required pursuant to section 21.40.160. In addition, the planning office may require that interior subdivision lot corners shall be marked with two-inch square wooden hubs and flagging ten days prior to the planning commission hearing. The planning commission review and public hearing shall be scheduled for the earliest possible date depending upon the size and complexity of the proposal.

E. Preliminary Plat Submittal.

1. Plat Copy Requirements.

- a. Four blue or black line prints of the preliminary plat prepared by a registered surveyor (or fewer copies as approved by the city).
- b. One eight-and-one-half-inch by eleven-inch sheet of the proposed new lot lines without signature blocks.
- c. One copy to each of the appropriate governmental state or federal regulatory agencies and to the private telephone/television companies directed by the city.

2. All plats shall be drawn to a scale of at least one inch equals one hundred feet to show details and to enable appropriate decisions. Plats shall be submitted on sheets of one of the following sizes with each sheet being the same size: eighteen by twenty-four inches, twenty-four by thirty-six inches, or thirty by forty-two inches. The plat shall have four distinctive line weights according to the following breakdown from heaviest to lightest:

- a. Boundary lines;
- b. Block and tract outlines;
- c. Lot lines;
- d. Easements, street centerlines, topographic contours, and other features.

3. The preliminary plat shall include the following information:

- a. Title block at the bottom right corner of the plat sheet or the index sheet showing:
 - i. Name of proposed subdivision,
 - ii. Scale,
 - iii. Date,
 - iv. Total area,
 - v. Legal description of parcel being subdivided,
 - vi. Proposed lot numbers, block numbers, and street names,
 - vii. Name, address, and license number of surveyor preparing plat,
 - viii. Owner(s) and/or applicants of the property and mailing address;
- b. When a plat consists of more than one sheet, an index sheet is required. The index sheet must include a key map showing the entire project with street names, lots, block numbers, match lines indicating the sheet numbers which will display pertinent data of that particular portion of the project. The match lines shall follow obvious divisions within the plat and be easily recognizable.

When more than one sheet is submitted, one sheet shall contain all the approval certificates. All sheets must be the same size;

c. North arrow;

d. Vicinity map which includes the following:

i. Scale of one inch equals one thousand feet,

ii. Principal road systems, and, if applicable, major water bodies and/or watercourses, boundaries of national forest or other pertinent boundaries, location of subdivision and north arrow;

e. Dedicated rights-of-way, patent reservations, road easements, or utility and other reservations, public or private, within the proposed subdivision boundaries and within contiguous parcels showing location, dimensions, and purposes;

f. Adjacent property lines shall be shown with dashed lines to show their general relationship to the proposed plat;

g. Proposed lot lines, tract lines, and rights-of-way including approximate dimensions and areas of all lots and tracts, approximate curve radii and lengths, and similar information;

h. Designation of proposed public areas;

i. Topography shall be shown with contour intervals of two feet for any portion of the proposed subdivision within the floodplain of any watercourse; five feet outside floodplain areas if the ground slope is less than ten percent; and ten feet if the ground slope is greater than ten percent;

j. Preliminary horizontal location of water supply, sewage collection or disposal systems, storm drainage and other public improvement details to enable the city to make a preliminary determination as to conformance with municipal and state standards;

k. The location of water bodies and drainage courses, including the location of flood hazard areas;

l. The location of existing facilities, permanent buildings and structures within the proposed subdivision such as roadways, buildings, sewage systems, wells, oil lines including pipe sizes, utility poles and lines, underground power lines, excavations, bridges, and culverts;

m. Legal access from the public system where necessary;

n. Any additional information required by the municipality.

F. The applicant shall submit supporting written information including all soils and engineering data required by the appropriate state agency for the review of installation of either on-site

sewer and water facilities, if such are needed, or the general design and layout when such utilities are to become a part of the city and borough community system. If this subdivision or any part thereof is in a coastal management district, any information required for coastal management compliance shall also be submitted as may be required by the city.

G. Accompanying the preliminary plat shall be a plat certificate documenting all persons holding any legal interest in the land being subdivided, prepared by an authorized title insurance company.

21.32.050 preliminary plat review and approval.

The planning commission shall approve, deny, or approve with conditions the preliminary plat at a regularly scheduled meeting and the action shall be given within sixty days of the date of submission of a complete final plat. ~~The exterior of lot lines of the project shall be flagged ten days prior to the first planning commission hearing on the preliminary plat. Flagging of interior lot lines shall be installed at the same time if required by the municipality. Flagging may be required along the proposed plat's existing or proposed boundaries or features as required by the platting authority pursuant to section 21.40.160.~~ A delay in commission action may be requested in writing by the applicant, may result from the application being incomplete, or may result from evidence requiring further city consideration. If the plat approval is denied or the applicant is not satisfied with the conditions placed on the plat, the matter shall be reconsidered by the planning commission unless the applicant files an appeal directly to the assembly.

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Chapter 21.40

DESIGN AND CONSTRUCTION REQUIREMENTS AND MONUMENTATION

Sections:

- 21.40.010 Design principles and standards.
- 21.40.020 Compliance with standard specifications and subdivision agreements.
- 21.40.030 Easements.
- 21.40.040 Lots and blocks.
- 21.40.060 Maintenance agreements.
- 21.40.070 Street improvements.
- 21.40.080 Street arrangement.
- 21.40.090 Access to primary and secondary roads.
- 21.40.100 Street names.
- 21.40.110 Dedicated right-of-way street design standards.
- 21.40.120 Rights-of-way.
- 21.40.130 Additional design and construction requirements.
- 21.40.140 Design and construction requirements for subdivided island properties.
- 21.40.150 Flood hazard areas.
- ~~21.40.160 Required monumentation—Final plat monuments. Monumentation and flagging.~~

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21.40.160 ~~Required monumentation—Final plat monuments.~~ Monumentation and flagging.

A. Generally.

1. All subdivisions, boundary line adjustments, replats, and any plat that requires approval to be recorded shall comply with the required monumentation and flagging as detailed in this section. References to monumentation and flagging requirements appear in other sections of this code; however, this section shall control.

2. All monuments required herein shall be installed, shown, and referenced on all final subdivision plats prior to the recording of the plats. All monuments recovered during the survey process shall all be shown on the plat.

~~2.—Flagging requirements appear in the sections covering preliminary and final plat reviews in other chapters of the title. If considered appropriate to facilitate the review of the subdivision, temporary wooden hubs may be required to be installed by the municipality during the review process.~~

~~B.—Primary monuments must be established for surveys as set forth herein. A primary monument must consist of a minimum two-inch diameter metal pipe at least thirty inches long with a minimum four-inch flange at the bottom. A minimum two-and-one-half-inch diameter metal cap must be permanently attached at the top. If both the cap and the pipe are of nonferrous metal, then additives with magnetic qualities must be permanently attached at both the top and bottom of the monument. Every primary monument cap must be permanently stamped with the year set, the surveyor's registration number, and the corner identification. The city may approve one of the following alternatives upon petition by the surveyor: a cap grouted into firm stone or a durable tablet containing a minimum of one thousand cubic inches of concrete and a cap marking the actual corner point.~~

~~C.—Every subdivision must have a minimum of two primary monuments set or recovered on the boundary of the subdivision. All angle points along the subdivision boundary should have a primary monument. Primary monuments along a subdivision boundary may not be situated more than one thousand three hundred twenty feet apart. If an exterior boundary line is less than two thousand six hundred forty feet, but more than one thousand three hundred twenty feet long, then the intermediate primary monument must be set as close to the midpoint as practical. If the point for a primary monument is in a place that would be impractical to monument because of natural obstacles such as water bodies or roads, a witness corner must be set. The witness distance and course must be shown on the plat of survey from the existing monument as set to the true corner position. Witness corners must always be set on a survey property line at a distance considered reasonable and practical from the true corner point. Witness corners must comply with the standards for primary monuments.~~

~~D.—Secondary monuments shall be used for property line curvature control, at interior angle points, on interior lines that exceed one thousand three hundred twenty feet in length that are not established with primary monuments, and all other corners that are part of the subdivision. Secondary monuments will consist of at least a five-eighths-inch metal bar four feet long with a one-and-one-half-inch cap attached at the top with the surveyor's registration number and corner identification stamped on the top. Secondary monuments do not require monument accessories.~~

3. The following are the requirements for secondary monumentation:
a. All secondary monuments shall be at least a 5/8 inch by 24 inch rebar and cap at all exterior and interior controlling corners, points, and angles. Monuments shall be capped and stamped with survey grade material and

information. Where topography limits depth or type of monument, a reasonable survey grade monument of choice may be used if approved by the platting authority, and this includes setting monuments until reasonable refusal for depth.

b. Secondary monumentation shall be required at all exterior and interior angles, corners, points, and used where needed for curvature control for all subdivisions, replats and/or reviews under this title.

i. Where there is an existing and sufficient monument that is accurate and durable, that monument may be used to fulfill this subsection.

ii. Primary monumentation may be required for certain plats. A primary monument will fulfill this subsection.

4. The following are the requirements for primary monumentation:

a. Primary monuments must be established for surveys as set forth in this subsection. A primary monument must consist of a minimum two-inch diameter metal pipe, at least 30 inches long, with a minimum four-inch flange at the bottom. A minimum two-and-one-half-inch diameter metal cap must be permanently attached at the top. If both the cap and the pipe are of nonferrous metal, then additives with magnetic qualities must be permanently attached at both the top and bottom of the monument. Every primary monument cap must be permanently stamped with the year set, the surveyor's registration number, and the corner identification. This data must be orientated so that the data may be read when the reader is facing north. Monuments and accessories found in a disturbed condition must be returned to the original position and condition as nearly as possible or replaced so as to perpetuate the position. An alternative monument may be approved by the platting authority, where needed due to constraints of topography.

b. All major subdivisions, planned unit developments, cluster subdivisions, small lot subdivisions of 6 lots or more, or any hybrid or combi subdivision of 6 lots or more shall provide at least two (2) recovered or new primary monuments along the boundary of the subdivision at points required by the platting authority or planning commission.

c. All minor subdivisions, zero-lot lines, or hybrid or combi subdivisions of 5 lots or less shall provide at least one (1) recovered or new primary monument along the boundary of the subdivision at points required by the platting authority or planning commission.

d. Primary monumentation for boundary line adjustments, accretion plats, replats, vacation of easements or right-of-ways, lot joiners, or lot splits may be required where existing primary monumentation is found insufficient by the platting authority or planning director.

e. Existing primary monuments that are recovered, accurate, and durable may be used to fulfill this subsection.

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414 E. f. All primary monuments must be referenced to at least three bearing trees
415 or objects. If bearing trees or objects are used, they must be located as nearly
416 as possible at right angles and may not be farther than one hundred feet from
417 the monument. A distance to trees or objects must be measured at waist
418 height and in the case of trees measured to the center of the tree with
419 distances reduced to horizontal equivalent. Bearing trees must be marked with
420 a nonferrous metal tag of at least nine square inches in size which must be
421 placed facing the monument. These tags must be clearly and permanently
422 marked as to the corner nomenclature and distance.

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424 5. Existing recovered monumentation shall be shown and described.

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426 6. Flagging requirements appear in other sections of this title, however, this
427 section shall control. If considered appropriate to facilitate the review or
428 consideration of a subdivision or other plat, flagging may be required to be
429 installed by the municipality during the review process. Criteria to determine
430 when flagging shall be installed shall include when topography, drainage,
431 structures, location of utilities or other important improvements, or other
432 material issues, such as disputed property line raise the need for more
433 information. Such a decision shall be by motion of the planning commission,
434 platting authority, or city and borough assembly.

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436 5. **EFFECTIVE DATE.** This ordinance shall become effective the day after the date of its
437 passage.

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439 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka,
440 Alaska this 27th day of March, 2018.

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444 _____
Matthew Hunter, Mayor

445 ATTEST:

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447 _____
448 Sara Peterson, MMC
449 Municipal Clerk

450
451 1st reading 3/13/18
452 2nd reading 3/27/18