

CITY OF CRAIG
ORDINANCE NO. 541

AN ORDINANCE AMENDING TITLE 18, CRAIG LAND DEVELOPMENT CODE,
CHAPTERS 18.09, 18.10, 18.11 and 18.13.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CRAIG, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and the code sections adopted hereby shall become a part of the code of the City of Craig, Alaska.

Section 2. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance and the application of other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall be effective immediately upon adoption.

Section 4. Action. This ordinance amends Sections 18.09, 18.10, 18.11 and 18.13 of the Craig Land Development Code by deleting the items shown with strikethrough text and surrounded by square brackets (~~strickethrough~~) and by adding the underlined items, as follows:

18.09.010 FINAL PLAT, OTHER REQUIREMENTS - MAJOR AND MINOR PLATS

- A. The following shall accompany the final plat when submitted by the subdivider for approval and shall be shown on the face of the plat when feasible.
- 5. A certificate of approval of the Alaska Department of Environmental Conservation as to domestic water supply and sewage disposal, if required by the State of Alaska;
 - 9. Plats drawn on drafting software will be provided to the City of Craig via disk or another electronic format acceptable to the city.

18.09.020 FINAL PLAT--PROCEDURE. MAJOR AND MINOR PLATS.

- E. Examples of plat certificates and notes

CERTIFICATE OF IMPROVEMENTS

All improvements have been examined and approved by City of Craig this _____ day of _____, 2004.

Public Works Director

City Platting Official

For subdivisions of ANCSA land, the following plat notes apply.

1. For subdivisions of ANCSA land where the regional corporation is not a party to the subdivision:

This plat constitutes a subdivision of the surface estate only. The subsurface estate owner has not participated in this platting action.

2. For subdivisions of ANCSA land conveyed to the City of Craig under ANCSA 14(c)(3):

The subsurface estate within this subdivision is owned by Sealaska Corporation and an easement for use of the subsurface estate is recorded at Book 260, pages 282-285 in the Ketchikan Recording District.

18.10.001 PURPOSE

A. The purpose of this chapter is to establish and define the improvements [~~which will be~~] required [~~under the subdivision agreement to be constructed~~] [~~by~~] of the subdivider as a condition of final plat approval; [~~and~~] to outline the procedures and responsibilities of the subdivider and public officials and agencies concerned with the administration, planning, designing, construction, and financing of public facilities; and to establish procedures for assuring compliance with these requirements. (Ord. 131 S5(part), 1976).

18.10.002 APPROVAL OF CONSTRUCTION PLANS

A. It shall be the responsibility of the subdivider to have prepared by a registered engineer a complete set of construction plans, including profiles, cross-sections, specifications, and other supporting data for the hereinafter required public streets, utilities, and other facilities. Said plans shall be reviewed and approved by the City Public Works Director prior to the beginning of construction. Such construction plans shall be based on data contained in the approved preliminary plat. (Ord. 131 S5(part), 1976). Construction plans shall include design for curb, gutter, buried storm drain and asphalt surfacing.

Construction plans drawn on drafting software will be provided to the City of Craig via disk or another electronic format acceptable to the city.

Upon completion of subdivision streets, utilities and other facilities, the subdivider shall provide to the City of Craig a complete set of as-built documents, prepared by a registered engineer or licensed surveyor. The as-built documents must show accurately the placement of streets, utilities and other facilities, and detail specific components installed. The as-built documents must be printed on mylar or similar material. Approval of as-builts by the City Public Works Director is necessary prior to final plat approval or release of subdivision improvement guarantee.

18.10.005 STREETS

C. Streetlights will be installed by the developer. One streetlight will be placed at every intersection, one streetlight will be placed in each cul-de-sac and one streetlight will be placed on every other utility pole along a street. If the utilities are underground, a pole and streetlight will be placed along the right-of-way no more than 300' apart.

18.11.004 RIGHT-OF-WAY AND PAVEMENT WIDTHS

C. Right-of-way and surface widths, unless otherwise specified by the Planning Commission, are:

<u>Width*</u>	<u>Right-of-Way Width</u>	<u>Surface</u>
Major Streets	60'	[50'] 30'
Collectors	50'	[40'] 30'
Minor Streets*	40'	30'
Alleys	20'	16'

18.11.008 CUL-DE-SACS

A. Cul-de-sacs* shall have a maximum length of six hundred feet and a minimum right-of-way width of [~~thirty~~] forty feet with a turn-around diameter of eighty feet. Measurement of cul-de-sacs shall be along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.

18.11.170 LAND ALLOCATION FOR OPEN SPACE

A. Subdividers are encouraged to provide open space within subdivisions for use as parks and or recreation areas by subdivision residents.

~~[A. Findings and purpose. The City of Craig finds that:~~

- ~~1. — There exists in the City of Craig a general and increasing need for parks, open spaces and recreational facilities to serve the community's expanding population.~~
- ~~2. — The need for parks, open space and recreational facilities is greatest at the neighborhood level due to population increases from new subdivisions.~~
- ~~3. — A system of requiring allocation of suitable land for neighborhood parks, open space and recreational facilities will most equitably and directly address the need.~~

~~B. Consistent with the findings above, the purposes of this chapter are:~~

- ~~1. To insure the general health, safety and welfare of the citizens of the City of Craig when considering the approval of new subdivisions;~~
- ~~2. To establish a means of creating and enhancing neighborhood parks, open spaces and recreational facilities correspondent with the needs created by residential development;~~
- ~~3. To distribute equitably the cost of providing such parks, open spaces and recreational facilities;~~
- ~~4. To mitigate any adverse impacts on neighborhoods without adequate parks, open spaces and recreational facilities when approving new residential development.~~

~~C. Every subdivision final approval within a residential zone shall be contingent upon allocation of land for open space and recreational need of its residents. This chapter shall not apply to planned unit developments.~~

~~18.11.171 Allocation of Open Space~~

~~A. Criteria for Allocation of Land.~~

- ~~1. The following criteria shall serve as a basis for determining whether a piece of land proposed for allocation or reservation is of sufficient size, character and quality to meet the intent of this chapter:
 - ~~a. The proposed area for allocation shall be located either within or adjacent to the subdivision for which it is required;~~
 - ~~b. The area proposed by the developer for allocation must consist of an amount equal or greater than the requirements set in section 18.11.171.B;~~
 - ~~c. The area proposed for allocation must have a street frontage equal to at least 20 percent of its perimeter to allow for observation of play areas by residents of the subdivision. Alternative design measures that accomplish the same purpose of security may be approved by the planning commission;~~
 - ~~d. When new areas are proposed for allocation it may be required that they be located adjacent to or contiguous with any other established or approved open spaces or recreation areas in adjacent subdivisions in order to increase the overall benefits to the neighborhood;~~
 - ~~e. The topography, soils, hydrography and other physical characteristics of the area proposed for allocation or reservation shall be of such quality as to create a flat, dry, obstacle free space on at least 50 percent of the total area required.~~~~

~~B. Amount of Land to be Allocated. Subject to the exceptions set out in 18.11.170.C, all residential subdivisions shall propose an allocation to the~~

~~City of Craig real property to be used for open space or recreation. The amount of real property allocated shall be approximately the amount identified below.~~

Subdivision Size (gross square feet)	Allocation Requirement (square feet)
0-99,999	0
100,000-125,000	1,500
Each additional 25,000	500

~~Example: A subdivision totaling 200,000 gross square feet (4.59 acres) may allocate 3,000 square feet for open space.~~

~~18.11.172 Equivalent Facilities~~

- A. Whenever a developer chooses to set aside land within a subdivision, which in whole or in part does not meet all the criteria for allocation in 18.11.171, the developer may propose to improve such land by grading, filling, landscaping or with installation of recreation equipment so as to be equivalent in result to the intent of this chapter, subject to approval of the planning commission. Such proposal must be submitted at the time the subdivision is submitted for approval. Approval of equivalent facilities will be made at the time of approval of the subdivision. The developer, in his proposal, shall submit a plan for completion for the equivalent facilities which is to be no longer than one year from the date of approval.

~~18.11.173 Approval~~

- A. ~~Approval of a land allocation for open space or for equivalent facilities must be submitted to the planning commission at the time the subdivision is submitted for approval. Approval of the allocation or equivalent facilities will be granted upon approval of the subdivision. If additional requirements are imposed pursuant to 18.11.171(A)(1)(d), such conditions will be made at the time of approval. All allocations of open space pursuant to this chapter are subject to approval and acceptance by the Craig City Council. Approval and acceptance will be subject to a determination of need by the City Council for the open space and the availability of funds to purchase the open space at an amount determined by the Craig City Council.~~

~~18.11.174 Review~~

~~A. Any subdivider who disputes any denial under this chapter or the imposition of additional requirements under 18.11.171(A)(1)(d) shall be afforded an appeal of the decision and/or requirements by the city council as outlined in 18.04 of the Craig Municipal Code. The subdivider shall have the option of a public hearing.]~~

CHAPTER 18.13 SETBACKS

G. SHORELINE SETBACKS

1. Crab Bay - One hundred (100) foot setback extending from the natural [~~stand of timber~~] shoreline vegetation above the high tide line landward for one hundred (100) feet.

Passed and approved on _____, 2004.

Mayor Dennis Watson

Attest _____
Vicki Hamilton, City Clerk