

AGENDA ITEM E. NEW BUSINESS

ITEM 1 - LOST LAKE SUBDIVISION 2022 ADDITION

<b>KPB File No.</b>	2022-003
<b>Plat Committee Meeting:</b>	February 14, 2022
<b>Applicant / Owner:</b>	Forest Service, U.S. Department of Agriculture, Anchorage Dana S. Rough and Kathie Smith Rough, Seward
<b>Surveyor:</b>	Gates C. Kesler / Forest Service
<b>General Location:</b>	Hayden Berlin Road, Seward

<b>Parent Parcel No.:</b>	125-290-74 and 125-290-76
<b>Legal Description:</b>	Tract B, Lost Lake Sub Add No 4 Plat SW 96-20 Tract C1, Lost Lake Sub No 5 Plat SW 98-14
<b>Assessing Use:</b>	General Commercial Tract B, Residential Tract C1
<b>Zoning:</b>	Rural Unrestricted
<b>Water / Wastewater</b>	On Site

STAFF REPORT

**Specific Request / Scope of Subdivision:** The proposed plat reconfigures the shared lot line between Tract B, Forest Service property, and Tract C1, Rough’s property. This platting action will resolve two land issues. Harden Berlin Road, the access road to the Lost Lake trailhead, crosses over a portion of the Rough’s property. The Rough’s have improved Tract C1 by constructing a new road for a proposed subdivision. The new roadway encroaches into the Forest Service property. The common boundary between Tract C1 and Tract B will be adjusted so that the road to the Lost Lake Trail parking area is within the Forest Service Tract and the road for Rough’s subdivision will be within the Rough’s property.

Dan and Kathie Rough have submitted a preliminary plat for their tract, Lost Lake Subdivision Addition No. 6. An exception to minimum lot size was denied but the plat was approved. After this boundary adjust between the Roughs an the Forest Service is complete, Dan and Kathie Rough can continue with their subdivision and obtain final plat approval.

**Location and Legal Access (existing and proposed):** This subdivision is locate in Seward near milepost 5 of the Seward Highway. Legal access is from Hayden Berlin Road on the southwest boundary and by way of Judan Road on the eastern portion. Both access points are closed cul-de-sac right of ways that have been improved are maintained by the KPB Roads Department.

Lost Lake Trailhead is located at the parking area within Tract B and is depicted on the preliminary plat.

A 33 foot wide section line easement affects the west boundary and the south boundary. **Staff recommends the section line easement be depicted and labeled on the drawing.**

A portion of the roadway within the Rough’s property is located on State of Alaska lands on the north side of the northern boundary. ADL 232731 has been granted by the State of Alaska to allow the public use of the roadway. **Staff recommends ADL 232731 be depicted and noted on this plat.**

The subdivision is not within a compliant block as the block length is longer then allowed under KPB code. An exception to KPB 20.30.170 Block Length has been requested.

KPB Roads Dept. comments	Out of Jurisdiction: No  Roads Director: Uhlin, Dil
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	Comments: No comments
SOA DOT comments	

**Site Investigation:** This subdivision is located at the base of mountainous terrain. Areas with steep slopes dictate the location where roads, parking, and residential improvements can be constructed.

A drainage affects the western portion of Tract B2. **Staff recommends** the approximate location of the drainage is depicted and labeled on the plat.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks</p> <p>Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	Alaska Dept. of Fish and Game has no objection to the proposed platting action. The proposed actions will not affect public access to public lands and waters.

**Staff Analysis** Parent parcels Tract B and Tract C were created with Lost Lake Subdivision Addition No. 4, SW 96-20. Tract C was subdivided with Lost Lake Subdivision Number 5, SW 98-14.

Aerial imagery from 1996 does not show the Lost Lake Trailhead parking lot but does show an area cleared where the Roughts road is now constructed.

Both tracts will be losing and gaining equal property so the overall size of the parcel will not change. Both parcels are larger than 200,000 sq. ft. so a soils report is not required. **Staff recommends** the appropriate wastewater disposal note per KPB 20.40.030.

A easement of record, recorded under SW 2009-000081-0 appears to affect Tract C1 and provides legal access to Lot 6 Lost Lake Subdivision Addition Number 1 SW 87-4. **Staff recommends** the surveyor confirm the status of said easement and if it affects Tract C1, depict and label the easement. If the location of the easement cannot be determined then a plat note will be required.

Notice of the proposed plat was mailed to the beneficial interest holder on January 19, 2022. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

The property is not within an advisory planning commission.

**Utility Easements** The parent plats granted a 10 foot utility easement adjoining the dedicated right of way. **Staff recommends** the utility easement of record be depicted and labeled on the plat.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

**Utility provider review:**

HEA	
ENSTAR	No comments or recommendations.
ACS	Not within our area, no comments.
GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

**KPB department / agency review:**

Addressing	<p>Reviewer: Haws, Derek          Affected Addresses:          None</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names:          HAYDEN BERLIN RD          HEATHER LEE LN          SAMANTHA DR          JUDAN RD</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments:          No addresses affected by this subdivision.</p>
Code Compliance	<p>Reviewer: Ogren, Eric          Comments: No comments</p>
Planner	<p>Reviewer: Aldridge, Morgan          There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments:          There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Wilcox, Adeena          Comments: No comment</p>

The subdivision plat has been reviewed and generally complies with the 2019 Kenai Peninsula Borough Comprehensive plan.

**STAFF RECOMMENDATIONS**  
**CORRECTIONS / EDITS**

**KPB 20.25.070 – Form and contents required**

**Staff recommendation:** *final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.*

- A. Within the Title Block
  1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
  2. Legal description, location, date, and total area in acres of the proposed subdivision;
  3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

**Staff recommendation:** *Revise the name of the plat to Lost Lake Subdivision 2022 Addition. Provide the names and address for all land owners within the title block. Provide the KPB file no. within or near the title block.*
  
- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

**Staff recommendation:** *Provide the width of the dedication right of ways for Hayden Berlin Road and Judan Road.*
  
- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;

**Staff recommendation:** *The cross hatching within the civility map is not required by KPB code and can be removed at the desecration of the surveyor.*
  
- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

**Staff recommendation:** *Update the large acreage tracts by adding an 'Unsubdivided' label. The ownership information for the large acreage tracts is not required and can be removed at the surveyor's discretion, i.e. State of Alaska.*
  
- H. Approximate locations of low wet areas, areas subject to inundation, areas subject to flooding or storm water overflow, and the line of ordinary high water. This information may be provided on an additional sheet if showing these areas causes the preliminary plat to appear cluttered and/or difficult to read;

**Staff recommendation:** *Depict and label the drainage area located within the west portion of Tract B2.*
  
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

**Staff recommendation:** *Within the new parcels, remove the reference to the parent plat subdivision name. The owner's name is not required within the parcel boundary.*
  
- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

**Staff recommendation:** *Depict and label the areas affected by slopes greater than 20 percent. The top and toe of the steep terrain will suffice.*

N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;

**Staff recommendation:** *Concur that the preliminary plat depicts and labels the roadways that encroach and this platting action will correct the roadway encroachment.*

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### KPB 20.30 – Subdivision Design Requirements

**Staff recommendation:** *final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.*

#### 20.30.060. Easements-Requirements.

A. The planning commission may require easements it determines necessary for the benefit of the public. Such easements include, but are not limited to, lateral support (slope) easements, drainage easements for ditching or protection of a drainage, and utility easements. Required easements do not need to be for road purposes.

B. Upon submittal of a preliminary plat, the planning department shall provide a copy to public utility companies for their comments-and recommended design of utility easements. If the property is subject to existing natural gas or petroleum pipeline easements, a copy shall also be furnished to the appropriate company for comment.

C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

D. Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note. Within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers.

**Staff recommendation:** *Depict and label the 10 foot utility easement adjoining the dedicated right of ways.*

#### 20.30.190. Lots-Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

**Staff recommendation:** *place the standard note on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lot(s).*

#### 20.30.240. Building setbacks.

A. A minimum 20-foot building setback shall be required for dedicated rights-of-way in subdivisions located outside incorporated cities.

1. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.

2. The setback shall be noted on the plat in the following format:  
Building setback- A setback of 20 feet is required from all dedicated street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.

3. When a subdivision is affected by a Local Option Zoning District (LOZD), an approved by the assembly, all building setbacks shall be graphically depicted and labeled on the lots. A local option zoning setback shall be noted on the plat in the following format:  
Building setback – This subdivision is located within (name of LOZD) Local Option Zoning District as contained in KPB Chapters 21.44 and 21.46 and adopted by KPB Ordinance (number), recorded under (serial no. and recording district). Information regarding the zoning restrictions and copies of the ordinance are available from the KPB Planning Department.

**Staff recommendation:** *Depict and label the 20 foot building setback which adjoins both Hayden Berlin Road and Judan Road.*

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#### **KPB 20.40 – Wastewater Disposal**

**Staff recommendation:** *final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.*

20.40.010 Wastewater disposal.

*Platting Staff Comments: The acreage for both tracts will not change and both tracts are larger than 200,000 sq. ft.*

**Staff recommendation:** *comply with 20.40.*

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#### **KPB 20.60 – Final Plat**

**Staff recommendation:** *final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.*

20.60.030. Certificate of borough finance department required.

*Platting Staff Comments: All taxes levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or his designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.*

*Taxes owed may include special assessments for utility or road assessment districts established by KPB ordinance.*

**Staff recommendation:** *comply with 20.60.030.*

20.60.140. Block and lot numbering. Blocks and lots within each block shall be numbered consecutively or all lots shall be numbered consecutively. If possible, each block should be shown entirely on one sheet. Each lot shall be shown entirely on one sheet.

**Staff recommendation:** *Concur that labeling former Tract C1 to C7 is advisable as there has already been another Tract labeled C2 within the Lost Lake Subdivision area. Remove the former subdivision name within Tract B2 and Tract C7.*

20.60.150. Utility easements.

A. The utility easements approved by the planning commission shall be clearly shown on the final plat in dimensioned graphic form or as a note.

B. The following note shall be shown on the final plat:

No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.

**Staff recommendation:** *Comply with 20.60.150.*

#### 20.60.160. Easements.

A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

1. Special purpose easements being granted by the plat shall be clearly defined for allowed use. Special purpose easements may require a signed acceptance statement on the plat.

B. Private easements may not be granted on the plat.

**Staff recommendation:** *Former Tract C1 may be subject to an access easement. Determine if Tract C7 will be affected by the utility easement of record and depict and label the easement if so. Comply with 20.60.160.*

#### 20.60.180. Plat notes.

A. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats) as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

**Staff recommendation:** *The survey history information block and the information within plat note 2 is not required by KPB code and can be removed at the desecration of the surveyor. Add notes for any exceptions that are granted by the Planning Commission.*

#### 20.60.190. Certificates, statements, and signatures required.

**Staff recommendation:** *Provide a Certificate of Ownership for the National Forest Service to sign. With the Certificate of Ownership state which parcels belong to which owner by added the existing Tract designation under the owners name.*

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### **EXCEPTIONS REQUESTED:**

#### **A. KPB 20.30.030 Street Layout** **KPB 20.30.170 Block Length**

Surveyor's Discussion: The existing trailhead road will lie on U.S. Forest Service Land once it leaves the current ROW of Hayden Berlin Road, there are no proposed changes to this road from existing use. The roughs further subdivision and development of Tract C1 will address any projection of right of way for newly constructed roads and will be shown on their subdivision plat.

There are no proposed changes for the Lost Lake Trailhead access road, the intent of the replat of this boundary is to resolve encroachment of the road on to the Roughs property. The dedication of any other right of ways for new road construction will be addressed on the further subdivision of new Tract C7 by the Roughs.

Staff Discussion: Staff has combined the two section of code into one request as both are in regards to the extension of right of ways through the subdivision to provide a closed block that complies with the length requirements.

The subdivision is affected by steep terrain. Harden Berlin Road is an open ended cul-de-sac which means that the right of way can be extended and there is room for the construction of a turnaround if needed. The roadway continues into the National Forest Service lands with a large parking area where vehicles can turnaround.

Steep terrain affects the subdivision and limits the location where roadways can be constructed. The Roughs have constructed a roadway within their large tract and have a preliminary approved subdivision plat. The preliminary plat will subdivide the large tract into lots and extend a right of way dedication to provide legal access to all lots. The proposed right of way will not provide a connection to Judan Road. A 30 foot wide panhandle extends from the Judan Road cul-de-sac to allow legal access to the large tract. Judan Road is a cul-de-sac and per KPB definitions is to remain a closed right of way.

If denied, right of way dedications will be required to be connect Hayden Berlin Road to Judan Road.

**Findings:**

1. The subdivision is affected by steep terrain.
2. Harden Berlin Road is an open ended cul-de-sac which means that the right of way can be extended and there is room for the construction of a turnaround if needed.
3. Harden Berlin Road continues into the National Forest Service lands with a large parking area where vehicles can turnaround.
4. Steep terrain affects the subdivision and limits the location where roadways can be constructed.
5. The Roughs have constructed a roadway within their large tract and have a preliminary approved subdivision plat, Lost Lake Subdivision Addition No. 6.
6. The preliminary plat for Lost Lake Subdivision Addition No. 6 will subdivide the large tract into lots and extend a right of way dedication to provide legal access to all lots.
7. The proposed right of way will not provide a connection to Judan Road.
8. A 30 foot wide panhandle extends from the Judan Road cul-de-sac to allow legal access to the large tract.
9. Judan Road is a cul-de-sac and per KPB definitions is to remain a closed right of way.
10. No lots will be denied legal access.
11. Both tract are large enough to be further subdivided in the future.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;  
**Findings 1-5, 9-11 appear to support this standard.**
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;  
**Findings 1-5, 9-11 appear to support this standard.**



3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

**Findings 1-5, 9-11 appear to support this standard.**

**Staff recommendation:** *place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.*

### **EXCEPTIONS REQUESTED:**

#### **B. KPB 20.60.200 Survey and Monumentation**

Surveyor's Discussion: New Tract C7, (Tract C1 Lost Lake Subdivision No. 5) will be concurrently subdivide by another surveyor, using the new boundary information from this replat. As the Roughs are further subdividing this tract for development, all survey monuments will be recovered and shown on their subdivision plat.

Staff Discussion: The Roughs have approval for a subdivision plat of Tract C1. The requirements of their platting action will include locating or reestablishing survey markers on the entire boundary of former Tract C1.

The surveyor for the National Forest Service will locate or establish survey markers for the entire boundary of proposed Tract B2. This will include the removal of survey markers on the former boundary line and the setting of new survey markers on the new common boundary between Tract B2 and Tract C7.

Tract C1 was surveyed in 1998 (SW 98-14) with the survey markers on the boundary being located and or reset. If approved, the record information from SW 98-14 will be shown with this platting action.

If denied, this platting action will be required to locate, or reestablish, survey markers on the boundary of former Tract C1.

#### **Findings:**

1. New Tract C7, (Tract C1 Lost Lake Subdivision No. 5) will be concurrently subdivide by another surveyor, using the new boundary information from this replat.
2. The Roughs are further subdividing Tract C7 for development; all survey monuments will be recovered and shown on their subdivision plat.
3. The Roughs have approval for a subdivision plat of Tract C1.
4. The requirements of the Rough's platting action will include locating or reestablishing survey markers on the entire boundary of former Tract C1.
5. The surveyor for the National Forest Service will locate or establish survey markers for the entire boundary of proposed Tract B2.
6. This current platting action will include the removal of survey markers on the former boundary line and the setting of new survey markers on the new common boundary between Tract B2 and Tract C7.
7. Tract C1 was surveyed in 1998 (SW 98-14) with the survey markers on the boundary being located and or reset.
8. If approved, the record information from SW 98-14 will be shown with this platting action.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may

not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;  
**Findings 1-6 appear to support this standard.**
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;  
**Findings 1-6 appear to support this standard.**
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.  
**Findings 1-6 appear to support this standard.**

*Staff recommendation: place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.*

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**RECOMMENDATION:**

**SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:**

- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

**NOTE: 20.25.120. - REVIEW AND APPEAL.**

**A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.**

**A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.**

**END OF STAFF REPORT**

SUBDIVISION REQUIREMENT CHECKLIST  
Complete or not applicable items are marked with a check box - ☒

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KPB 20.25.070 - Form and contents required.

- A. Within the Title Block
  1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat. **Surveyor Ok'ed name change via email and will add to final.**
  2. Legal description, location, date, and total area in acres of the proposed subdivision;
  3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor. **Info not listed**

**Staff recommendation:**
- B. North point;

**Staff recommendation:**
- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision; **Platted roads are listed, but no widths are depicted. There is a section line easement on the West side of proposed Tract B2 that is not depicted.**

**Staff recommendation:**
- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;

**Staff recommendation:**
- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions, or limitations of reservations that could affect the subdivision; **There are public trails and parking show in proposed Tract B2, but it doesn't state they are for public use.**

**Staff recommendation:**
- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision; **Widths not shown.**

**Staff recommendation:**
- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

**Staff recommendation:**
- H. Approximate locations of low wet areas, areas subject to inundation, areas subject to flooding or storm water overflow, and the line of ordinary high water. This information may be provided on an additional sheet if showing these areas causes the preliminary plat to appear cluttered and/or difficult to read;

**Staff recommendation:**
- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

**Staff recommendation:**

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;  
**Staff recommendation:**
- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision; **Outside city limits.**  
**Staff recommendation:**
- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;  
**Staff recommendation:**
- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such; **None shown.**  
**Staff recommendation:**
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;  
**Staff recommendation:**
- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase. **No phases.**  
**Staff recommendation:**

### KPB 20.30 Design Requirements

Platting staff comments: *Staff reviewed the plat and all the items required by 20.30 were met, unless otherwise noted below:*

- 20.30.020. Reserved strips prohibited-Exception. There shall be no reserve strips controlling access to land dedicated or intended to be dedicated to public use, except when the control and disposition of land comprising such strips is placed within the jurisdiction of the borough under conditions specified by the commission and noted on the final plat.  
**Staff recommendation:**
- 20.30.030. Proposed street layout-Requirements.
  - A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.
  - B. Subdivision of land classified as agricultural conveyed subject to AS 38.05.321(a)(2)(B) may provide public access easements in lieu of fee simple dedications if necessary to comply with the minimum lot size restriction of the statute. The public access easements must meet all applicable right-of-way design criteria of Title 20 and are subject to the building setback requirements set forth in KPB 20.30.240.
  - C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.  
**Staff recommendation:**
- 20.30.040. Streets within 100 feet of waterbodies. No dedications are allowed within 100 feet of the ordinary high water line of a waterbody unless necessary for access to a lot where no reasonable alternative access

exists or the dedication provides access to a bridge or public facility, waterbody or watercourse. Final plats must comply with KPB 20.60.050 and 20.60.060.

**Staff recommendation:**

20.30.050. Legal access.

A. The applicant shall provide an access plan to the planning department verifying the existence of legal access to the subdivision boundary. The plan shall consist of the documents depicting the access, a map depicting the location of the access, and topographic information indicating that construction which meets the design requirements set forth in KPB Chapter 20.30 is practical and economical. In this title, legal access exists where an unrestricted, public right-of-way connects the subdivision to the state highway system, the state marine highway system or a regularly served public airport, and one of the following is met:

1. Ingress and egress will be provided over section line easements located within a surveyed section;
2. The applicant provides copies of borough-accepted recorded conveyances creating the public easement or right-of-way where the access is located;
3. That access is a State of Alaska maintained road or municipal maintained road;
4. The applicant provides documentation satisfactory to the borough demonstrating that public legal access is guaranteed through judicial decree; or
5. The right-of-way is an easement or fee interest at least 60 feet in width dedicated or irrevocably conveyed to the public and acceptable to the planning commission.

B. The following situations may qualify for a waiver of the legal access requirement:

1. Upon finding that no practical means of providing road access to a proposed subdivision exists and upon presentation of credible and convincing evidence by the applicant that permanent public access by air, water, or railroad is both practical and feasible, the planning commission may waive the legal access requirements of KPB 20.30.050(A). If access other than by road is approved, the mode of access shall be noted on the plat. .
2. Where only a 30-foot dedication exists over all or a portion of the legal access to a subdivision, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the other 30 feet will be dedicated in the future.
3. Where a road is in use for physical access but there is no right-of-way document for all or part of the access road, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the right-of-way will be dedicated in the future.

**Staff recommendation:**

20.30.060. Easements-Requirements.

A. The planning commission may require easements it determines necessary for the benefit of the public. Such easements include, but are not limited to, lateral support (slope) easements, drainage easements for ditching or protection of a drainage, and utility easements. Required easements do not need to be for road purposes.

B. Upon submittal of a preliminary plat, the planning department shall provide a copy to public utility companies for their comments-and recommended design of utility easements. If the property is subject to existing natural gas or petroleum pipeline easements, a copy shall also be furnished to the appropriate company for comment.

C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

D. Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note. Within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers.

**Staff recommendation:** The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Grant utility easements requested by the utility providers.**

- 20.30.070. Lots on major streets-Access requirements. Lots fronting on arterial streets with less than 200 feet of right-of-way as identified in the arterial road plan adopted by the borough or lots fronting on state maintained roads with less than 200 feet of right-of-way may be required to provide interior or frontage road access after review and recommendation by the Kenai Peninsula Borough Road Service Area staff and upon a finding by the planning commission that due to size, topography, physical characteristics, or heavy traffic flow, that direct access to the arterial or state maintained road may present a traffic hazard.  
**Staff recommendation:**
- 20.30.080. Alleys. Alleys are prohibited unless allowed by city ordinance.  
**Staff recommendation:**
- 20.30.090. Streets-Maximum grades allowed. The subdivider shall demonstrate that streets can be readily constructed in accordance with current borough road standards and that the grades on any such roads shall not exceed 6 percent on arterial streets and 10 percent on other streets, or 4 percent within 130 feet of any centerline intersections. Submittal of centerline profiles and cross-sections may be required to demonstrate that compliant construction in the right-of-way is feasible.  
**Staff recommendation:**
- 20.30.100. Cul-de-sacs.
  - A. Streets designed to have one end permanently closed shall be no more than 1000 feet long. The closed end of the cul-de-sac shall have a suitable turnaround with a minimum radius of 50 feet to the property line. The turnaround shall be constructible to a 4 percent grade or less.
  - B. Hammerhead or T -type turnarounds may be allowed on a case-by-case basis. Adequate turning radii, width and depth must be provided for road maintenance and emergency vehicle access. Plans must be reviewed with a recommendation by emergency service providers and the KPB Road Service Area Board prior to submittal for planning commission review.
  - C. Temporary turnarounds and self-vacating turnarounds shall not be granted or reserved on plats.  
**Staff recommendation:**
- 20.30.120. Streets-Width requirements.
  - 9. The minimum right-of-way width of streets shall be 60 feet.
    - 1. Half streets shall generally not be allowed except to provide the logical extension of a right-of-way where the remaining half street can reasonably be expected to be dedicated in the future.
    - 2. When a design change required as a condition of preliminary approval results in a half right-of-way that was not shown on the original preliminary plat, adjoining to the new half right-of-way will be sent a copy of the plat committee minutes and a sketch showing the new half right-of-way and per KPB 2.40.080 can request a review of the plat committee decision by the full Planning Commission.
  - B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.  
**Staff recommendation:**
- 20.30.130. Streets-Curve requirements.
  - A. Where a deflection angle of more than 10 degrees in the alignment of a right-of-way occurs, a curve of minimum radius is required. On streets 100 feet or more in width, the centerline radius of curvature shall be not less than 300 feet; on other streets not less than 200 feet. If it is not possible to design a curve to be radial or tangential, that curve shall be clearly labeled non-radial or non-tangential.

B. A minimum 100-foot tangent is required between curves.

**Staff recommendation:**

- 20.30.140. Streets-Prohibited curves. Compound and broken-back curves are not allowed. Reverse curves will be considered on a case by case basis.

**Staff recommendation:**

- 20.30.150. Streets-Intersection requirements.

A. Street intersections shall be as nearly at right angles as possible, and no intersection shall be at an angle of less than 60 degrees. Where acute street intersections are designed, a minimum 50-foot radius corner at the right-of-way line of the acute angle shall be provided.

B. Offset intersections are not allowed. The distance between intersection centerline shall be no less than 150 feet.

C. Intersections of access streets with arterial streets or state maintained roads shall be limited to those intersections required for safe access consistent with KPB Title 14.

D. Intersections of access streets with arterial streets or state maintained roads must be designed to the American Association of State Highway and Transportation Officials (AASHTO) standards.

**Staff recommendation:**

- 20.30.160. Streets-Name requirements. Streets shall be named to conform to KPB Chapter 14.10

**Staff recommendation:**

- 20.30.170. Blocks-Length requirements. Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

**Staff recommendation:**

- 20.30.180. Pedestrian ways required when. Pedestrian ways not less than 8 feet wide shall be required in blocks longer than 600 feet where reasonably deemed necessary to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities.

**Staff recommendation:**

- 20.30.190. Lots-Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

**Staff recommendation:** *place the standard note on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lot(s).*

- 20.30.200. Lots-Minimum size.

Except in cities where zoning and subdivision regulations establish different minimums, lots must be designed to meet the following area requirements:

A. Lots shall contain at least 6,000 square feet if served by public wastewater disposal and water systems.

B. Lots shall contain at least 40,000 square feet if both the well and wastewater disposal are to be located on the lot unless it can be demonstrated to the satisfaction of the commission that a smaller lot size is adequate for the safe location and operation of an on-site well and wastewater disposal system.

C. Subdivisions designed to be served by public wastewater disposal and water systems but not yet served by such systems may be permitted to contain lots of less than 40,000 square feet if the following conditions are met:

1. The available area may be reduced to 20,000 square feet when public water or wastewater disposal system is available, complying with KPB 20.40;

2. A statement from an engineer affixed with his seal and signature attesting that the proposed lot design and associated building restrictions will assure adequate area is available to each building site for safe on-site well and wastewater disposal, including area for a replacement wastewater disposal system.

**Staff recommendation:**

20.30.210. Lots-Access to street. Each lot shall abut on a fee simple dedicated street except as provided by KPB 20.30.030(B).

**Staff recommendation:**

20.30.220. Lots-Side line requirements. Where reasonable, side lines of lots shall be at right angles to straight portions of the right-of-way or radial to curved portions of the right-of-way.

**Staff recommendation:**

20.30.230. Lots-Double frontage prohibited when. Double frontage lots with depths less than 250 feet will not be approved except where necessitated by topographic or other physical conditions, or to provide reverse frontage along arterial streets. Corner lots are not subject to the double frontage prohibition.

**Staff recommendation:**

20.30.240. Building setbacks.

A. A minimum 20-foot building setback shall be required for dedicated rights-of-way in subdivisions located outside incorporated cities.

10. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.

11. The setback shall be noted on the plat in the following format:

Building setback- A setback of 20 feet is required from all dedicated street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.

12. When a subdivision is affected by a Local Option Zoning District (LOZD), an approved by the assembly, all building setbacks shall be graphically depicted and labeled on the lots. A local option zoning setback shall be noted on the plat in the following format:

Building setback – This subdivision is located within (name of LOZD) Local Option Zoning District as contained in KPB Chapters 21.44 and 21.46 and adopted by KPB Ordinance (number), recorded under (serial no. and recording district). Information regarding the zoning restrictions and copies of the ordinance are available from the KPB Planning Department.



**Staff recommendation:**

- 20.30.250. Building setbacks-Within cities. The building setback requirements for subdivisions located within cities shall be governed by the provisions of municipal zoning districts. Building setbacks as depicted, or noted, on recorded plats shall not be carried forward on a new subdivision plat located within a municipal zoning district. Provide a plat note stating, "Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements."

**Staff recommendation:**

- 20.30.260. Unsubdivided remainders prohibited. All parent parcels must be included in the boundary of the subdivision and all divisions must be given lot or tract numbers and must include areas.

**Staff recommendation:**

- 20.30.270. Different standards in cities. Where cities have enacted by ordinance different subdivision design standards than those set forth in this chapter, the planning commission shall apply the city standards in lieu of those set forth in this chapter. Any appeal of a city design standard is subject to KPB 21.01.020(E).

**Staff recommendation:** *The City of \_\_\_\_\_ does not meet the specified requirements for the application and consideration of different standards.*

- 20.30.280. Floodplain requirements.
  - A. All subdivision plats which are within areas where the floodplain has been identified by the Federal Emergency Management Agency (FEMA), and which involve 50 lots or five acres whichever is lesser, shall include the base flood elevation source.
  - B. Any area of the subdivision within the floodplain, floodway or Seward Mapped Flood Data Area (SMFDA) is to be shown and labeled on the plat.
  - C. All subdivisions which are wholly or partially located within flood hazard areas as defined by KPB 21.06.030 must comply with KPB 21.06.050 standards for Floodplain Management.
  - D. All subdivisions or replats within the Flood Insurance Rate Map (FIRM) area or SMFDA, as amended, as defined by KPB 21.06.020, shall contain the following note:

**FLOOD HAZARD NOTICE:**

Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough Seward Mapped Flood Data Area as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code.

- E. All subdivisions or replats that include any portion of the mapped floodway shall contain the following note:

**FLOODWAY NOTICE:**

Portions of this subdivision are within the floodway. Pursuant to KPB Chapter 21.06, all development (including fill) in the floodway is prohibited unless certification by an engineer or architect is provided demonstrating that encroachments shall not result in any increases in flood levels during the occurrence of the base flood discharge.

- F. Each plat within a city which has met the requirements of this section shall contain the following statement: "The first finished and habitable floor of a building constructed within a floodplain shall be built at or above the 100-year flood level."

- G. This section applies to all cities which adopt a resolution requesting participation in the FEMA floodplain program and which are subsequently recognized by the state as participants.
- H. A city may adopt an ordinance as part of its building code with greater restrictions than those set forth in KPB 20.30.280(A). A note shall be placed on the plat to indicate that the developer is responsible for contacting the city to determine the restrictions prior to any development.

*Staff Comments:*

*To maintain consistency with KPB 21.06.050, **staff requests** the surveyor ensure the proposed subdivision have adequate drainage to reduce exposure to flood damage.*

**Staff reminds** the owner(s), that it is the responsibility of the subdivider to provide all necessary information regarding flood protection measures at the time the preliminary plat is presented for consideration by the planning commission (21.06.050).

**Staff recommendation:**

- 20.30.290. Anadromous Waters Habitat Protection District. If any portion of a subdivision or replat is located within an anadromous waters habitat protection district, the plat shall contain the following note:

**ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE:**

Portions of this subdivision are within the Kenai Peninsula Borough Anadromous Waters Habitat Protection District. See KPB Chapter 21.18, as may be amended, for restrictions that affect development in this subdivision. Width of the habitat protection district shall be in accordance with KPB 21.18.040.

*Platting Staff Comments:*

**Staff recommendation:** *comply with 20.30.290.*

**KPB 20.40 -- Wastewater Disposal**

- 20.40.010 Wastewater disposal.

*Platting Staff Comments:*

**Staff recommendation:** *comply with 20.40.*

**KPB 20.60 – Final Plat**

**Staff recommendation:** *final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.*

- 20.60.010. Preparation requirements generally. The final plat shall be prepared in accordance with this chapter and the preliminary plat as approved. Information required for the preliminary plat by KPB 20.25.070 shall be included on the final plat except that the information required by KPB 20.25.070 (K) - (N) shall not be included. The approximate dimensions required by KPB 20.25.070(J) shall be replaced with accurate dimensions as required by KPB 20.60.110 and KPB 20.60.120. If the final plat contains only a portion of the preliminary plat, it must comply with KPB 20.25.110(B).

**Staff recommendation:** *comply with 20.60.010.*

- 20.60.020. Filing-Form and number of copies required. The subdivider shall file a standard number of prints as determined by the planning director. All prints shall be folded as required by KPB 20.25.030 except those to be recorded with the district recorder.

*Platting Staff Comments:*

**Staff recommendation:** *submit one full-sized paper copy of the plat for final review prior to submittal of the mylar. Electronic submittals are not acceptable for final reviews.*

- 20.60.030. Certificate of borough finance department required.

*Platting Staff Comments: All taxes levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or his designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.*

*Taxes owed may include special assessments for utility or road assessment districts established by KPB ordinance.*

**Staff recommendation:** *comply with 20.60.030.*

- 20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

**Staff recommendation:**

- 20.60.050. Dedication and construction of anadromous waterbody crossings.
  - A. Where a dedication crosses a waterbody within the Kenai Peninsula Borough Road Service Area cataloged as important to the protection of anadromous fish under AS 16.05.871 as now enacted or as may be hereinafter amended, additional right-of-way dedication or slope easements may be required by the planning commission as necessary for construction to meet the criteria of KPB 14.40.061(B).

- B. Where a dedication is proposed over an existing road crossing a waterbody within the Kenai Peninsula Borough Road Service Area cataloged as important to the protection of anadromous fish under AS 16.05.871 as now enacted or as may be hereinafter amended, the road and crossing must be brought up to the permitting standards established by KPB 14.40.061(A) prior to planning commission approval of the final plat.

- C. Where a plat dedicates a right-of-way over an existing road which crosses an anadromous waterbody as described in KPB 20.60.050(B), the applicant shall have three years from the approval of the preliminary plat to have the final plat approved. The time frame may be extended by the planning director if the extension is requested prior to the termination of the initial three-year period for final plat approval or any previously granted extension, and only if there has been no change in the design of the subdivision's road system since preliminary plat approval. Extensions may only be granted for one year at a time.

- D. The road service area shall inspect and provide certification to the planning department that waterbody crossings meet the permitting requirements of KPB 14.40.061(A) prior to the approval of the final plat.

**Staff recommendation:**

- 20.60.060. Dedications within 100 feet of waterbodies. In addition to the criteria set forth in KPB 14.40.061(B), where dedications are proposed within 100 feet of a waterbody, the requirements of KPB 20.30.040 shall be met as part of the subdivision design.

**Staff recommendation:**

- 20.60.070. Plat specifications. The final subdivision plat shall be clearly and legibly drawn to a scale of 1 inch equal to 10, 20, 30, 40, 50, 60, 150 feet or a multiple of 100 feet. The drawing shall be plotted on good quality polyester film at least 3 mm in thickness. All lines, letters, figures, certifications, acknowledgements and signatures shall be clear, legible, and in black ink. The minimum text size should be 10 point (0.1") font or the equivalent. Where necessary, 8 point (0.08") capitalized font or the equivalent can be used to label features. The plat shall be so made, and shall be in such condition when filed, that legible prints and

negatives can be made therefrom. Colors, grayscale or shading is not acceptable as it does not show when the drawing is reproduced. Sheets shall be one of these sizes: 11" x 17"; 18" x 24"; and 24" or 30" x 36". When more than one sheet is required, an index map shall be provided on the first sheet showing the entire subdivision and indicating the portion contained on each sheet. Each sheet shall show the total number (e.g. sheet 1 of 3). When more than one sheet is submitted, all sheets shall be the same size. Indelible ink or sealant shall be used to insure permanency.

**Staff recommendation:** *comply with 20.60.070.*

- 20.60.080. Improvements-Installation agreement required. A final plat of a subdivision located within city limits shall not be recorded with the district recorder prior to compliance with any city ordinances concerning the installation of improvements. Evidence of compliance shall be provided by the subdivider in the form of a written statement from the appropriate city official that improvements required by city ordinance are or will be installed. Evidence of compliance shall be a part of the final plat submission and the time for action required by KPB 20.60.210 shall not commence until evidence of compliance is submitted.

**Staff recommendation:**

- 20.60.090 Improvements-Other public systems. A final plat of a subdivision outside city limits served by a public or existing ADEC approved water or wastewater disposal system shall not be approved prior to provision of documentation from the owner of the system that service to the system is installed and available to each lot in the subdivision, and that connection to all lots will not exceed the capacity of the system.

**Staff recommendation:**

- 20.60.100. Reversion to acreage
  - A. Plats filed for the purpose of reverting subdivided land to acreage shall be conspicuously designated "THE PURPOSE OF THIS PLAT IS A REVERSION TO ACREAGE."

- B. Reverted acreage may carry the original lot or tract designation.

**Staff recommendation:**

- 20.60.110. Dimensional data required.
  - A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled. All non-radial lines shall be labeled. If monumented lines were not surveyed during this platting action, show the computed data per the record plat information.

- B. The natural meanders of ordinary high water (or mean high water line as applicable) is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.

- C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.

**Staff recommendation:** *comply with 20.60.110.*

- 20.60.120. Accuracy of measurements. All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

**Staff recommendation:** provide boundary and lot closure computations with the paper final plat. KPB will verify closure complies with 20.60.120.

- 20.60.130. Boundary of subdivision. The boundary of the subdivision shall be designated by a wider border and shall not interfere with the legibility of figures or other data. The boundary of the subdivided area shall clearly show what survey markers, or other evidence, was found or established on the ground to determine the boundary of the subdivision. Bearing and distance ties to all survey markers used to locate the subdivision boundary shall be shown.

**Staff recommendation:**

- 20.60.140. Block and lot numbering. Blocks and lots within each block shall be numbered consecutively or all lots shall be numbered consecutively. If possible, each block should be shown entirely on one sheet. Each lot shall be shown entirely on one sheet.

**Staff recommendation:**

- 20.60.150. Utility easements.
  - A. The utility easements approved by the planning commission shall be clearly shown on the final plat in dimensioned graphic form or as a note.

- B. The following note shall be shown on the final plat:  
No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.

**Staff recommendation:** comply with 20.60.150.

- 20.60.160. Easements.
  - A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

- 1. Special purpose easements being granted by the plat shall be clearly defined for allowed use. Special purpose easements may require a signed acceptance statement on the plat.

- B. Private easements may not be granted on the plat.

**Staff recommendation:** comply with 20.60.160.

- 20.60.170. Other data required by law.
  - A. The plat shall show all other data that are or may be required on the plat by statute or ordinance.
  - B. Private covenants and restrictions of record in effect at the time the final plat is approved shall be referenced on the plat. The borough will not enforce private covenants, easements, or deed restrictions. The borough will not enforce private covenants, easements, or deed restrictions.

- C. The plat must adhere to the requirement of the local option zone, where applicable.

**Staff recommendation:** comply with 20.60.170.

- 20.60.180. Plat notes.
  - C. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

- D. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats)

as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

**Staff recommendation:** Place the following notes on the plat.

- "No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."
- Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.

If the travel way shown on the plat is a private drive, **staff suggests** the following note be placed on the final plat to avoid confusion about public use in the future: Private road shown is for use of owners only and is not dedicated to public use.

- 20.60.190. Certificates, statements, and signatures required.

**Staff recommendation:** comply with 20.60.190.

*KPB 20.60.190 corrected the Notary's Acknowledgement so it is an acknowledgement instead of a combination of an acknowledgement and a jurat.*

**Staff recommendation:** the Notary's Acknowledgement on the final plat must comply with 20.60.190.

- 20.60.200. Survey and monumentation.

**Staff recommendation:** comply with 20.60.200

- 20.60.210. Approval-Authority-Certificate issued when.

*Platting Staff Comments:* If the Plat Committee conditionally approves the preliminary plat, staff will comply with, and follow, 20.60.210.

- 20.60.220. Administrative approval.

*Platting Staff Comments:* If the Plat Committee conditionally approves the preliminary plat and the final plat conforms to the conditions, staff will issue an administrative approval with notice to the Planning Commission as set forth in 20.60.220.

*The planning director may refer the final plat to the planning commission when:*

1. Major redesign was a condition of preliminary approval by the planning commission or the advisory planning commission of the city in which the subdivision is located;
2. Final approval by the commission was a condition of preliminary approval; or
3. The planning director determines there are other conditions to support referral to the commission.

- KPB 20.70 – Vacation Requirements

**Staff recommendation.**

END OF SUBDIVISION REQUIREMENT CHECKLIST

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