

HAINES BOROUGH

ORDINANCE # 08-03-180

Adopted

AN ORDINANCE OF THE HAINES BOROUGH AMENDING TITLE 12 CHAPTER 12.08 AND TITLE 18 SECTION 18.100.075 TO ESTABLISH ROAD STANDARDS.

BE IT ORDAINED BY THE ASSEMBLY OF THE HAINES BOROUGH, ALASKA:

Sect 1. Classification. This ordinance is of a general and permanent nature and shall be codified into Haines Borough Code.

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

Sec. 3. Effective Date. This ordinance shall become effective immediately upon adoption.

Sec. 4. Purpose. This ordinance amends Title 12 Chapter 12.08 and Title 18 Section 18.100.075 to establish road standards. The code is amended as follows:

NOTE: ~~Strikethrough~~ items are deleted.

Chapter 12.08

ROAD AND SIDEWALK CONSTRUCTION, MAINTENANCE, AND REPAIR

Sections:

- 12.08.010 Borough to maintain dedicated thoroughfares.
- 12.08.020 Improvement of private property.
- 12.08.030 Plan of road construction and development.
- 12.08.040 ~~Construction or improvement authorization required.~~
Standards applicable.
- 12.08.050 ~~Construction by parties other than borough.~~ Local road construction standards.
- 12.08.060 ~~Utility installation.~~ Other requirements not eliminated.
- 12.08.070 ~~Permit to destroy or construct.~~ Road construction standards - introduction.
- 12.08.080 ~~Excavation, construction, or obstruction.~~ Road construction standards - construction categories.
- 12.08.090 ~~Type of construction.~~ Road construction standards - widths and topping.
- 12.08.100 ~~Sidewalk location.~~ Road construction standards - structures and bridges.
- 12.08.110 ~~Sidewalk width.~~ Road construction standards - vertical and horizontal alignment.

12.08.120	Curbs and gutters. <u>Road construction standards - drainage and culvert material.</u>
12.08.130	Handicapped access. <u>Road construction standards - typical section materials.</u>
12.08.140	<u>Road construction standards - general.</u>
12.08.150	<u>Sidewalks, Curbs, Gutters, and Accessibility.</u>
12.08.160	<u>Utility Installation.</u>
12.08.170	<u>Construction by Parties Other than the Borough.</u>
12.08.180	<u>Fee Schedule.</u>
12.08.190	<u>Definitions.</u>

12.08.010 Borough to maintain dedicated thoroughfares.

The borough shall assume and discharge the obligation of maintaining streets and alleys within the townsite service area in a condition suitable for vehicular traffic only:

A. Within the boundaries of all streets and alleys platted in the townsite service area;

B. Within budget constraints; and

C. Within the boundaries of any streets or alleys subsequently created within the townsite service area by each of the following things being done:

1. The filing of a plat in the office of the recorder at Juneau, Alaska, showing with definiteness and certainty the boundaries of such streets and alleys;

2. The filing of an identical plat with the borough clerk;

3. The formal dedication by the owner of such streets and alleys of the land embraced therein to the public for street purposes, including the construction, repair, and maintenance of water, sewer, electric, telephone, and other utility lines and systems thereon; which dedication must be executed in the manner required for the execution of deeds under state law or as modified herein;

4. The method of financing maintenance is identified;

5. The delivery of such dedication to the planning commission for its acceptance or rejection;

6. The acceptance of such dedication by the planning commission; provided, however, that no streets or alleys shall be constructed, repaired or maintained at borough expense unless specifically authorized by the assembly. No dedication shall be accepted by the borough unless the pattern of the streets and alleys so dedicated is in harmony with the present street and alley pattern of the borough, or is such as to not cause undue inconvenience or expense in providing public services along such streets and alleys. No such dedication shall be accepted unless the width of such streets and alleys conforms to the width of adjoining streets and alleys or as approved by the planning commission.

D. Maintenance of public roads and streets outside of the townsite service area may be provided by a road maintenance service area (RMSA) created by authority of HBC Title 7. The RMSA board shall be responsible for establishing standards of maintenance within that service area.

~~D.E.~~ Nonroutine maintenance may be performed on borough roads outside the townsite service area when the manager determines that circumstances exist that hinder the general public interest. The manager shall report occurrences to the assembly.

12.08.020 Improvement of private property.

No borough funds shall be expended for the construction of any sidewalk, curbing, paving, or improvement or repair of any driveway, alley, or other area on private property unless the assembly shall first have entered into a lease with the owner thereof or other satisfactory agreement permitting public use thereof.

12.08.030 Plan of road construction and development.

The streets and alleys of the borough shall be constructed, graded and improved when existing rights-of-way permit it and in accordance with the direction of the provisions of this chapter as administered by the manager. ~~The manager shall require that an area 10 feet wide adjoining the street boundary be reserved on each side of the street, with the curb line being on the opposite side of such 10-foot reserved area. All proposed sidewalks in the business area must receive written approval from the manager. All curb lines will be rounded at the corners on a radius of 10 feet at entrances to alleys and on a radius of 17 and one-half feet on cross streets. Sidewalk widths may be appealed to the manager.~~ It shall be unlawful to destroy, construct, or repair any street, alley, culvert, bridge, sidewalk, ditch, sewer, or drain within the corporate limits of the borough on property within its jurisdiction without first obtaining permission from the manager.

~~12.08.040 Construction or improvement authorization required.~~
Standards applicable.

~~No street, alley, curb, or any part of such street or alley shall be constructed or improved except for ordinary maintenance until the assembly has authorized the same and until the manager has established grade lines. All such construction and improvement shall be made on grades established by the manager.~~ All public access roads in the Haines Borough must be constructed in accordance with an approved plat and meet or exceed the requirements set forth in this section or in accordance with a variance granted by the planning commission due to extenuating circumstances.

12.08.050 Construction by parties other than borough. Local road construction standards.

~~Construction of streets, alleys, sidewalks, curbs, and other parts of such streets and alleys, exclusive of any utility lines, may be constructed by persons or corporations other than the borough at the owner's expense or with borough contribution to the cost thereof as agreed by the assembly. All such construction must be in accordance with the requirements and specifications established by the manager, who shall put the same in writing at the request of any such builder.~~
The borough adopts the standards for construction of roads contained in this chapter. Should there be a conflict between the road construction standards contained herein and those contained in the subdivision ordinance (HBC 18.100) or other chapters of the borough code, these standards shall control.

12.08.060 Utility installation. Other requirements not eliminated.

~~A. Aboveground Utilities. All poles or structures for utility lines, hydrants, and other public service facilities to be constructed above the level of the ground shall be placed between the sidewalk and the curb line if built on a street and within one foot of the boundary of any alley if built in an alley, unless specific authority is obtained from the assembly to do otherwise.~~

~~B. Underground Utilities. A utility facility may be constructed, placed, or maintained along, under, or within a borough right-of-way only in accordance with regulations adopted by the borough and if authorized by a utility permit issued by the borough. Utility permits are valid until July 1, 2006, or for two years from the date of issuance, whichever is later.~~

~~C. Access Easement. The borough retains a 10-foot easement on each side of, and perpendicular to, all borough-owned sewer and water lines and associated appurtenances.~~
This chapter only establishes design and construction standards and does not eliminate any other requirements that may be established by federal or state statutes, borough ordinances or other regulations adopted pursuant to these laws. Permits may be required in instances involving construction in flood hazard zones, wetlands and fish habitat. Grading, excavation and fill permits, storm water/water separation waivers and Costal Management Consistency reviews may be required. The land owner is responsible for knowing the necessity of a permit and acquiring it.

12.08.070 Permit to destroy or construct. Road construction standards - introduction.

~~It shall be unlawful to destroy, construct, or repair any street, alley, culvert, bridge, sidewalk, ditch, sewer, or drain within~~

~~the corporate limits of the borough on property within its jurisdiction without first obtaining permission from the manager.~~

A. Enforcement

The borough shall inspect road construction to ensure adherence to an approved plat and borough standards. Inspection may include test holes; engineering analysis of road geometry, drainage, and general adequacy for anticipated traffic. Construction not adhering to an approved design or construction standards shall be brought into compliance by the developer.

B. Design speeds

All categories of roads named in this chapter have a statutory speed designation of 25 MPH for residential areas, except that collector roads may enjoy 35 MPH. Actual speed design will be determined by factors of terrain and construction costs. The posted speed may be lower than the design speed, and shall be set by the municipality with due consideration to neighborhood safety presence of schools, houses, parks and crosswalks; the presence of driveways, parked vehicles and multiple turn locations and the effectiveness of enforcement.

12.08.080 Excavation, construction, or obstruction. Road construction standards - construction categories.

~~No excavation, construction or obstruction shall be made in, upon, or over any street or alley without first obtaining permission from the assembly; except that the manager may permit the same by issuing a written permit which shall be valid only for a period of one week, subject to HBC 12.16.010.~~

A. Internal subdivision roads

The standard to which a road is constructed shall be based on the categories set forth below. The category shall also be determined by lots indirectly served where the road is a collector or sub-collector and provides necessary access to lots not otherwise served by a collector or sub-collector.

Category I: A cul-de-sac road or other minor road that serves less than 20 lots.

Category II: A road that serves between 20 and 39 lots.

Category III: A road that serves 40 or more lots.

B. Category determination

The borough will determine the category of road based on the standards set forth in this chapter. If the developer disagrees with the category the applicant may request a review by the manager.

C. Existing collector roads

Existing collector roads shall be reconstructed to a category III in a new subdivision, where the Average Daily Traffic (ADT) on the existing collector road can be projected to exceed 300 after subdivision. Alaska Department of Transportation and Public Facilities Division of Planning, Mapping Section current ADT readings shall be referenced.

D. Half-Streets. Where a previous dedicated half-street exists in a subdivision adjacent to a new subdivision, the second half of the street within the proposed subdivision shall be dedicated to the borough for public use by the subdivider.

12.08.090 Type of construction. Road construction standards - widths and topping.

~~The manager shall designate the type of construction, materials, width, length and established grade for any construction or repairs for any street, alley, culvert, bridge, sidewalk, ditch, sewer, water or drain within the corporate limits of the borough on property within its jurisdiction.~~

<u>Category</u>	<u>Road Width</u>	<u>D1 or Grading-C Topping</u>	<u>Right-of Way Width</u>	<u>Total Width</u>
<u>I</u>	<u>24 ft.</u>	<u>4 in.</u>	<u>60 ft.</u>	<u>24 ft.</u>
<u>II</u>	<u>28 ft.</u>	<u>4 in.</u>	<u>60 ft.</u>	<u>28 ft.</u>
<u>III</u>	<u>30 ft.</u>	<u>6 in.</u>	<u>60 ft.</u>	<u>30 ft.</u>

These widths are the minimum. The developer may build wider roads to standards. Additional width may be required for utility easements and drainage. Three (3) feet wide bicycle paths are included in Category II and III road widths.

12.08.100 Sidewalk location. Road construction standards - structures and bridges.

~~A. Property lines shall be determined at the expense of the owner of the property by a registered land surveyor.~~

~~B. The outside boundary of a sidewalk will be established by the manager to prevent irregularities in alignment with existing or proposed sidewalks. Bridges, bottomless culverts, walls and other structures on roads certified for borough maintenance shall be prepared and stamped by a licensed professional civil engineer, and shall be submitted to the borough prior to acceptance of the road for maintenance.~~

12.08.110 Sidewalk width. Road construction standards - vertical and horizontal alignment.

~~It shall be unlawful to construct any sidewalk less than six feet in width on Main Street, Front Street, Second Avenue, Third Avenue, Fourth Avenue, Fifth Avenue, Sixth Avenue, Dalton Street, Union Street, or View Street within the corporate limits of the borough, except at the direction of the manager.~~

A. Vertical alignment

Unless granted a variance by the Planning Commission, roads shall be constructed in a manner such that grades shall not exceed 10 percent and crossroads within 20 feet of a thru-road intersection shall not exceed 4% grade.

B. Horizontal alignment

Roads shall be constructed along the centerline of the right-of-way and shall have curves meeting the minimum radius requirements of not less than 300 feet for right of ways, 100 feet in width or more, and not less than 200 feet on all other roads.

C. Clear zone

The roadside shall be clear of hazardous objects or conditions for a distance consistent with speed, traffic volume, and geometric conditions of the site. Roads shall be constructed with a minimum clear zone of 6.5 feet. Where hazardous physical features exist which cannot be located outside of the clear zone, alternative treatments such as guardrails may be required.

D. Cul-de-sacs (turnarounds)

Roads designed to have one end closed, either permanently or temporarily, shall be no longer than 500 ft. and shall terminate with a turnaround having at least 100 ft. diameter ROW and a roadway at least 75 ft. diameter. The turnaround shall be constructed to a 4 percent grade or less.

E. Intersections

A minimum unobstructed sight distance of 150 feet shall be provided unless a variance is granted due to topography, traffic flow or other physical characteristics. Appropriate warning signs may be required if an exception to the site distance is granted. Road intersections shall be constructed with a minimum return radius of 20 feet.

12.08.120 Curbs and gutters. Road construction standards - drainage and culvert material.

Curbs and gutters shall be constructed adjacent to sidewalks at the direction of the manager. A. Roads shall be constructed to prevent ponding of runoff waters in roadside ditches. Drainage ditches shall be constructed such that runoff waters will be conveyed to natural drainage courses, ditches or waterways, or other man-made drainage courses. Minimum depth of ditches shall be 2 feet unless special circumstances are approved by the borough. There shall be a maximum of 1.5 to 1 slope from the shoulder to the bottom of the ditch. There shall be a maximum of 1 to 1 back slope except in cases where bedrock is present.

B. Culvert outlets shall be constructed to prevent excessive siltation of riparian habitats, channel erosion or drainage to public or private property. The borough may require engineering analysis and design for locations susceptible to flooding, excessive siltation, or other natural conditions potentially damaging to the right-of-way, adjacent property, or water courses and water bodies. Roadway cross-culverts and driveway culverts shall be a minimum diameter of 18 inches, unless special circumstances are approved by the borough. The length of the culvert shall be 4 ft. longer than the road width when placed perpendicular to the roadway, and in any case, shall protrude a minimum of 2 ft. beyond outer total road edge. Culverts, coupling bands and special sections shall be corrugated steel

pipe, at a minimum of 16 gauge. Plastic culverts shall meet AASHTO Standard Section 706-2.07 corrugated polyethylene pipe, AASHTO M 294, Type S.

12.08.130 Handicapped access. Road construction standards - typical section materials.

Ramps and access shall be provided as directed by the manager. Sub-base shall contain no muck, frozen materials, roots, sod or other deleterious matter. The Haines Borough will conduct an inspection prior to grading C or D1 application of the sub-base on category I and II roads. The category III road's Sub-base will adhere to specifications called out in the Project Specific Design described in 12. B.

12.08.140 Road construction standards - general.

A. Typical section

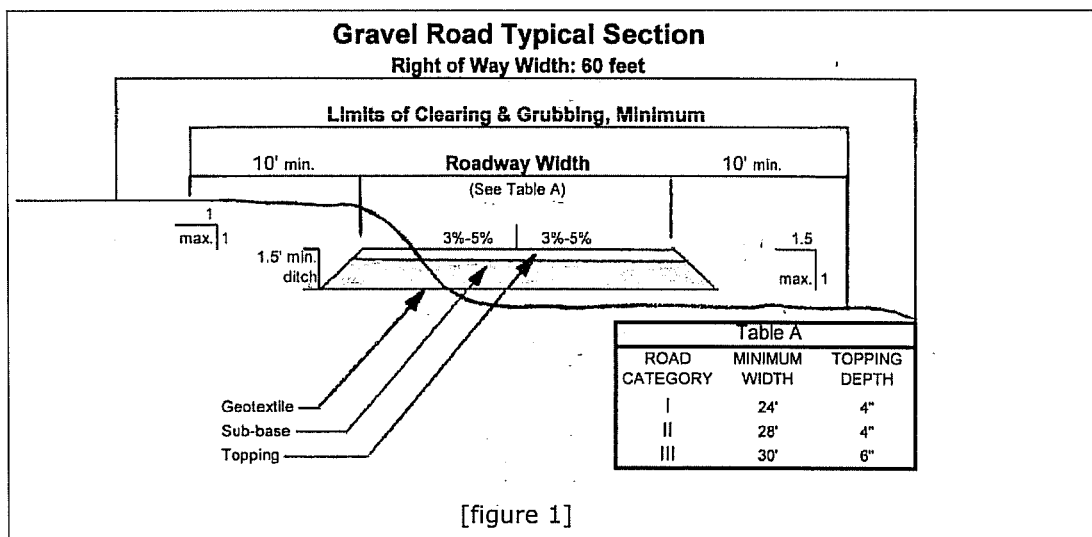
Gravel roads shall be constructed in accordance with the Gravel Road Typical Section drawing and associated Table A [see figure 1]. Additional requirements are:

1. Roads must be contiguous with the existing road system maintained by the borough and the state. All roads must be on a dedicated right-of-way and must be built along the right-of-way centerline. A minimum right-of-way width shall be 60 feet enabling utilities to be installed outside the edge of roadside ditches.

2. All organic material shall be stripped and removed to a minimum depth of four feet below the finished grade. If geotextile is used over organics, then the depth of sub-base must be three feet minimum or greater as required for stable embankment.

3. The roadway embankment shall be placed in maximum 1 ft. lifts and compacted to not less than 90% of maximum density, as specified by AASHTO for material application. Density shall be determined by AASHTO T 180, method D.

4. Onsite usable excavation material may be used as sub-base with approval from the public works superintendent.



B. Project specific design

Category III roads require a project specific design prepared and sealed by a licensed professional civil engineer in accordance with the category III Gravel Road Typical Section drawing and associated Table A. The design shall be approved by the borough as provided for in Title 18. Once the project is complete, as-built plans, prepared and sealed by a licensed professional civil engineer, shall be submitted to the borough. The as-built shall illustrate horizontal alignment; finish grade profile, typical section of the roadbed, and material specifications. The as-built plans are required prior to municipal road maintenance.

12.08.150 Sidewalks, Curbs, Gutters, and Accessibility.

A. The manager shall require that an area 10 feet wide adjoining the street boundary be reserved on each side of the street, with the curb line being on the opposite side of such 10-foot reserved area. All proposed sidewalks in the business area must receive written approval from the manager. All curb lines will be rounded at the corners on a radius of 10 feet at entrances to alleys and on a radius of 17 and one-half feet on cross streets. Sidewalk widths may be appealed to the manager.

B. It shall be unlawful to construct any sidewalk less than six feet in width on Main Street, Front Street, Second Avenue, Third Avenue, Fourth Avenue, Fifth Avenue, Sixth Avenue, Dalton Street, Union Street, or View Street within the corporate limits of the borough, except at the direction of the manager.

C. The outside boundary of a sidewalk will be established by the manager to prevent irregularities in alignment with existing or proposed sidewalks.

D. Property lines shall be determined at the expense of the owner of the property by a registered land surveyor.

E. Curbs and gutters shall be constructed adjacent to sidewalks at the direction of the manager.

F. Ramps and access shall be provided as directed by the manager.

12.08.160 Utility Installation.

A. Aboveground Utilities. All poles or structures for utility lines, hydrants, and other public service facilities to be constructed above the level of the ground shall be placed between the sidewalk and the curb line if built on a street and within one foot of the boundary of any alley if built in an alley, unless specific authority is obtained from the assembly to do otherwise.

B. Underground Utilities. A utility facility may be constructed, placed, or maintained along, under, or within a borough right-of-way only in accordance with regulations adopted by the borough and if authorized by a utility permit issued by

the borough. Utility permits are valid for two years from the date of issuance.

C. Access Easement. The borough retains a 10-foot easement on each side of, and perpendicular to, all borough-owned sewer and water lines and associated appurtenances.

12.08.170 Construction by Parties Other than the Borough. Construction of streets, alleys, sidewalks, curbs, and other parts of such streets and alleys, exclusive of any utility lines, may be constructed by persons or corporations other than the borough at the owner's expense or with borough contribution to the cost thereof as agreed by the assembly. All such construction must be in accordance with the requirements and specifications established by the manager, who shall put the same in writing at the request of any such builder.

12.08.180 Fee schedule. The assembly may establish a fee schedule to cover costs related to road and sidewalk standard construction inspection.

12.08.190 Definitions. For the purpose of this chapter, the following definitions apply:

"AASHTO" - American Association of State Highway and Transportation Officials

"Arterial Road" - A road intended to carry traffic from local and subdivision roads to major highways. Such roads primarily accommodate relatively long distances at relatively high speeds.

"Assembly" - the Haines Borough Assembly.

"Collector Road" - Roads which provide both land access and carry traffic from local or subdivision roads to arterial or major highway systems.

"Developer" - The person or entity that holds fee simple title of property being subdivided.

"Local Roads" - Internal subdivision roads or a road designed and intended to serve local areas. Such roads primarily accommodate land access to abutting property. Local roads feed traffic into collector and arterial street systems.

"Motor Vehicle" - A vehicle which is self powered except a vehicle manned by human or animal power.

"Planning and Zoning" - The Haines Borough Lands Department consisting of staff employed to administer provisions of Borough Code addressing planning and zoning, subdivision, land use and development.

"Road Construction Standards" - The minimal standards set forth in this chapter for the construction of roads in the Haines Borough.

"Road Maintenance Service Area (RMSA)" - A non-area-wide political subdivision of the borough established to maintain roads within its boundaries.

"Road Maintenance Service Area Board and the Board" - The governing body of a RMSA, either appointed or elected as provider for by ordinance.

"Sub-collector Road" - A local road which also provides through traffic service between local roads and collector, arterial, or major highway roads.

18.100.075 Streets.

A. ~~General Considerations.~~

~~1. Design Criteria. The streets shall be designed and located in relation (a) to existing and planned streets, (b) to topographical conditions and natural terrain features such as streams and existing tree growth, (c) to public convenience and safety, and (d) to the proposed uses of the land to be served by such streets.~~

~~2. Construction Standards. Construction standards of all streets shall conform to the State Standard Specifications for road and bridge construction. Any applicable borough ordinance which is more stringent in design criteria shall take priority over other referenced requirements.~~

B. ~~Arrangement.~~

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

~~2. Minor streets shall be laid out to conform as much as possible to topography, to permit efficient drainage and sewer systems, and to require the minimum amount of street necessary to provide convenient, safe access to property.~~

~~C. Width. The right-of-way of all streets shall be at least the width specified below, unless prohibited by unusual topographical, physical, or design features:~~

~~1. Major streets and highways, right-of-way: 80 feet.~~

~~2. Minor streets, right-of-way: 60 feet.~~

~~D. Grades. The grade of major streets shall not exceed six percent and the grade of other streets shall not exceed 10 percent, unless a steeper grade is necessitated by exceptional topography and approved by the commission. The minimum grade of all streets shall be one half of one percent.~~

~~E. Street Names. New street names shall not be so similar to the names of existing streets so as to cause confusion, but streets that are continuations of others already in existence shall bear the name of existing streets.~~


~~F. Cul-De-Sac or Dead-End Streets. Streets designed to have one end permanently closed shall not exceed 500 feet in length, and shall terminate with a turnaround having at least 100 feet in diameter of right of way and a roadway at least 75 feet in diameter.~~

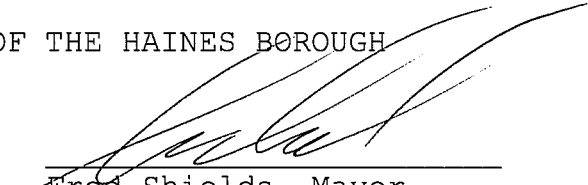
~~G. Half-Streets. Where a previous dedicated half-street exists in a subdivision adjacent to a new subdivision, the second half of the street within the proposed subdivision shall be dedicated to the borough for public use by the subdivider.~~

The design and construction of streets, roads, and sidewalks in subdivisions shall be governed by the provisions of HBC 12.08.030-190.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 22nd DAY OF APRIL, 2008.

ATTEST:


Julie Cozzi, Borough Clerk


Fred Shields, Mayor

Date Introduced: 03/11/08
Date of First Public Hearing: 04/08/08
Date of Second Public Hearing: 04/22/08

