

AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE, TITLE 18, SECTIONS 18.100.030, 18.100.035, 18.100.085 AND 18.20.020 TO CLARIFY THE UTILITY REQUIREMENTS AND PROCEDURES PERTAINING TO SHORT PLATS.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 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.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Purpose. This ordinance amends Haines Borough Code, sections 18.100.030, 18.100.035, 18.100.085 and 18.20.020 to clarify the utility requirements and procedures pertaining to short plats.

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

18.100.030 Short plats criteria.

A subdivision, lot line adjustment, or lot consolidation which falls within the following criteria shall follow the short plat procedures:

A. Subdivisions of a single lot into not more than four lots, **which has not been part of a short plat within the previous 5 years.** ~~which follow the same procedures and meet the same subdivision requirements of the chapter, except as provided and that a lesser fee may be charged.~~

B. ~~Any lot resulting from a subdivision, lot consolidation, or lot line adjustment which is situated within 200 feet of public water and sewer systems is required to have utility connections extended from the water and sewer mains to the property line.~~ **The requirements of HBC 18.100.070 through 18.100.095 shall apply.**

C. Lot line adjustments and lot consolidations meet all of the criteria of HBC 18.100.020. ~~The same rules and fees shall apply.~~

D. ~~The subdivided or adjusted lots are required to provide legal and physical access to a public highway or street under HBC 12.08.030 through 12.08.190 and/or 18.100.085(D) for each lot created or adjusted, with the exception of subdivisions or lots that are in roadless areas of the borough and accessed solely from a navigable water body, in which case all lots shall be accessible from the navigable water body or via a dedicated access easement from the water body.~~ **If the plat meets the criteria of HBC 18.100.030 (A) through (C) and contains a dedication or vacation of a street right-of-way or other area the short plat procedure may apply upon approval by the manager with an additional requirement of planning commission approval of the plat.**

~~E. If the plat meets the criteria of subsections (A) through (D) of this section and contains a dedication or vacation of a street, right of way, land or other area, the manager may allow for short plat procedure with an additional requirement of planning commission approval of the plat.~~

~~F. All of the above requirements must be met, or sufficient bonding, as set by the planning commission, provided for the completion of any and all of said requirements.~~

18.100.035 Procedures for short plats.

~~A. The subdivision or adjusted properties shall meet or exceed the requirements of HBC 18.100.070 through 18.100.095.~~

~~A. B.~~ The applicant and/or surveyor shall submit an application, fee, and short plat in an electronic file format compatible with borough software that meets the requirements of HBC 18.100.105 with the exception of the signatures to the borough prior to submitting the mylar print of the final plat.

~~C. If the manager determines that the subdivision as proposed could be detrimental to the public health, safety or welfare, or involves unusual factors, the manager shall treat the short plat as a preliminary plat submission and refer the plat to the commission unless the applicant withdraws the plat. The manager shall allow 30 days for review and approval by the planning commission. Posting of the notice of application in three public places shall be sufficient for proper public notice. No further advertisement shall be required. Upon receipt of the complete application containing all of the required information, the manager, within 10 working days of the completion of the 30 day review period, shall approve or disapprove the plat and inform the applicant of the actions taken. Failure to take action in accordance with this subsection does not constitute plat approval.~~

~~B. D.~~ Upon notification of plat approval, the applicant shall construct or provide the appropriate guarantees for the construction of improvements **per HBC 18.100.125** as required by the manager.

~~C. E.~~ The applicant shall submit a mylar print of the approved short plat with all of the required signatures except borough officials. The chair, after approval by the manager of the short plat, shall, on behalf of the planning commission, sign the plat upon the determination that the subdivision and plat meet all the requirements of this chapter. The plat shall be filed in the Haines district recorder's office by the manager. The borough shall keep an electronic file of the plat.

18.100.085 Lots.

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D. Access to Public Streets. Every lot shall front or abut on a dedicated public right-of-way **with the exception of subdivisions or lots that are in roadless areas of the borough and accessed solely from a navigable water body, in which case all lots shall be accessible from the navigable water body or via a dedicated access easement from the water body.** Lots with an access only to private drives shall not be permitted unless a permanent easement has been granted and properly recorded. No lots shall access an alley as the means of access to public streets.

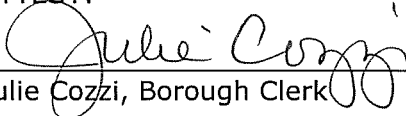
18.20.020 Definitions – Regulatory.

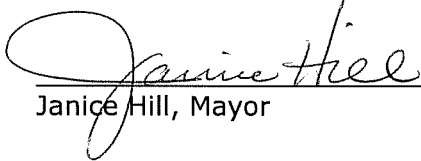
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"Short plat" means a platting procedure for lot line adjustments, lot consolidations and subdivisions of four or fewer lots under HBC 18.100.030, **through** 18.100.035 and ~~18.100.050(C) through 18.100.105.~~

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 14th DAY OF DECEMBER, 2010.

ATTEST:


Julie Cozzi, Borough Clerk


Janice Hill, Mayor

Date Introduced: 11/09/10
Date of First Public Hearing: 11/30/10
Date of Second Public Hearing: 12/14/10

