

**Title 19**  
**SUBDIVISIONS\***

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\* For statutory provisions on subdivisions and dedications, see AS 40.15.



**Chapter 19.04****GENERAL PROVISIONS**

## Sections:

- 19.04.010 Purpose of provisions.  
19.04.020 Platting – Required – Exceptions.

**19.04.010 Purpose of provisions.**

The purpose of this title is to promote and improve the health, safety and general welfare of the citizens of the borough. These regulations are designed to further the orderly layout and use of land; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to assure adequate open land space; and to facilitate the further subdivision of larger tracts into smaller parcels of land. [Ord. 276 § 4, 1973; prior code § 95.85.010.]

**19.04.020 Platting – Required – Exceptions.**

A. Platting of Subdivision Required. Any division of land within the borough which results in a subdivision as defined in WMC 19.08.090 shall be surveyed and a plat thereof approved and recorded, pursuant to the provisions of this title and AS 40.15 as amended from time to time.

B. The provisions of this title shall not apply to the following:

1. Transfers of interests in land pursuant to court order;
2. Leases for a total term not to exceed 10 years, including possible renewal terms, mortgages or easements;
3. The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this title or other applicable laws or ordinances. [Ord. 276 § 4, 1973; prior code § 95.85.020.]

**Chapter 19.08****DEFINITIONS**

## Sections:

- 19.08.010 Alley.
- 19.08.020 Block.
- 19.08.030 Cul-de-sac.
- 19.08.040 Easement.
- 19.08.045 Flag lots.
- 19.08.050 Lot.
- 19.08.060 Plat.
- 19.08.070 Street.
- 19.08.080 Subdivider.
- 19.08.090 Subdivision.

**19.08.010 Alley.**

“Alley” means a minor way, dedicated to public use, which is used primarily for vehicular access to the back or the side of properties otherwise abutting on a street. [Ord. 276 § 4, 1973; prior code § 95.85.030(B).]

**19.08.020 Block.**

“Block” means a piece or parcel of land entirely surrounded by public highways, streets, streams, railroads, rights-of-way, or a combination thereof. [Ord. 276 § 4, 1973; prior code § 95.85.030(C).]

**19.08.030 Cul-de-sac.**

“Cul-de-sac” means a street having one end open to traffic and terminated at the other end by a vehicle turnaround. [Ord. 276 § 4, 1973; prior code § 95.85.030(E).]

**19.08.040 Easement.**

“Easement” means a grant by the property owner to the public of the use of a strip of land for specific purposes. An easement created in conjunction with a flag lot shall be a private, nondedicated easement. [Ord. 443 § 7, 1983; Ord. 276 § 4, 1973; prior code § 95.85.030(F).]

**19.08.045 Flag lots.**

“Flag lot” means a lot which does not have the required frontage on a dedicated right-of-way and where access to the lot is provided from an approved dedicated right-of-way by a private road easement. [Ord. 443 § 6, 1983.]

**19.08.050 Lot.**

“Lot” means a portion of a subdivision or other parcel of land intended as a unit for transfer of ownership. [Ord. 276 § 4, 1973; prior code § 95.85.030(G).]

**19.08.060 Plat.**

“Plat” means the map prepared as required by WMC 19.04.020(A) for the purpose of recording subdivisions of land as provided in this title. [Ord. 276 § 4, 1973; prior code § 95.85.030(H).]

**19.08.070 Street.**

“Street” means a way for vehicular traffic other than an alley, dedicated to public use.

A. Major streets and highways are those which serve as the principal arteries for through traffic movement or which collect traffic from minor streets.

B. Minor streets are those which are used primarily for access to the abutting properties.

C. Half streets are any streets less than the prescribed right-of-way widths found in this title or as established by the planning commission. [Ord. 276 § 4, 1973; prior code § 95.85.030(I).]

**19.08.080 Subdivider.**

“Subdivider” means the owner or owners of land which is being divided pursuant to WMC 19.04.020(A). [Ord. 276 § 4, 1973; prior code § 95.85.030(J).]

**19.08.090 Subdivision.**

“Subdivision” means the division of a tract or parcel of land into two or more lots, sites, or other divisions for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area being subdivided. [Ord. 276 § 4, 1973; prior code § 95.85.030(A).]

## Chapter 19.12

### PRELIMINARY PLATS

#### Sections:

- 19.12.010 Required prior to final plat.
- 19.12.020 Planning commission action.
- 19.12.030 Information required.
- 19.12.040 Preliminary plat – Preparation and data.

#### **19.12.010 Required prior to final plat.**

Before submitting a final plat for approval, for recording under AS 40.15, as amended from time to time, the subdivider shall submit a preliminary plat to the planning commission in order that general agreement may be reached on layout and arrangement of streets and lots before a final plat is prepared. [Ord. 276 § 4, 1973; prior code § 95.85.040(A)(1)(a).]

#### **19.12.020 Planning commission action.**

A. If the preliminary plat is acceptable for processing, the commission may grant preliminary approval of the plat subject to and effective upon certification of no objection from agencies authorized to object.

B. Approval of the preliminary plat shall entitle the subdivider to approval of the final plat if it conforms substantially to the preliminary plat and any conditions of approval that have been made.

C. If the planning commission does not approve, disapprove, or return the plat to the applicant within 30 days, the preliminary plat is considered approved and the final plat may be submitted for approval.

D. The applicant for plat approval may consent to the extension of the period for action by the planning commission. The commission shall state on its record and in writing to the applicant its reason for disapproval of a plat. [Ord. 276 § 4, 1973; prior code § 95.85.040(A)(1)(b).]

#### **19.12.030 Information required.**

The following information shall be provided to the planning commission by the subdivider at the time of the preliminary consultation:

A. General. Information including data on existing covenants, land characteristics and available community facilities and utilities, and information describing the subdivision proposal such as number of residential lots, typical lot width and depth, business areas, playgrounds, park areas and other public areas, tree planting, proposed protective covenants and proposed utilities and street improvements;

B. Location Map. A location map showing the relationship of the proposed subdivision to existing community facilities which serve or would be influenced by it, and including the development name and location, main traffic arteries, churches, title, scale, north arrow and date;

C. Proposed Layout. A sketch plan showing in simple sketch form the proposed layout of streets, lots and other features in relation to existing conditions. The sketch plan may be a freehand pencil sketch made directly on a print of the topographic survey. [Ord. 276 § 4, 1973; prior code § 95.85.060(A).]

**19.12.040 Preliminary plat – Preparation and data.**

A. The preliminary plat shall be drawn with waterproof, nonfading black ink or legibly drawn with pencil on tracing cloth or tracing paper of good quality at scale of 100 feet to an inch and shall show accurately on its face the following:

1. The date, scale, and northpoint;
2. The proposed subdivision name, which shall not be so similar to the name of any plat previously recorded in the area as to cause confusion;
3. The name and address of the owner, the subdivider, and the engineer, planner or surveyor preparing the plat;
4. The exact length and bearing of the exterior boundaries of the subdivision; the legal description and location to include latitude and longitude to the nearest minute at one corner of the survey; and the total acres;
5. Location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land;
6. Zoning on and adjacent to the subdivision;
7. Location, widths and names of all existing and platted streets, alleys, or other public ways and easements; railroad and utility rights-of-way; parks, cemeteries, watercourses, drainage ditches, permanent buildings, bridges, and other pertinent data required by the planning commission;
8. The water elevations and adjoining lakes or streams at the date of the survey and the approximate high and low water elevations of such lakes or streams;
9. If the subdivision borders a lake or stream, the distances and bearing on a meander line established not less than 20 feet from the ordinary high water mark of the lake or stream;
10. Layout, width and approximate grades of all new streets and rights-of-way, such as alleys, highways, easements for sewers, water mains and other public utilities;
11. Direction and distance to nearest water and sewer mains;
12. Approximate dimensions and areas of lots;
13. Proposed building lines;
14. Approximate radius of all curves and length of tangents;
15. Contours at two-foot intervals or at more frequent intervals if required by the planning commission for land of unusual terrain characteristics; all pertinent elevations should be shown.

B. The area for which such data is to be shown shall extend beyond the boundaries of the actual property being platted a distance which will adequately relate the plat to its surroundings. [Ord. 276 § 4, 1973; prior code § 95.85.060(B).]

**Chapter 19.16****FINAL PLATS**

## Sections:

- 19.16.010 Engineering data.
- 19.16.020 Filing.
- 19.16.030 Acceptance or rejection.
- 19.16.040 Recording.
- 19.16.050 Submission of copy in lieu of original.
- 19.16.060 Filing fee.
- 19.16.070 Compliance with statutes.
- 19.16.080 Certificate of ownership and affidavit of surveyor.
- 19.16.090 Final plat – Preparation and data.
- 19.16.100 Assessor’s plat for successive divisions.

**19.16.010 Engineering data.**

A. Following approval of the preliminary plat and prior to submittal of a final plat, the subdivider shall furnish to the planning commission the following engineering data pertaining to utilities and improvements in the preliminary plat:

1. Plan and profiles showing existing and established grades for all streets, alleys, and public rights-of-way;
2. Plan and profiles of all storm sewers, culverts, and surface water drainage facilities;
3. Plan and profiles of all sanitary sewers;
4. Plan and profiles of all water distribution lines;
5. Power and telephone poles;
6. Gas lines;
7. Easements.

B. All such engineering data shall be approved by the borough assembly and superintendent of public works, as to conformance with all relevant ordinances, statutes and regulations before the final plat shall be filed. [Ord. 276 § 4, 1973; prior code § 95.85.040(A)(2).]

**19.16.020 Filing.**

A. The final plat and copies thereof required shall be submitted to the borough clerk within six months of approval of the preliminary plat. However, if approval of the preliminary plat must be obtained from another governmental body after approval by the planning commission, the final plat shall be submitted within six months of such other approval. The planning commission may waive failure to comply with this requirement to avoid injustice or when waiver is in the public interest.

B. Upon official filing, the borough clerk shall forthwith forward the plat to the planning commission. [Ord. 276 § 4, 1973; prior code § 95.85.040(A)(3)(a).]

**19.16.030 Acceptance or rejection.**

The planning commission shall approve or reject the final plat within 30 days of its submission unless the time is extended by agreement with the subdivider. Reasons for rejection shall be stated in the minutes of the meeting and a copy thereof or a written statement of such reasons shall be supplied to the subdivider. [Ord. 276 § 4, 1973; prior code § 95.85.040(A)(3)(c).]

**19.16.040 Recording.**

Following approval of the final plat the certified survey map and a duplicate tracing shall be filed by the subdivider with the borough. [Ord. 276 § 4, 1973; prior code § 95.85.040(A)(3)(d).]

**19.16.050 Submission of copy in lieu of original.**

If the original of the final plat has been filed with another approving authority, the subdivider may file a true copy of such plat in lieu of the original. However, before approval by the borough may be inscribed on the true copy of the final plat, the surveyor or the subdivider shall certify the respects in which the original of the final plat differs from the true copy, and all modifications must first be approved. [Ord. 276 § 4, 1973; prior code § 95.85.040(A)(3)(e).]

**19.16.060 Filing fee.**

The processing fee for filing the final plat shall be \$25.00 plus \$1.00 each for the first 10 lots, plus \$0.50 for each lot thereafter, the maximum fee not to exceed \$50.00. [Ord. 276 § 4, 1973; prior code § 95.85.040(A)(3)(f).]

**19.16.070 Compliance with statutes.**

A final plat of subdivided land shall comply with the requirements and administrative regulations of AS 40.15, as amended from time to time, which are incorporated by reference in this chapter. [Ord. 276 § 4, 1973; prior code § 95.85.060(C)(1).]

**19.16.080 Certificate of ownership and affidavit of surveyor.**

A. A certificate of ownership and the affidavit of the surveyor who surveyed and mapped the parcel shall be submitted with the final plat giving a clear and concise description of the land surveyed by bearings and distances, commencing with some corner marked and established in the United States public land survey or some corner providing reference to a corner marked and established in the United States public land survey. Such affidavit shall include the statement of the surveyor to the effect that he has fully complied with the requirements of this chapter.

B. The final plat must represent an actual survey made by a person who has been qualified by the State Board of Engineers and Architects Examiners to practice land surveying in the state. [Ord. 276 § 4, 1973; prior code § 95.85.060(C)(2).]

**19.16.090 Final plat – Preparation and data.**

A. The final plat shall be drawn on Mylar not less than 18 by 24 inches in size. All lines and printing shall be made with nonfading black ink at a scale of 100 feet to an inch. In addition, it is mandatory that, along with the final plat paper copy and Mylar, a compact disk be submitted with the drawing in (1) “\*.dxf” (drawing exchange format), or (2) AutoCad “\*.dwg” format (using AutoCad 2000 or newer).

B. The final plat shall show accurately on its face the following:

1. The date, scale, and north point;
2. The final plat must represent an actual survey made by a person who has been qualified by the State Board of Engineers and Architects Examiners to practice land surveying in the state;
3. The dimensions of all lots;
4. The layout, width and bearing of all streets and rights-of-way, such as alleys, highways, easements for sewers, water mains, and other public uses;
5. The length of all arcs, radii, internal angles, points of curvature, length and bearing of tangents;

6. An identification system for all lots and blocks and a legal description of all property being subdivided;

7. A certificate of approval of the planning commission;

8. The name of the subdivision and name and address of the subdivider;

9. All easements as required by the State Division of Lands;

10. A properly labeled legend showing monuments as found or established;

11. No name for a geographic feature shall be shown on the final plat unless the name has been approved by the U.S. Board of Geographic Names.

C. In addition to the requirements of subsection (B) of this section, the electronic plat version submitted on the compact disk shall:

1. Have polygons that must close, have no undershoots or overshoots, and have parcel boundaries with clean snapped intersections;

2. Show only survey boundary and ties to control on the City and Borough of Wrangell layer; and

3. Not show any text, area, title block, annotation, symbols, bearing or distances, leaders, or other similar details on the City and Borough of Wrangell layer. [Ord. 760 §§ 1, 2, 2004.]

**19.16.100 Assessor's plat for successive divisions.**

A. Where it is not practical to require that a final plat of a subdivision created by successive division be filed in accordance with this chapter, the borough may in lieu thereof order an assessor's plat to be made and may assess the cost thereof to the subdivider.

B. Regardless of the type of plat filed, any such subdivision shall comply with all provisions of this chapter to the extent that they may be reasonably applied. [Ord. 276 § 4, 1973; prior code § 95.85.080.]

**Chapter 19.20**  
**DESIGN STANDARDS**

Sections:

- 19.20.010 Compliance with other provisions.
- 19.20.020 Dedications.
- 19.20.030 Public sites and open spaces.

**19.20.010 Compliance with other provisions.**

The proposed subdivision shall conform to the following:

- A. The provisions of AS 40.15, as amended from time to time, and all other relevant laws and regulations;
- B. All applicable ordinances of the borough;
- C. The master plan of the borough;
- D. The regulations of the State Department of Health and Welfare relating to lot size and lot elevation if the subdivision is not served by a public sewer and provision for such service has not been made;
- E. The regulations of the State Department of Highways relating to safety or access and the preservation of the public interest and investment in streets and highways if the subdivision or any lot contained therein abuts on a state highway or street. [Ord. 276 § 4, 1973; prior code § 95.85.050(A).]

**19.20.020 Dedications.**

All streets, alleys and easements shown on the plat not previously dedicated to public use shall be so dedicated, except easements created in conjunction with a flag lot subdivision, which shall be private, nondedicated easements. [Ord. 443 § 8, 1983; Ord. 276 § 4, 1973; prior code § 95.85.050(B).]

**19.20.030 Public sites and open spaces.**

In order that adequate open spaces and sites for public uses may be properly located and preserved as the community develops, and in order that the cost of providing the public facilities necessary to serve the additional families brought into the community by subdivision development may be most equitably apportioned, the following provisions are established:

A. In the design of the plat, consideration shall be given to the adequate provision of and correlation with such public sites or open areas.

B. Where it is determined by the planning commission that a portion of the plat is required for such public sites or open spaces, the subdivider may be required to reserve such area for a period not to exceed three years, after which the borough shall either acquire the property or release the reservation. [Ord. 276 § 4, 1973; prior code § 95.85.070.]

## Chapter 19.24

### STREETS

#### Sections:

- 19.24.010 Design criteria generally.
- 19.24.020 Construction standards.
- 19.24.030 Arrangement.
- 19.24.040 Railroads.
- 19.24.050 Width.
- 19.24.060 Grades.
- 19.24.070 Names.
- 19.24.080 Cul-de-sac or dead-end streets.
- 19.24.090 Half streets.
- 19.24.100 Intersections.
- 19.24.110 Alleys.

#### **19.24.010 Design criteria generally.**

The streets shall be designed and located in relation to the following:

- A. Existing and planned streets;
- B. Topographical conditions and natural terrain features such as streams and existing tree growth;
- C. Public convenience and safety; and

D. Proposed uses of the land to be served by such streets. [Ord. 276 § 4, 1973; prior code § 95.85.050(C)(1)(a).]

#### **19.24.020 Construction standards.**

Construction standards of all streets shall conform to the current standards as established by this title. [Ord. 276 § 4, 1973; prior code § 95.85.050(C)(1)(b).]

#### **19.24.030 Arrangement.**

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

B. 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. [Ord. 276 § 4, 1973; prior code § 95.85.050(C)(2).]

#### **19.24.040 Railroads.**

Where a subdivision borders on or contains a railroad right-of-way, the planning commission may require a street approximately parallel to such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts or for commercial or industrial purposes in other districts. [Ord. 276 § 4, 1973; prior code § 95.85.050(C)(3).]

**19.24.050 Width.**

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

	<b>Right-of-Way</b>
Major streets and highways	80 feet
Minor streets	60 feet

[Ord. 276 § 4, 1973; prior code § 95.85.050(C)(4).]

**19.24.060 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 planning commission. The minimum grade of all streets shall be one-half percent. [Ord. 276 § 4, 1973; prior code § 95.85.050(C)(5).]

**19.24.070 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 and named shall bear the name of existing streets. [Ord. 276 § 4, 1973; prior code § 95.85.050(C)(6).]

**19.24.080 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 roadway at least 75 feet in diameter. [Ord. 276 § 4, 1973; prior code § 95.85.050(C)(7).]

**19.24.090 Half streets.**

Where a half street is adjacent to the subdivision, the other half of the street within the proposed subdivision shall be dedicated by the subdivider. [Ord. 276 § 4, 1973; prior code § 95.85.050(C)(8).]

**19.24.100 Intersections.**

A. Streets shall intersect as nearly as possible at right angles and not more than two streets shall intersect at one point.

B. Property lines at street intersections shall be rounded with a radius of 15 feet.

C. Street jogs with centerline offsets of less than 125 feet shall be avoided. Where streets intersect major streets, their alignment shall be continuous. [Ord. 276 § 4, 1973; prior code § 95.85.050(D).]

**19.24.110 Alleys.**

A. Alleys shall be provided in all commercial and industrial districts. The planning commission may waive this requirement where other definite and assured provision is made for service access such as off-street loading and parking consistent with and adequate for the uses proposed.

B. Alleys shall not be approved in residential areas unless necessary because of topography or other exceptional circumstances.

C. The width of alleys shall be at least 20 feet.

D. Dead end alleys are prohibited. [Ord. 276 § 4, 1973; prior code § 95.85.050(E).]

**Chapter 19.28****LOTS, BLOCKS, AND EASEMENTS**

## Sections:

- 19.28.010 Easements – Utilities – Drainage.
- 19.28.020 Blocks.
- 19.28.030 Lots – Generally.
- 19.28.040 Lots – Dimensions.
- 19.28.050 Lots – Additional provisions.

**19.28.010 Easements – Utilities – Drainage.**

A. Easements across lots or centered on rear or side lot lines shall be provided for utilities and shall be at least 10 feet wide.

B. Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width or construction, or both, as will be adequate for the purpose. [Ord. 276 § 4, 1973; prior code § 95.85.050(F).]

**19.28.020 Blocks.**

The lengths, widths, and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated. [Ord. 276 § 4, 1973; prior code § 95.85.050(G).]

**19.28.030 Lots – Generally.**

The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. [Ord. 276 § 4, 1973; prior code § 95.85.050(H)(1).]

**19.28.040 Lots – Dimensions.**

A. Lot dimensions shall comply with the zoning ordinance.

B. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

C. Residential lots abutting on major streets and highways shall be platted with sufficient depth to permit adequate separation between the buildings and such trafficways.

D. Lots should be assigned with a suitable proportion between width and depth. Normal depth should not exceed two and one-half times the width, nor less than 100 feet. [Ord. 276 § 4, 1973; prior code § 95.85.050(H)(2).]

**19.28.050 Lots – Additional provisions.**

A. Corner Lots. Corner lots should be designed to permit setback on both streets as required by the zoning ordinance.

B. Access to Public Streets. Every lot shall front or abut on a dedicated public right-of-way. Lots with an access only to private drives shall not be permitted unless a permanent easement has been granted and properly recorded.

C. Lots at Right Angles. Lots at right angles to each other should be avoided wherever possible, especially in residential areas.

D. Lot Lines. Side lot lines shall be substantially at right angles or radial to street lines.

E. Large Lots. Where lots are created of a size larger than normal for the area, the planning commission may require that the plat be so designed as to allow for the possible future resubdivision of such lots into sizes normal for the area.

F. Municipal Boundaries. Lots shall follow municipal boundary lines wherever practicable, rather than cross them.

G. Double Frontage. Lots abutting a street at both front and rear shall be avoided except where necessary to provide separation of residential development from traffic or to overcome specific disadvantages of topography and orientation. [Ord. 276 § 4, 1973; prior code § 95.85.050(H)(3) – (9).]

**Chapter 19.30****FLAG LOT SUBDIVISIONS**

## Sections:

19.30.010 Purpose.

19.30.020 Standards.

**19.30.010 Purpose.**

The purpose of this chapter is to encourage more intensive land utilization and compact growth by permitting modification of the frontage requirements for certain large, residential lots. Approval of flag lots and parcels shall be based on the requirements of this code and this chapter. [Ord. 443 § 9, 1983.]

**19.30.020 Standards.**

The minimum standards for flag lots shall be as follows:

A. All rear lots and parcels must be at least 5,000 square feet, or 15,000 square feet in areas where borough water and sewer are not available, exclusive of the easement traversing any other lot.

B. All front lots and parcels must be at least 5,000 square feet, or 15,000 square feet in areas where borough water and sewer are not available.

C. When determining the square footage lot size, the easement area within the lot may be considered as a part of the total square footage requirements.

D. An easement shall be created running from the dedicated right-of-way to the lots created by the flag lot subdivision. The easement shall be a minimum improved, well drained, constructed roadway surface width of 20 feet, with a 30-foot minimum road easement width.

E. The maximum length of any easement shall not exceed 400 feet, measured along the centerline.

F. The setback yard requirements for a flag lot shall be a five-foot setback from the easement. This shall apply to all easements, whether public or private. Additional yard requirements are as set forth in WMC 20.16.050 and 20.20.050.

G. A maximum of two rear lots or parcels may be assigned to the easement, or three lots in areas where borough water and sewer are available. A maximum number of three lots can be created under a flag lot subdivision, or four lots in areas where borough water and sewer are available.

H. Prior to approval of a flag lot subdivision, the applicant shall prepare and record in the Wrangell recording district, an access easement maintenance agreement which easement shall remain in effect as long as a flag lot is in existence.

I. Each lot or parcel shall have two parking spaces, with sufficient turnaround area to eliminate the necessity of a vehicle backing out onto the dedicated street. The two parking spaces shall not be located in the easement portion of the lot.

J. The easement area shall remain free of structures and shall be available for access from the flag lots to the public street. [Ord. 672 § 4, 2000; Ord. 443 § 9, 1983.]

**Chapter 19.32**

**REQUIRED IMPROVEMENTS**

Sections:

- 19.32.010 Water.
- 19.32.020 Sanitary sewer.
- 19.32.030 State regulations applicable.
- 19.32.040 Streets.

**19.32.010 Water.**

The subdivider shall prove that connections to public water mains may be obtained. If no such connections are available, the subdivider shall show that a safe water source is readily available. [Ord. 276 § 4, 1973; prior code § 95.85.050(I)(1)(a).]

**19.32.020 Sanitary sewer.**

The subdivider shall prove that connections to public sanitary sewers may be obtained; or, if any of the lots are not to be served by a sanitary sewer system, percolation tests shall be submitted showing that septic tanks may be used without endangering the health, safety and general welfare of any person or persons. [Ord. 276 § 4, 1973; prior code § 95.85.050(I)(1)(b).]

**19.32.030 State regulations applicable.**

All regulations of the State Department of Health and Welfare pertaining to water and sewage disposal shall apply when no public or other sanitary sewer and water service is available. [Ord. 276 § 4, 1973; prior code § 95.85.050(I)(1)(c).]

**19.32.040 Streets.**

A. The subdivider shall, at his own expense and along a dedicated street, grade and surface with gravel and oil, asphalt, or concrete, a roadway at least 36 feet in width to provide access to any property he wishes to sell or otherwise convey to another person where the intent is to develop the property, before such property may be sold or otherwise conveyed.

B. Sufficient and adequate drainage shall be provided for all streets. [Ord. 276 § 4, 1973; prior code § 95.85.050(I)(2).]

**Chapter 19.36**  
**MONUMENTS**

Sections:

- 19.36.010 Required.
- 19.36.020 Specifications.
- 19.36.030 Bearing objects.
- 19.36.040 Concrete slab or rock embedment.
- 19.36.050 Witness corners.
- 19.36.060 Minimum monuments – Line of sight – Distances.
- 19.36.070 Bearings.
- 19.36.080 Lack of existing monuments.
- 19.36.090 Unit of measure.
- 19.36.100 Field notes.

**19.36.010 Required.**

All exterior corners of the subdivision shall be marked by permanent monuments set in the ground. [Ord. 276 § 4, 1973; prior code § 95.85.100.]

**19.36.020 Specifications.**

Monuments shall consist of a one-and-one-half-inch galvanized iron pipe, 30 or more inches long and shall have a four-inch flange across the bottom. Permanently fixed thereto shall be a minimum of two-inch brass or bronze cap. Each cap shall be marked in a professional manner and shall also show the registration number of the engineer and year of the survey. [Ord. 276 § 4, 1973; prior code § 95.85.100(A).]

**19.36.030 Bearing objects.**

Three bearing objects or bearing trees shall be taken for all primary monuments set on the exterior angle points of the survey, and shown on the final plat. [Ord. 276 § 4, 1973; prior code § 95.85.100(B).]

**19.36.040 Concrete slab or rock embedment.**

Where impracticable to set an iron pipe monument, a concrete slab not less than two feet by two feet by six inches thick and a brass or bronze cap marking the actual corner point may be used. In the case of bedrock, boulders, etc., a bronze or brass cap may be grouted into the rock. [Ord. 276 § 4, 1973; prior code § 95.85.100(C).]

**19.36.050 Witness corners.**

Should the point for a corner be in a place which would be impracticable to monument, witness corners shall be set and referenced to the true point. [Ord. 276 § 4, 1973; prior code § 95.85.100(D).]

**19.36.060 Minimum monuments – Line of sight – Distances.**

A. Unless otherwise approved by the planning commission, every survey shall have at least four monuments, each fully described in the plat survey.

B. The line of sight between adjacent monuments shall be unobstructed.

C. The distance and bearing between monuments shall be shown. The distance between adjacent monuments shall not exceed 1,320 feet. [Ord. 276 § 4, 1973; prior code § 95.85.100(E).]

**19.36.070 Bearings.**

Bearings of all lines shall be referred to the true meridian. Bearings shall be obtained by deflection from existing official surveys of G.L.O., B.L.M., USC and GS, U.S.G.S., the Alaska Division of Lands, or monument with proper identification which are delineated on recorded plats, unless otherwise specified in WMC 19.36.080. [Ord. 276 § 4, 1973; prior code § 95.85.100(F).]

**19.36.080 Lack of existing monuments.**

If no such monuments or surveys exist within two miles of the project, the latitude and longitude may be scaled, as near as possible, from the best available maps of the area. [Ord. 276 § 4, 1973; prior code § 95.85.100(G).]

**19.36.090 Unit of measure.**

All lengths of lines shall be shown as their true horizontal equivalents in the foot unit carried out to the nearest hundredth. If needed in order to secure true distance, a spring balance shall be used and temperature corrections applied. [Ord. 276 § 4, 1973; prior code § 95.85.100(H).]

**19.36.100 Field notes.**

A true copy or original of all field notes shall be submitted with the plat of survey and shall remain with the platting authority as documented record. [Ord. 276 § 4, 1973; prior code § 95.85.100(I).]

**Chapter 19.40****EXISTING SUBSTANDARD LOTS**

## Sections:

- 19.40.010 Generally.
- 19.40.020 Petition for determination of status.
- 19.40.030 Determination of status – Factors.
- 19.40.040 Method of redivision.
- 19.40.050 Determination of ownership.

**19.40.010 Generally.**

A. In the case of a lot of record on January 23, 1973, which does not conform to the zoning regulations of the borough, and which adjoins along a side lot line property held in the same ownership, no such lot shall be conveyed to another owner nor shall a building permit be issued for a structure on such a lot except in conformity with this chapter. This subsection applies to those lots which are located within the boundaries of the former City of Wrangell, as those boundaries existed immediately prior to borough formation.

B. In the case of a lot of record on May 30, 2008, which does not conform to the zoning regulations of the borough, and which adjoins along a side lot line property held in the same ownership, no such lot shall be conveyed to another owner nor shall a building permit be issued for a structure on such a lot except in conformity with this chapter. This subsection applies to those lots located outside the boundaries of the former City of Wrangell, as those boundaries existed immediately prior to borough formation. [Ord. 833 § 46, 2009; Ord. 276 § 4, 1973; prior code § 95.85.090(A).]

**19.40.020 Petition for determination of status.**

A. The owner of such substandard lot may, at any time prior to the proposed conveyance of such lot or request for building permit, petition the borough for determination as to the status of such lot.

B. Such petition shall be referred to the planning commission for study to determine the practical possibility of a redivision of such ownership to provide lots which will be in conformity to the zoning regulations of the borough and shall act within 40 days to give the petitioner a determination. [Ord. 276 § 4, 1973; prior code § 95.85.090(A)(1), (2).]

**19.40.030 Determination of status – Factors.**

The planning commission, in making its decision and determination, shall give consideration, among others, to the following factors:

A. Compatibility. The size, quality and character of existing lots and building development in the immediate area with a view to maintaining compatibility and protecting existing values;

B. Sewage Disposal. Where public sewer is not available, a lot size necessary to ensure safe sewage disposal;

C. Practicability. The economic and engineering practicability of any possible redivision;

D. Hardship. The degree of practical hardship which may be imposed upon the owner. [Ord. 276 § 4, 1973; prior code § 95.85.090(A)(3).]

**19.40.040 Method of redivision.**

Such redivision may be accomplished as is most appropriate by the following:

- A. Vacation and replatting of all or a part of a recorded plat;
- B. Combining of lots or parts of lots;
- C. Redefining of lot lines by a plat. [Ord. 276 § 4, 1973; prior code § 95.85.090(A)(4).]

**19.40.050 Determination of ownership.**

For the purpose of this chapter, property shall be considered in the same ownership when owned by the following:

- A. The same individual or corporation;
- B. Tenants in the entirety or tenants in common, and either of the tenants in the entirety or tenants in common owns other contiguous property individually or as tenants in common with another;
- C. An individual; and when other contiguous property is owned by any relative by blood or marriage within the second degree of kindred;
- D. An individual; and when other contiguous property is owned by a corporation of which he is a director, officer or controlling stockholder. [Ord. 276 § 4, 1973; prior code § 95.85.090(B).]

**Chapter 19.44**  
**ENFORCEMENT**

Sections:

- 19.44.010 Compliance required for building permit.  
19.44.020 Penalty for violation – Actions in violation deemed void.

**19.44.010 Compliance required for building permit.**

A. No building permit shall be issued for a new building on a lot which did not exist as a described and recorded parcel prior to January 23, 1973, or was not created by recorded subdivision pursuant to state statute, or by a recorded plat pursuant to provisions of this title. This subsection applies to those lots which are located within the boundaries of the former City of Wrangell, as those boundaries existed immediately prior to borough formation.

B. No building permit shall be issued for a new building on a lot which did not exist as a described and recorded parcel prior to May 30, 2008, or was not created by recorded subdivision pursuant to state statute, or by a recorded plat pursuant to provisions of this title. This subsection applies to those lots located outside the boundaries of the former City of Wrangell, as those boundaries existed immediately prior to borough formation. [Ord. 833 § 47, 2009; Ord. 276 § 4, 1973; prior code § 95.85.130.]

**19.44.020 Penalty for violation – Actions in violation deemed void.**

A. The owner or agent of the owner of land located within a subdivision who transfers, sells, or agrees or enters into a contract to sell land in a subdivision before a plat of the subdivision has been prepared, approved, and recorded in compliance with this title is in violation of this title and such violation is punishable as provided for in WMC 1.20.010.

B. The borough may enjoin a transfer by appropriate legal action.

C. The transfer, sale, assignment, or other conveyance of land located within a subdivision before a plat of the subdivision has been prepared, approved, and recorded in compliance with the provisions of this chapter is void. [Ord. 833 § 61, 2009; Ord. 290 § 5, 1973; prior code § 95.85.120.]

