

ARTICLE II. STREETS¹

DIVISION 1. IN GENERAL

49.35.210 Street system.

- (a) *[In general.]* Subdivision street systems shall be designed for the most advantageous development of the entire neighborhood area and shall meet the following criteria:
- (1) The street system shall provide for connecting streets into adjoining unsubdivided lands.
 - (2) Subdivision street systems shall be designed to maximize the number of connecting streets in a given area in order to reduce the volume of traffic and traffic delays on major streets (arterials and major collectors), to minimize bypass and through trips on residential streets, and to increase the number of local street connections facilitating safer bicycle and pedestrian travel.
 - (3) Traffic calming should be taken into account in street layout and design.
- (b) *Major and minor arterials.* Except as provided in subsection (3) of this section, if a new subdivision involves frontage along an arterial street:
- (1) The plat shall note that no lots shall access directly onto the arterial;
 - (2) Access shall be provided onto an interior access street or a separate frontage road.
 - (3) A parcel of land with less than 500 feet of frontage on a street, or with less than 350 feet in depth may be subdivided so as to allow access directly onto a minor arterial street if all of the following conditions are met:
 - (A) All of the resulting lots must meet the minimum lot area standard for a single-family dwelling in the D-1 zoning underlying zoning district (36,000 square feet).
 - (B) All of the lots must share a common access point, unless the governing entity of the right-of-way approves an additional access and further subdivision of the newly created lots is not allowed.
 - (C) Common access to all lots is required and Back out parking is prohibited. The applicant must submit a plan that shows the feasibility of off street parking for all lots and an adequate area for a turnaround to prevent back out parking.
 - (D) The applicant must provide assurance in the form of an easement, plat note, and a maintenance agreement that is recorded with the subdivision, all of which must be acceptable to the director, that ensures the required common access will be constructed and maintained by the property owners.
 - (E) The proposed subdivision must meet all other applicable subdivision standards and requirements.

¹Cross reference(s)—Public ways and property, CBJ Code tit. 62.

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- (c) *Collector streets.* Collector streets in adjoining subdivisions shall be continued in the new subdivision as needed.
- (1) *Major collectors.* Except as provided in subsection (C) of this section, if a new subdivision involves frontage along a major collector street:
- (A) The plat shall note that no lots shall access directly onto the major collector.
- (B) Access shall be provided onto an interior access street or a separate frontage road.
- (C) Exception a parcel of land with less than 500 feet of frontage or less than 350 feet of depth may be subdivided so as to allow access directly onto a major collector street.
- (2) *Minor collectors.* Access for lots is allowed directly onto minor collector streets if no other restrictions apply.

(Serial No. 87-49, § 2, 1987; Serial No. 95-27, § 6, 1995; Serial No. 2002-20, § 4, 8-5-2002; Serial No. 2015-03(c)(am), § 24, 8-31-2015)

49.35.220 Street names. (NO CHANGES PROPOSED AT THIS TIME)

49.35.230 Roadway classification map. (NO CHANGES PROPOSED AT THIS TIME)

49.35.240 Improvement standards. (NO CHANGES PROPOSED AT THIS TIME)

49.35.250 Access.

- (a) *Principal access to the subdivision.* Except as provided below, the department shall designate one right-of-way as principal access to the entire subdivision. Such access, if not already accepted for public maintenance, shall be improved to the applicable standards for public acceptance and maintenance. It shall be the responsibility of the subdivider to pay the cost of the right-of-way improvements.
- (1) *Principal access to remote subdivisions.* The department shall designate the principal access to the remote subdivision. Such access may be by right-of-way.
- (b) *Publicly maintained access within a subdivision.* Unless otherwise provided in this section or in 49.15.420(a)(1), all lots must satisfy the minimum frontage requirement and have direct and practical access to the right-of-way through the frontage. The minimum frontage requirement on a right-of-way is 30 feet or the minimum lot width for the zoning district or use as provided in CBJ 49.25.400. These requirements for frontage and access can be accomplished by:
- (1) Dedication of a new right-of-way with construction of the street to public standards. This street must connect to an existing publicly maintained street;
- (2) Use of an existing publicly maintained street;
- (3) Upgrading the roadway within an existing right-of-way to public street standards. This existing right-of-way must be connected to another publically maintained street; or
- (4) A combination of the above.
- (c) *Privately maintained access within a subdivision.* Lots shall front and have direct access to a publically maintained street except as:
- (1) *Privately maintained public access.* A subdivision may create new lots served by a privately maintained access within a public right-of-way not maintained by an agency of government as provided by CBJ

49.35, article II, division 3. All lots must have either a minimum of 30 feet of frontage on a right-of-way, or the minimum lot width for the zoning district or use as provided in CBJ 49.25.400.

- (2) *Private shared access.* A lot in a subdivision is exempt from having the minimum frontage on a public right-of-way when a shared access is approved pursuant to CBJ 49.35, article II, division 2. All lots served by a shared access shall have a minimum of 30 feet of frontage on the shared access.
- (d) *Remote subdivisions accessible by navigable waterbodies.* All lots in a remote subdivision solely accessible by navigable waterbodies must have a minimum of 30 feet of frontage on, and direct and practical access to, either the navigable water or a right-of-way. The right-of-way must have direct and practical access to the navigable water.
- (e) *Access within remote subdivisions accessible by pioneer paths.* All lots must either have direct and practical access with a minimum of 30 feet of frontage on the right-of-way, or the minimum lot width for the zoning district or use as provided in CBJ 49.25.400.
- (Serial No. 2016-26(b) , § 9, 4-3-2017, eff. 5-3-2017)

DIVISION 2. PRIVATE SHARED ACCESS

49.35.260 Purpose.

Shared access serving ~~four~~ 13 or fewer lots without frontage on a right-of-way may be constructed within a private easement consistent with this division.

(Serial No. 2016-26(b) , § 10, 4-3-2017, eff. 5-3-2017)

49.35.261 Application.

An applicant must submit the following to request shared access:

- (1) A preliminary plan and profile of the proposed shared access; and
- (2) A proposed access easement, drainage and utility agreement.

(Serial No. 2016-26(b) , § 10, 4-3-2017, eff. 5-3-2017)

49.35.262 Standards.

- (a) *Agency review.* The director shall forward the complete application to the fire department and to the engineering and public works department for review.
- (b) *Approval criteria.* The director may approve a subdivision, with or without conditions, that has a shared access if all of the following criteria are met:
- (1) The shared access will be located in a private easement completely on the lots served.
 - (2) The shared access serves ~~four~~ 13 or fewer lots.
 - (i) If a subsequent common wall residential subdivision is intended to be served by shared access, the common wall parent lot shall count as two lots.
 - (3) The shared access does not endanger public safety or welfare.

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- (4) The shared access complies or can be improved to comply with the emergency service access requirements of CBJ 19.10.
 - (5) The use of each lot served by the shared access shall be limited to one single-family residence and an accessory apartment.
 - (6) The total average daily trips resulting from the subdivision shall not exceed 70.
 - (7) Shared access is only allowed in RR and D-1, D-3, D-5, and D-10 SF zoning districts defined by CBJ 49.25.210.
 - (8) Shared access is prohibited if the subdivision abuts a parcel that does not have alternative and practical frontage on a publicly maintained right-of-way.
 - (9) The portion of the shared access in the right-of-way shall be paved or surfaced with materials consistent with the adjacent public roadway. The length of the portion of the shared access in the right-of-way shall consist of a minimum two-foot apron or as required by the governing agency of the right-of-way.
 - (10) Lots must meet the minimum standards for the **zoneing** district according to the table of dimensional standards excluding the shared access easement. A buildable area must exist without the need for a variance.

(c) *Approval process.*

- (1) Upon preliminary plat approval by the director, the applicant shall construct the shared access pursuant to the corresponding standard in Table 49.35.240 for a roadway with zero to 70 average daily trips. A financial guarantee cannot be used as a condition of construction.
- (2) The shared access easement shall be recorded.
- (3) The following shall be noted on a plat or in a recorded decision that contains a shared access:
 - (i) The private easement is for access, drainage, and if applicable utilities, and shall be specifically identified.
 - (ii) The owner(s) of the lots served by the private access easement acknowledge the City and Borough is not obligated and will not provide any maintenance or snow removal in the private easement.
 - (iii) The owner(s) of the lots served by the private access easement shall be responsible and liable for all construction and maintenance of the shared access from the edge of the publicly maintained travel lane.
 - (iv) Except a subsequent common wall subdivision depicted on this plat, the lots served by the private access easement are prohibited from subdividing unless the access is upgraded to a public street, dedicated to, and accepted by the City and Borough.
 - (v) Owner of a lot served by the private access easement shall automatically abandon all rights to and usage of the private access easement except for utilities, if any, if a publicly maintained street serves that lot.
 - (vi) A lot with frontage on a public street and on the shared access is prohibited from having vehicular access to the public street except through the shared access.

(Serial No. 2016-26(b) , § 10, 4-3-2017, eff. 5-3-2017; Serial No. 2020-11, § 2, 4-27-2020, eff. 5-28-2020)

49.35.263 Other shared access requirements.

- (a) If a shared access is approved, the applicant must apply for and receive a right-of-way permit to construct the shared access.
- (b) If the director determines that a street sign is required for a health, safety, or welfare reason, the applicant shall install a street sign provided by the City and Borough at the applicant's expense.
- (c) The front yard setback shall be measured from the shared access easement. The lot fronting on the public right-of-way, may have a separate and additional access if approved by the government entity that controls the right-of-way. The front yard setback shall be measured from the right-of-way and not the shared access.
- (d) The width of the shared access easement may be reduced by up to 20 feet if the director finds there is sufficient area for the provision of utilities, drainage, snow storage, and that it is unlikely for the shared access easement to expand in the future to a public street.
- (e) The director shall determine the placement location of mailboxes. The director may require additional improvements and design changes to enable efficient mail delivery and minimize traffic interferences.
- (f) The standards identified in this article do not apply to any preexisting shared access previously permitted by the department.

(Serial No. 2016-26(b) , § 10, 4-3-2017, eff. 5-3-2017)

DIVISION 3. PRIVATELY MAINTAINED ACCESS IN A RIGHT-OF-WAY

NO FURTHER CHANGES PROPOSED AT THIS TIME