

Presented by: The Manager
Introduced:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2019-08

An Ordinance Amending the Land Use Code Related to Street Standards.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJ 49.35.240 Improvement standards, is amended to read:

49.35.240 Improvement standards.

...

(g) *Cul-de-sacs.*

(1) *Length.* Streets designed to have one end permanently closed shall be no more than 600 feet and not less than 150 feet in length measured from the center of the intersection to the radius point of the turnaround. The director for minor subdivisions, and the commission for major subdivisions, may authorize a longer or shorter cul-de-sac if it is found that the unique characteristics of the site warrant modification to the length.

1
2 (2) *Temporary cul-de-sacs.* Temporary cul-de-sacs will be allowed where a street can
3 practically logically be extended in the near future to provide for connecting streets into
4 an adjoining undeveloped land, is located in a right-of-way or in an easement for public
5 access, and if the following are met:

6 (A) The temporary portions of the cul-de-sac ~~turnaround~~ shall must be shown
7 ~~on~~ easements on the plat rather than as dedicated right-of-way. Such easements
8 shall allow for public access and maintenance as if it were dedicated right-of-way
9 until such time the easements are vacated. The easements shall not contribute
10 towards lot area.

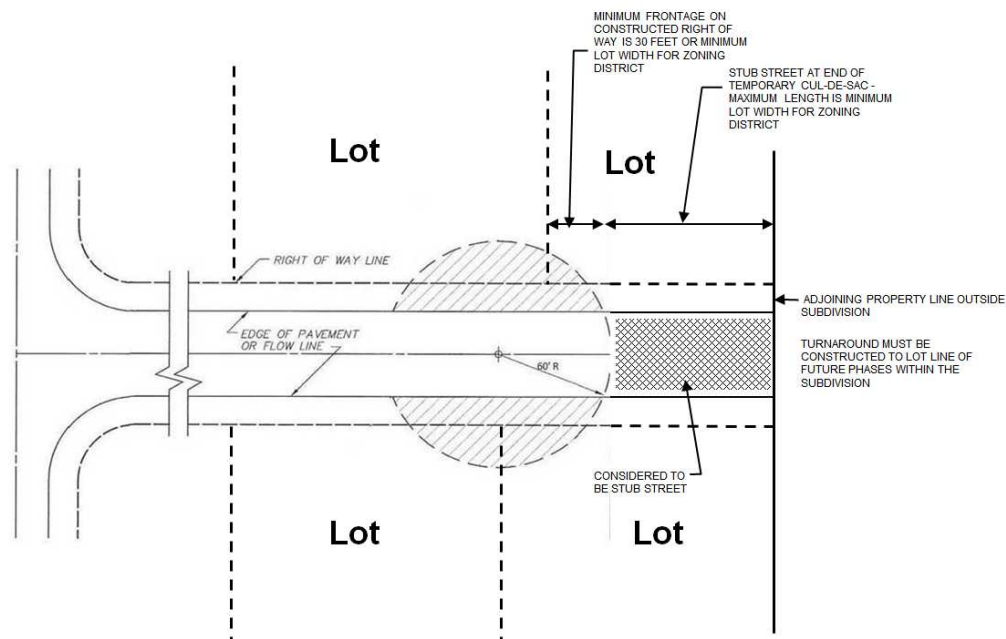
11 (B) All of the cul-de-sac must be constructed to permanent street construction
12 standards except as noted in (G) below.

13 (C) The CBJ will record a release of the easements for the temporary portions
14 of the cul-de-sac turnaround at the state recorder's office at Juneau at the time
15 the cul-de-sac turnaround is removed and the street improvements have been
16 extended.

17 (D) Easement lines for the temporary cul-de-sac turnaround will be
18 considered front property lines for determining building setbacks.

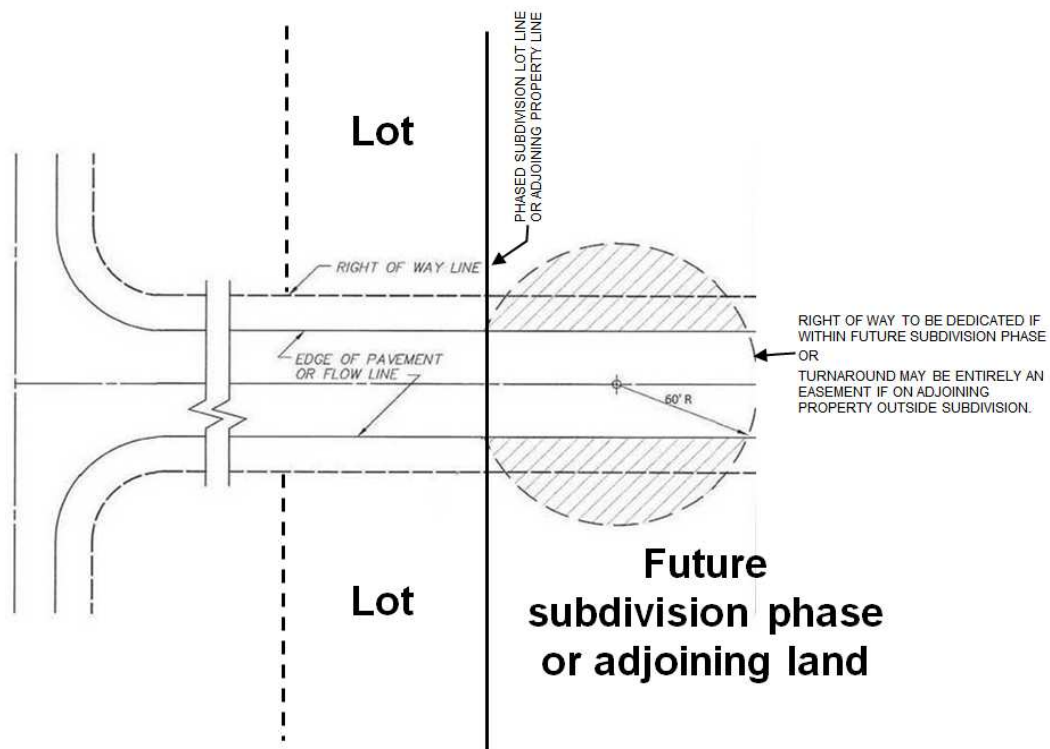
19 (E) All improvements, including utilities and private driveways, must be
20 designed to accommodate the eventual extension of the street and reversion of
21 the temporary cul-de-sac turnaround to adjoining properties. The construction
22 plans shall demonstrate those improvements connecting through a temporary
23 cul-de-sac will still comply with CBJ standards after the temporary cul-de-sac is
24 removed.
25

(F) Temporary cul-de-sacs must provide required access and minimum frontage on a publically maintained right-of-way to all lots using the cul-de-sac as access. If the cul-de-sac is not extended to the adjoining property, the maximum length of an unconstructed right-of-way between the temporary cul-de-sac and the adjoining property shall be the minimum lot width for the zoning district. If the right-of-way is located in more than one zoning district, the shortest minimum lot width shall be used. The right-of-way between the constructed temporary cul-de-sac and the adjoining property shall be subject to the stub street requirements of this Title. ~~be extended to as close to the adjoining property boundary as practical. If it is not practical to construct the turnaround portion of the cul-de-sac at this location, then the right of way must be extended beyond the temporary turnaround to the adjoining property line, and the street extension constructed to standard (See Figure 3).~~



1
2 **Figure 3** [Instruction for Municode, delete existing figure and insert new figure as depicted
3 above]

4 (G) The temporary cul-de-sac may be located on property within the
5 subdivision intended for future subdivision phases in conjunction with a platted
6 right-of-way. It may also be located outside the subdivision boundary entirely
7 within an easement. See Figure 4. If the temporary cul-de-sac ~~turnaround~~
8 is constructed on property outside of the subdivision boundary, then curb, gutter,
9 and sidewalks are not required for the temporary cul-de-sac ~~turnaround~~.



23 **Figure 4**

24 (H) The plat shall include the following note “Temporary cul-de-sac easement
25 shall be vacated upon extension of street unless the director determines all or a

1
2 portion of the cul-de-sac may remain.” ~~Before final acceptance of all~~
3 ~~improvements by the CBJ, the developer must provide a financial guarantee to~~
4 ~~cover the cost of removal of the temporary turnaround and reconstruction of the~~
5 ~~street. The guarantee must be for a period of five years from the date the plat is~~
6 ~~recorded. If it is necessary to construct the street to the adjoining property~~
7 ~~within that five-year period, the developer can complete the reconstruction and~~
8 ~~extension, or the guarantee may be used by the CBJ for that purpose. If a right-~~
9 ~~of-way has not been dedicated on the adjoining property for the purpose of~~
10 ~~connection to the temporary cul-de-sac within this five-year period, the financial~~
11 ~~guarantee will be released.~~

12
13 (I) When the developer of adjoining property is required to connect to the
14 temporary cul-de-sac, the temporary portions of the cul-de-sac shall be removed.
15 The director, after considering public safety, costs, and recommendations of the
16 director of engineering and public works department and of the fire marshal,
17 shall determine if the developer may leave all or part of the temporary portions
18 of the cul-de-sac. If any temporary cul-de-sac portion is removed, then the
19 resulting constructed right-of-way shall conform to CBJ standards.~~and the~~
20 ~~temporary cul-de-sac has not been extended as authorized by this section, then~~
21 ~~the developer must remove the temporary portions of the turnaround and~~
22 ~~reconstruct and extend the street to CBJ standards.~~

23
24 (3) *Hammerhead turnarounds.* Hammerhead turnarounds may be built in lieu of a
25 temporary cul-de-sac, upon approval by the director of engineering and public works.

...

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2 (i) *Street waivers.* The director, after considering the recommendations of the director of
3 the engineering and public works department and of the fire marshal, may waive the following
4 and no other street improvement requirements:

5 (1) *Right-of-way relocation.* If a plat is submitted for the purpose of relocating a
6 right-of-way, the director may waive all or some of the construction requirements under
7 the following conditions:

8 (A) The proposed relocation will improve access to abutting or neighboring
9 property not otherwise adequately served.

10 (B) The subdivider has provided sufficient engineering information to
11 demonstrate to the director of engineering and public works the feasibility of
12 constructing a public street at the location of the relocated right-of-way.

13 (C) The relocated right-of-way and the resulting subdivision layout will
14 conform to all the other standards of this chapter.

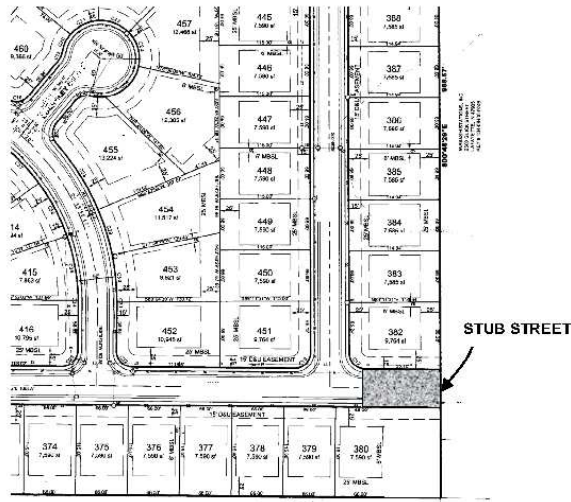
15 (D) The improvements required in the new right-of-way will not be less than
16 those in the existing right-of-way.

17 (E) No additional lots are being platted.

18
19
20 (2) *Stub streets.*

21 (A) The director for minor subdivisions and the commission for major
22 subdivisions may waive the full construction of a roadway within a right-of-way
23 that is required to provide access to a bordering property, and does not provide
24 required access to any lot within the subdivision. A developer requesting a stub
25 street waiver shall demonstrate in the construction plans that a street can
reasonably be constructed to CBJ standards in the right-of-way. The commission

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2 or director may require provision of a roadbed, utility line extensions, or other
3 appropriate improvements (See Figure 54).



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13 **Figure 54**

14 (B) Reserved.— In addition, before final acceptance of subdivision
15 improvements, the subdivider must provide a financial guarantee to cover the
16 costs of constructing that part of the roadway improvements waived by the
17 commission or director in subsection (A) of this section. The guarantee must be
18 for a period of five years from the date the plat is recorded. If it is necessary to
19 connect the roadway to adjoining property within that five year period, the
20 subdivider may complete the construction, or the guarantee may be used by the
21 City and Borough for that purpose. If a right-of-way has not been dedicated on
22 the adjoining property that accomplishes the connection to the stub street within
23 this five year period, the financial guarantee will be released.

24 (C) When the developer subdivider of adjoining property is required to
25 connect to the stub street, and the stub street will not be constructed through

1
2 subsection (B) of this section, then the developer ~~subdivider~~ of the adjoining
3 property will be required to construct the stub street to City and Borough
4 standards at the time.

5
6 ...

7 **Section 3. Amendment of Section.** CBJ 49.80.120, Definitions, is amended to
8 read:

9 **49.80.120 Definitions.**

10 ...

11 *Cul-de-sac* means a dead-end street that provides for a required vehicle turnaround. ~~the~~
12 ~~turnaround at the end of a dead end street.~~

13 ...

14
15 **Section 4. Effective Date.** This ordinance shall be effective 30 days after its
16 adoption.

17 Adopted this _____ day of _____, 2019.

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19
20 _____
Beth A. Weldon, Mayor

21 Attest:

22
23 _____
Elizabeth J. McEwen, Municipal Clerk