

1 By: Bryce J. Ward, Mayor
2 Introduced: 03/12/2020
3 Defeated: 03/12/2020
4 Immediate
5 Reconsideration Failed: 03/12/2020
6 Defeated: 03/12/2020
7

8 FAIRBANKS NORTH STAR BOROUGH

9
10 RESOLUTION NO. 2020 – 14

11
12 A RESOLUTION OPPOSING STATE OF ALASKA LANDS FROM BEING EXEMPT FROM
13 MUNICIPAL PLATTING AUTHORITY AND RELATED LAND USE REGULATIONS
14

15 WHEREAS, The Alaska Constitution, Article X affirms the principle of
16 maximum local self-government and vests the authority of local government with Cities
17 and Boroughs; and
18

19 WHEREAS, AS 40.15.070 requires a first or second class borough to provide
20 for planning, platting, and land use regulation; and
21

22 WHEREAS, The Fairbanks North Star Borough (Borough) has adopted land
23 use regulations in the form of FNSBC Title 18; and
24

25 WHEREAS, The Borough has adopted subdivision regulations in the form of
26 FNSBC Title 17; and
27

28 WHEREAS, Senate Bill No. 204 and House Bill No. 258 have been introduced
29 by the Governor of Alaska, which propose to exempt the State of Alaska from "municipal
30 platting authority and related land use regulations" and in the event any State of Alaska
31 Department of Natural Resources' plat or subdivision violates a municipal planning,
32 platting, or land use regulation, the State is deemed to have received an approved
33 variance from that regulation and that variance would be appurtenant to and run with
34 the land; and
35

36 WHEREAS, The State of Alaska has historically been the largest subdivider
37 of land within the Borough; and
38

39 WHEREAS, There will be a significant negative impact on the local
40 community if the largest subdivider in the Borough is exempt from local subdivision
41 regulations; and
42

43 WHEREAS, There are no regulations prohibiting the State of Alaska from
44 disposing of large tracts of land to allow private developers to subdivide and develop the
45 land in accordance with local regulations.

46
47 NOW THEREFORE BE IT RESOLVED that the Assembly of the Fairbanks
48 North Star Borough opposes State of Alaska lands from being exempt from municipal
49 platting authority and related land use regulations as proposed in Senate Bill No. 204 and
50 House Bill No. 258

51
52 BE IT FURTHER RESOLVED THAT the Assembly request the Clerk distribute
53 a copy of this Resolution to each Member of the Alaska Legislature and to Governor
54 Michael J. Dunleavy.

55
56 ADOPTED THE ____ DAY OF MARCH 2020.

57
58 *{DEFEATED}*

59
60 _____
61 Christopher Quist
62 Deputy Presiding Officer

63
64
65 ATTEST:

66
67 *{DEFEATED}*
68 _____

69 April Trickey, CMC
70 Borough Clerk

71
72 Yeses: Sanford, O'Neill, Lyke, Quist
73 Noes: Tomaszewski, Cash, Lojewski
74 Other: Williams (Excused), Cooper (Excused)