

1 IN THE HOUSE

BY FISCHER

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CS HOUSE BILL NO. 445 *am*

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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EIGHTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to platting powers of municipalities."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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* Section 1. AS 29.33 is amended by adding a new section to read:

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Sec. 29.33.155. DEDICATION OF PARK, OPEN SPACE, RECREATION LANDS.

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(a) A municipality may, by ordinance, require the dedication of land,

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the payment of fees instead of dedication, or a combination of both,

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for parks, open space or recreational purposes as a condition of the

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approval of a final subdivision plat, provided that:

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(1) the ordinance includes definite standards for determining

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the proportion of a subdivision to be dedicated and the amount of any

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fee to be paid instead of dedication; and

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(2) the amount and location of land to be dedicated or the

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fees to be paid shall bear a reasonable relationship to the use of the

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land or recreational facilities placed on the land by future inhabitants

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of the subdivision.

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(b) This section does not apply to land zoned for industrial use.

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* Sec. 2. AS 40.15.030 is amended to read:

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Sec. 40.15.030. DEDICATION OF STREETS, ALLEYS, [AND] THOROUGHFARES

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AND OPEN SPACE LANDS. When an area is subdivided and a plat of the

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subdivision is approved and recorded, all streets, alleys, thoroughfares,

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parks, open space and other public areas shown on the plat are considered

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[DEEMED] to have been dedicated to public use.

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