

1 IN THE HOUSE

BY FISCHER

2 HOUSE BILL NO. 709

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the adoption of official maps by
7 home rule and first class cities outside organized
8 boroughs and first and second class boroughs."

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

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

11 Sec. 29.33.247. OFFICIAL MAP. (a) The assembly of a first or
12 second class borough may adopt and modify by ordinance an official map
13 based upon the recommendations of the planning commission and consistent
14 with the comprehensive plan. The map may show existing and proposed
15 future streets, schools, park land and trails and the area needed to
16 acquire, widen and enlarge them. It shall be prepared in sufficient
17 detail to permit the establishment of the future acquisition lines on
18 the ground and shall be attested to by a registered land surveyor. After
19 adoption, a certified copy of the map shall be recorded in each recording
20 district in which any of the land shown on the map is located.

21 (b) For the purpose of preserving the integrity of an official
22 map, no plat may be recorded and no permit may be issued for a building,
23 street, school site, park land or trail, or other area identified for
24 public purposes shown or laid out on the map except as provided in this
25 section. However, the reservation of particular property for public use
26 under the map lapses and becomes void 18 months after an owner of the
27 property reserved makes application for a preliminary plat, special
28 exception, or building permit for the location or construction of a
29 building or structure within the area reserved, unless during that time

1 the borough acquires the property or files eminent domain proceedings
2 to acquire the property. Property reserved on the map but not acquired
3 within five years after the reservation is recorded in the district
4 recorder's office shall automatically be released from the restrictions
5 of the map unless affirmative action is taken by ordinance to hold or
6 reserve the property on the map for another five-year period.

7 (c) The adoption of an official map does not of itself give the
8 borough a right, title, or interest in areas identified for public
9 purposes but authorizes the borough to acquire an interest without
10 paying compensation for buildings or structures which are created in
11 those areas without a permit or in violation of the conditions of a
12 permit.

13 (d) At the request of the state, the assembly may reserve land
14 for the state in the same manner and on the same terms that it reserves
15 land for the borough.

16 (e) An owner of property reserved on the official map shall
17 receive an option to purchase from the municipality at the time the
18 owner files a preliminary plat or requests a building permit. The
19 option should reflect the amount of taxes accruing to the property
20 during the 18-month reserve period.

21 * Sec. 2. AS 29.43 is amended by adding a new section to read:

22 Sec. 29.43.050. OFFICIAL MAP. First class cities in the unorgan-
23 ized borough may provide for an official map in the manner provided
24 in AS 29.33.247.