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Affairs

1 IN THE HOUSE

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SCS 2nd

CS

HOUSE BILL NO. 140

am

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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NINTH LEGISLATURE - FIRST SESSION

5

A BILL

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

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

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

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

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

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

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

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

23 Sec. 29.43.050. OFFICIAL MAP. First class cities in the
24 unorganized borough may provide for an official map in the manner
25 provided in AS 29.33.247.
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