

HB

456

Within any borough which has five or more cities of the first class, the city council of any city lying 25 miles or more from the borough seat may enact an ordinance zoning the land within such city, provided that such zoning is in accordance with the comprehensive plan of the borough if such borough has adopted such comprehensive planning. Such ordinance shall be transmitted to the borough assembly and shall become effective unless the borough assembly, within 90 days after the assembly meeting in which said ordinance was received, shall have acted to accept, reject, amend or alter such ordinance.

43456

Mike--re a borough relinquishing planning to a city.

The principle rationale for this is that some cities--and urban and urbanizing areas--are sufficiently separated from each other that local, internal planning in a city can be relinquished to the city upon request without significantly interfering with orderly planning. Seward and Seldovia in the Kenai Peninsula Borough are examples (each has a comprehensive master plan prepared by ASHA professional staff.)

It seems to me that isolation from each other, with negligible development between should be the measure of reasonableness of relinquishing planning to a city. Some arbitrary distance from boundary to boundary is probably necessary, else you will have Kenai and Soldotna each wanting to do its own planning (eleven miles city center to city center--three miles boundary to boundary.) If each did its own internal planning, there would have to be triple coordination--Soldotna, Kenai and the Borough for the area in between.

At best, the weakness of relinquishment that can be pointed out is that on the fringe of almost every city there is development which grows up and if there is not one agency to plan the area confusion and incompatibility results.

However, it can be made to work, if a relinquishment authority specifies that a borough and city engaged in any planning that would have an influence on property along the city/borough voundary in the other jurisdiction, shall be submitted to the other for concurrence before proceeding. For example, this would cover a case of reclassification from R1 to R3 along a border street, or original classification in the area.

Calling attention to the considerations in the foregoing two paragraphs tends to condemn any plan for relinquishment, however restive a city may be as to a borough's negligence in carrying out its responsibilities.

As to having relinquishment apply only if a borough which is already excercising the planning power, even the Kenai Peninsula Borough; which has been exceedingly negligent, can contend it is exercising the power, that it has a subdivision ordinance, approves subdivisions, that it has a zoning ordinance, which it has, although it hasn't done a damn thing about classifying under it. I doubt, however, it could be claimed the borough doesn't exercise the planning; at best it could be charged with negligence.

It must be admitted that even outside Seward city and Seldovia city development starts like topsy and , two jurisdictions along and invisible line is unfortunate.

If there seems a persuasive reason for considering relinquishment authority on any basis, there must be stiff safeguards and restrictions. Two I've mentioned are distance and compulsory coordination and concurrence. Another of which we discussed, is that all planning actions proposed by a city--excepting variances--must be submitted to the borough and that if the borough has any overall plans that would be impinged upon by proposed action, the city plans shall conform--highways and streets are of course an obvious example.

I hope you will read this to the committee if relinquishment by borough to a city on request of the city is to be seriously considered. I should like to give a city all the independent authority possible but in physical development and growth matters across invisible lines of jurisdiction, it is difficult to do anything feasible that is manageable.

Harold Pomeroy

February 24, 1972

Mr. Jack J. Greene
City Manager
City of Homer
Box 335
Homer, Alaska 99603

Dear Mr. Greene:

I appreciate your letter of February 18 relative to your support of legislation that would give First Class Cities, within Boroughs, the right to exercise their own zoning. This subject is one in which the House Local Government Committee is interested and I believe we will be considering some sort of legislation along these lines in the not-to-distant future. We appreciate receiving your views on this matter. Please know that they will be considered by the committee when the matter is discussed.

Sincerely,

Mike Miller, Chairman
House Local Government Committee



BOX 335

HOMER, ALASKA 99603

February 18, 1972

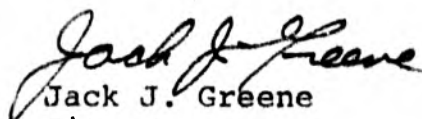
Mr. Mike Miller
House of Representatives
State Capitol Building
Juneau, Alaska 99801

Dear Mr. Miller,

At their meeting, February 14, 1972, the Common Council of the City of Homer, by a vote of 5 to 0 (with one member absent), voted to support legislation that would give any First Class City, within a Borough, the right to plan, direct and enforce their own zoning. Such action would place the responsibility for zoning on those who are directly affected by it.

Your support of such legislation is encouraged.

Yours truly,


Jack J. Greene
City Manager

JJG/cc

W. EUGENE GUESS
SPEAKER



ALASKA HOUSE OF REPRESENTATIVES

OFFICE OF THE SPEAKER

February 23, 1972

Jack J. Greene
City Manager
City of Homer
Homer, Alaska 99603

Dear Mr. Greene:

Thank you for your letter informing me of the Homer City Council's vote of support to give the first class cities responsibility for their own zoning.

I have passed your letter on to Representative Mike Miller, Chairman of the House Local Government Committee for the Committee's review. I am sure Representative Miller will be in touch with you on this matter.

I appreciate you informing me of the views of the Council and if I can be of further assistance, please do not hesitate to call on me.

Sincerely,

W. Eugene Guess
Speaker of the House



BOX 335

CITY OF HOMER

HOMER, ALASKA 99603

February 18, 1972

Mr. Gene Guess
House of Representatives
State Capitol Building
Juneau, Alaska 99801

Dear Mr. Guess,

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Your support of such legislation is encouraged.

Yours truly,

Jack J. Greene
Jack J. Greene
City Manager

JJG/cc

January 13, 1972

Mr. Lawrence H. Kimball
Planning Associate
Ketchikan Gateway Borough
344 Front Street
Ketchikan, Alaska 99901

Dear Mr. Kimball:

This is a belated acknowledgement to a letter I received from you following adjournment of the First Session of the Seventh Alaska State Legislature. Please know that your views concerning House Bill 456 will be read into the records and will be fully considered when hearings are held on this subject.

My own views of the bill coincide substantially with yours and I appreciate your providing this material for the record.

Sincerely,

Mike Miller, Representative
District Four (Juneau)

cc: Representative Dick Whittaker



KETCHIKAN GATEWAY BOROUGH

344 FRONT STREET
KETCHIKAN, ALASKA 99901

May 17, 1971

Mr. Mike Miller, Chairman
House and Local Government Committee
P. O. Box 1494
Juneau, Alaska 99901

Dear Mr. Miller:

I have received a copy of House Bill No. 456 entitled: "An act relating to exercise of planning, platting and zoning powers within organized boroughs."

I would like to take this opportunity to express my views concerning HB 456 and its possible effects on Alaska's development.

I am opposed to the bill for the following reasons:

1. I am of the opinion that Alaska should direct its efforts toward the concept of regional planning. The State is comprised of a vast land area, limited and scattered population centers and sparse economic regions. House Bill 456 would create a degree of fragmentation which could defeat the regional concept. This form of fragmentation and the problems which accompany it have been experienced in the "South 48". Alaska would do well to learn from their lessons.
2. There would be a duplication of function created, with the possibility of a lack of coordination between the two departments. Coordination and communication are essential to regional planning. House Bill No. 456, if passed, would create the fragmentation of planning efforts that would make these two requirements difficult to gain.
3. The economics of the situation do not make the proposal of HB 456 feasible. For example, in the case of Ketchikan, there would be two separate departments created, one Borough and one City. The City planning department would carry out the planning function for a population of approximately 7,000 people. The Borough planning department would serve approximately 3,000 people. It would be rather difficult to justify the expense of staffing and maintaining a planning department to perform the planning function for 3,000 rural residents -- not to mention that the financing acquired through revenue sharing would be further divided and, in my opinion, for a less effective method of planning.

Once again, I am opposed to HB 456 for the above reasons.

Thank you.

Very truly yours,

Lawrence H. Kimball

Lawrence H. Kimball
Planning Associate