



LAWS OF ALASKA

1975

Source

SB 125

Chapter No.

96

AN ACT

Relating to state compliance with local planning, platting and zoning ordinances; and providing for an effective date.

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

* Section 1. AS 35.10.020 is amended to read:

Sec. 35.10.020. CONSULTATION WITH MUNICIPAL PLANNING COMMISSIONS. Before the construction of a public works in a municipality, the department shall confer with the planning commission of the municipality to determine that the welfare of the public is properly protected and its agencies and instrumentalities shall comply with all local planning and zoning ordinances and the local regulations in the same manner and to the same extent as other landowners. However, if a state agency clearly demonstrates an overriding state interest, a waiver to the compliance requirements may be granted by the governor.

* Sec. 2. AS 09.55 is amended by adding a new section to read:

Sec. 09.55.275. REPLAT APPROVAL. No agency of the state or municipality may acquire property located within a municipality exercising the powers conferred by AS 29.33.-150 - 29.33.245 which results in a boundary change unless the agency or municipality first obtains from the municipal platting authority preliminary approval of a replat showing clearly the location of the proposed public streets, easements, rights-of-way, and other taking of private property. Final approval of replat shall be similarly obtained. However, if a state agency clearly demonstrates an overriding state interest, a waiver to the approval requirements of this section may be granted by the governor. The platting authority shall treat applications for replat made by state or local governmental agencies in the same manner as

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replat petitions originated by private landowners.

* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.070(c).