ASSEMBLY COMMITTEE OF THE WHOLE WORKSESSION AGENDA
March 7, 2019
Mona Lisa Drexler Assembly Chambers
Juanita Helms Administration Center
907 Terminal Street, Fairbanks, Alaska
*Immediately following Assembly Finance Committee*

1. **ROLL CALL**

2. **MEMORANDA/ REPORTS/ PRESENTATIONS**
   a. Interior Alaska Natural Gas Utility Board (IGU) quarterly update by IGU representatives to include a question and answer period.

3. **ADVANCED ORDINANCES AND RESOLUTIONS**
   a. **ORDINANCE NO. 2019-06.** An Ordinance Amending FNSBC 18.104.020 Regarding Rezones. (Sponsor: Mayor Ward) ([Page 2](#))

4. **BRIEFINGS FROM THE BOROUGH MAYOR**

5. **ASSEMBLY BUSINESS/ COMMENTS**

6. **ADJOURNMENT**
MEMORANDUM

TO: Fairbanks North Star Borough Assembly

THROUGH: Bryce Ward, Mayor
          Jim Williams, Chief of Staff

FROM: D. Christine Nelson, AICP
        Community Planning Director

DATE: January 24, 2019

SUBJECT: ORDINANCE NO. 2019-06

Ordinance 2019-XX proposes to amend FNSBC 18.104.020 to clarify how applicant initiated rezones are sponsored.

Please introduce and refer this ordinance to the Planning Commission for their review and recommendation to the Borough Assembly.
FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2019-06

AN ORDINANCE AMENDING FNSBC 18.104.020 REGARDING REZONES

WHEREAS, Rezones that are initiated by members of the public should receive a full public process, including a public hearing before the assembly; and

WHEREAS, Code currently does not provide whether the mayor or the assembly should sponsor an owner-initiated rezone ordinance; and

WHEREAS, It is appropriate for the Assembly to sponsor such ordinances pursuant to its process authorizing owner-initiated rezones.

NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks North Star Borough:

Section 1. Classification. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Subsection D of FNSBC 18.104.020, Procedures for rezonings, is hereby amended as follows:

D. Submission to the Borough Assembly. [UNLESS THE ORDINANCE IS NOT LEGALLY APPROVED BY THE BOROUGH ATTORNEY, A REPORT OF SAID RECOMMENDATION TOGETHER WITH AN ORDINANCE SHALL BE SUBMITTED WITHIN 30 DAYS OF THE PLANNING COMMISSION’S RECOMMENDATION TO THE BOROUGH]
ASSEMBLY]. The applicant’s request for rezoning shall be submitted in the form of an ordinance to the borough assembly within 30 days of the hearing and recommendation by the planning commission. The assembly shall sponsor the ordinance containing the applicant’s request and place it upon an agenda unless the ordinance is not legally approved by the borough attorney. If a rezone is not submitted to the borough assembly because it is not legally approved by the borough attorney, a written report including the reason will be submitted to the planning department and borough assembly within 10 business days to complete the file.

Section 3. Effective Date. This ordinance shall be effective at 5:00 p.m. on the first borough business day following its adoption.

PASSED AND APPROVED THIS _____ DAY OF _________, 2019.

Matt Cooper
Presiding Officer

ATTEST:                                  APPROVED:

April Trickey, CMC                      Jill S. Dolan
Borough Clerk                           Borough Attorney
MEMORANDUM

TO: Fairbanks North Star Borough Assembly

THROUGH: Bryce Ward, Mayor
Jim Williams, Chief of Staff

FROM: Christine Nelson, AICP
Community Planning Director

DATE: March 14, 2019

SUBJECT: ORDINANCE NO. 2019-06 Regarding Rezones

Ordinance 2019-06 was referred to the Planning Commission on January 24, 2019 for review and recommendation.

The proposed ordinance clarifies the process by which an applicant initiated rezone is sponsored for hearing by the Assembly.

On February 26, 2019, the Planning Commission of the Fairbanks North Star Borough held a public hearing regarding the ordinance change.

After analysis of the request, the Department of Community Planning recommended approval of the proposed ordinance with no changes recommended.

The Planning Commission concurred with the staff recommendation and unanimously voted (6 in favor, 0 opposed) to recommend approval of the proposed ordinance to the Borough Assembly.
ROLL CALL

Six (6) in Favor: Sims, Perreault, Guinn, Whitaker, Stepovich and O'Neal
Zero (0) Opposed: 

MOTION PASSED
RECOMMENDED FOR APPROVAL

3. ORD2019-06: An Ordinance Amending FNSBC 18.104.020 Regarding Rezones. (Staff Contact: Christine Nelson)

Ms. Christine Nelson explained the ordinance clarifies the process by which an applicant initiated rezone is sponsored and heard by the FNSB Assembly. The Department of Community Planning recommended approval.

Questions by Commissioners

None

Public Testimony Opened

Chris Van Dyck testified as follows:

- Referenced RZ2019-001 not following initiation procedures
- Referenced FNSBC 18.104.020 (A) section 2 and interpreted as a person like Mr. Duncan cannot bring a rezone forward because the SOA land shouldn't be considered in the computation

Questions by Commissioners

None

Public Testimony Closed

Discussion on FNSBC 18.104.020 (A) (2) Rezone Application Requirements and if it should be considered in the ordinance; the discussion included clarification on how computation of land for rezone is interpreted by staff.

Mr. Jaffa explained that the proposed ordinance does not change the application procedure, it changes the procedure after a recommendation is made by the Planning Commission and it goes to the Assembly. He further explained the legal department will retain the ability to review for legality.

Discussion ensued on how the proposed ordinance will fill a gap in the FNSBC in the case if administration did not sponsor an ordinance and.

MOTION: To recommend approval for ORD2019-06 to FNSB Assembly by Commissioner Sims seconded by Commissioner Perreault.

Discussion on the motion ensued between commissioners.

ROLL CALL

Six (6) in Favor: Sims, Perreault, Guinn, Whitaker, Stepovich, and O'Neal
Zero (0) Opposed: 

MOTION PASSED
RECOMMENDED FOR APPROVAL

G. EXCUSE FUTURE ABSENCES

None

H. COMMISSIONER’S COMMENTS/COMMUNICATIONS

Chair O’Neall on behalf of Commissioner Muehling mentioned that Mr. Muehling has been on the FMATS Committee for 1 year and would like to step down.

Commissioner Perreault expressed interest and will be representing the Planning Commission at the FMATS meetings moving forward.

Clerk reminded the commission of APOC deadlines and introduced Kristina Heredia, new Planner II.

I. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:25 p.m.