

RESOLUTION NO. 4903

**A RESOLUTION REQUESTING THE BOROUGH ASSEMBLY TO
REESTABLISH THE CITY COUNCIL AS THE BOARD OF
ADJUSTMENT FOR APPEALS INVOLVING PROPERTY LOCATED
WITHIN THE CITY OF FAIRBANKS**

WHEREAS, at the April 25, 2016, City Council meeting, the Council voted unanimously to veto the decision of the Fairbanks North Star Borough (FNSB) Planning Commission to rename Terminal Street as Citizens Way; and

WHEREAS, later in that same meeting, the Council, sitting as the board of adjustment, voted to grant an appeal which reversed a decision of the FNSB Planning Commission and denied a request for a conditional use permit; and

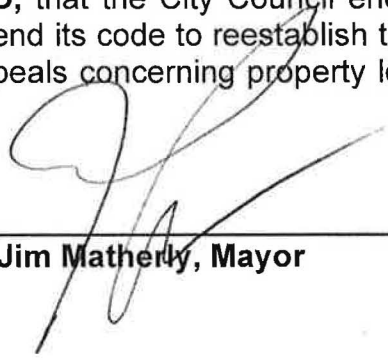
WHEREAS, on June 9, 2016, Ordinance No. 2016-36 was introduced by the FNSB mayor that revoked the City Council's authority to veto the Planning Commission's street naming decisions and revoked the City Council's authority to sit as the board of adjustment to hear appeals from administrative land use decisions for land located within the City of Fairbanks; and

WHEREAS, while the FNSB Assembly amended Ordinance No. 2016-36 to eliminate the provision regarding the Council's veto power over street names, the Assembly adopted the provision removing the Council as the board of adjustment; and

WHEREAS, throughout the City's history the City Council was the board of adjustment until 1974 when the borough assumed area-wide zoning functions, and the Council served as the board of adjustment under the borough code for at least 28 years before the Assembly revoked that authority in 2016; and

WHEREAS, the City Council believes that appeals involving land use decisions for land located within the corporate boundaries of the City of Fairbanks are best made by the City Council, the officials elected by the people most affected by such land use decisions.

NOW, THEREFORE, BE IT RESOLVED, that the City Council encourages the Fairbanks North Star Borough Assembly to amend its code to reestablish the Fairbanks City Council as the board of adjustment for appeals concerning property located within the City of Fairbanks.



Jim Matherly, Mayor

AYES: PASSED and APPROVED on the CONSENT AGENDA
NAYS: None
ABSENT: None
APPROVED: February 10, 2020

ATTEST:

APPROVED AS TO FORM:


D. Daryielle Snider, CMC, City Clerk


Paul Ewers, City Attorney