

Have you ever wanted to own a large piece of land? Maybe some property where you could build a home and be able to pass land on to your children at some point in the future? In the Fairbanks North Star Borough this may only be a dream for the wealthy due to the Title 17 subdivision code. Last year, one of the original Chena Hot Springs Road homesteaders wanted to split up his land for his children before he passed away, but could not afford the nearly \$100,000 price tag required by borough Title 17 regulations. This gentleman, who had donated land to the borough for the Two Rivers school, passed away in May before the ordinance that could have helped him “legally” split his land and give it to his kids, came in front of the assembly.

The borough’s existing Title 17 requires all subdivision roads on private property be dedicated to the public (no private roads allowed) and completely built to a borough one-size-fits-all road standard within two years of approval before any lots are sold or given to family members. Many property owners who wish to subdivide are required to front the costs of roads not even on their own property. If the borough decides the roads leading to the property do not meet their one-size-fits-all standard, the property owner wanting to subdivide must pay to construct and or/re-construct roads on their neighbor’s property. If the road leading to the property is private, or a dedicated right of way cannot exist due to existing structures (minimum widths are 40 to 50 feet), the property may not be subdivided. In addition to these requirements, last year the assembly approved the requirement of an additional bond guarantee - a 5% surety on all roads extending two years beyond the completion of the subdivision, so that would have been another \$5,000 for the homesteader. The borough is a second class borough with no areawide road powers, yet they have started exercising road powers through subdivisions on private land.

Ordinance 2012-14, brought forward by Michael Dukes and Natalie Howard, is a first step to enable property owners to subdivide their land to a suitable road standard that they choose, or not build a road at all. It still requires platting and dedication of the right-of-ways, and that intersections with existing road meet all Borough and State standards. Any subdivision that does not build a road to Title 17 standards is not eligible for inclusion into an existing road service area, but they may negotiate with a service area for use of their roads for access dependent on the size of the subdivision, neighborhood characteristics, etc. Property owners that wish to subdivide would be required to include a plat note and written disclosure to future owners that subdivision roads may not be constructed to borough Title 17 standards (who knows - they may be constructed to a higher standard) and that emergency service vehicles may not be able to access their properties year-round. This disclaimer reduces the borough’s liability.

The ramifications of this ordinance will have a positive impact on our community. Property owners will have more control over their subdivisions and be able to develop according to the market they choose - whether it is for a variety of sale types or passing property along to their children or heirs. Commercial and residential lots would increase, thereby lowering costs for all. There are a lot of recreational parcels that could be created that don’t need a road or much of

one to be used. The increase in the number of smaller parcels will give the Borough more taxes, which will lower everyone's mill rate. The assembly is taking public testimony and voting on this ordinance on June 28th, please let them know in person what you think or email them at assembly@co.fairbanks.ak.us.