

**ASSEMBLY STANDING COMMITTEE MINUTES
LANDS HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

April 12, 2021, 5:00 P.M.

Zoom Webinar Meeting

I. CALL TO ORDER

II. ROLL CALL

Chair Gladziszewski called the meeting to order at 5:00pm.

Members Present: Chair Maria Gladziszewski, Wade Bryson, Alicia Hughes-Skandijs, Greg Smith

Members Absent: none

Liaisons Present: Chris Mertl, Parks and Recreation

Liaisons Absent: Dan Hickok Planning Commission, Chris Dimond, Docks and Harbors

Other Assembly Members Present: Loren Jones

Some Members of the Public Present: Rashah McChesney, Lacy Derr, Claire Mueller, DOWL

Staff Present: Dan Bleidorn, Lands Manager; Roxie Duckworth, Lands & Resources Specialist; Scott Ciambor, Chief Housing Officer; Jill Maclean, CDD Director, Tom Mattice, Emergency Programs Manager; Robert Palmer, City Attorney; Teri Camery, Senior Planner

III. APPROVAL OF AGENDA

Agenda was approved as presented.

IV. APPROVAL OF MINUTES

March 15, 2021 Draft Minutes were approved as presented.

V. PUBLIC PARTICIPATION

Those participating via telephone can press *9 or those that are participating on Zoom can use the "raise their hand" function to participate. No public participation.

VI. AGENDA TOPICS

A. ADOT Request for Easements along Douglas Hwy.

Mr. Bleidorn discussed this request. The State of Alaska Department of Transportation and Public Facilities (DOT&PF) has submitted an application to acquire 380 square feet of City property, four permanent easements across City property totaling approximately 1,000 square feet, and ten temporary construction easements totaling approximately 35,000 square feet. The DOT&PF proposes to improve portions of the Douglas Highway between Egan Drive and St. Ann's Avenue. The proposed project will include resurfacing, sidewalk repairs, and upgrades to the bus stops, curbs, drainage improvements, and structural retaining wall improvements. The project begins at Egan Drive continuing across the Gastineau Channel Bridge to St. Ann's Avenue and will be completed in three stages. City management of the requested properties is complex and includes land managed by the Lands Office, Parks and Recreation, the Fire Department, the Library, and Docks and Harbors. The Lands Office will work with the managing departments to request comments and to insure that all concerns are addressed prior to this request being introduced to the Assembly by ordinance.

Mr. Bryson asked if there has been any community communication. Mr. Bleidorn replied that these easements are just on City property and that many of them are minor in scope and already existing sidewalks.

Mr. Mertl asked if Parks and Recreation manages any of these properties. Mr. Bleidorn replied that there was a couple that were managed by Parks and Recreation and that he was going to discuss those with the Parks and Recreation Director to determine if there will need to be an extra process, such as site visits, that would warrant taking this to the PRAC.

Mr. Bryson asked if there was an agreement in place with the construction companies as recent roadwork on Douglas created massive roadblocks with portions of traffic stopped at times. Mr. Bleidorn replied that the ADOT is still working on this issue and they like to have these issues addressed before going out to bid. If that does not happen, there could be a Planning Commission process that could give the public an opportunity for comment.

Staff request that the Lands, Housing and Economic Development Committee pass a motion of support for disposing of City property through negotiated sale and by granting permanent easements and temporary construction easements to the ADOT&PF for fair market value. Motion passed.

B. Floodplain Ordinance (Ord. 2021-06)

Ms. Maclean discussed this item and gave a brief update. The Assembly adopted the FEMA flood maps back on September 18, 2020. Due to COVID, FEMA has granted the City an extension to revise the ordinance after the maps were officially adopted. Staff has been working on this and it has been to the Planning Commission. This is a cleanup of the ordinance to bring it up to date. CBJ has participated in the flood insurance program since 1981. Adopting the ordinance and the flood map allows property owners to participate in the flood insurance program. The ordinance amends the Lands Use Code relating to the Floodplain Regulations and updates the Title 49 provisions to be consistent with the floodplain maps and policies of the National Flood Insurance program.

Mr. Bryson asked how many homes were forced to be included and had to purchase the additional insurance due to the floodplain map changing and how many people were charged more or less in insurance. Ms. Maclean replied that that she thought the amount of homeowners impacted by the change in maps was minimal and in the teens and there was approximately that many homes taken out of the map area. Mr. Mattice confirmed Ms. Maclean's recollection in the numbers.

Mr. Smith commented that he thought he read that 191 parcels were to be removed from the hazard area and 45 would be added. Ms. Camery confirmed that statistic was close in numbers, 41 were added and 141 were removed. Mr. Smith followed up by asking what type of additional burden might be on people trying to develop in floodplain hazard areas and keeping certain type of developments from occurring. Ms. Maclean replied that this new ordinance cleans up the terminology and clarifies definitions. At the time of the map adoption last year, CBJ did not adopt FEMA's definition of development, as it did not match the City's land use code definition of development. There may be certain developments now under FEMA's definition that may require a floodplain permit whereas the CBJ ordinance in the past did not require it. FEMA has tight authority of the ordinance. Mr. Smith asked about the permit process and if the fees are new or existed before. Ms. Maclean replied that there are existing building permits and there is a \$45 fee for a floodplain permit, which covers administrative costs. Chair Gladyszewski asked how many floodplain permitted properties, on the average, in a year. Ms. Camery clarified that CDD has always reviewed the floodplain permits in the past through the intake of building permits and there has not been a separate fee for the floodplain development review.

Mr. Mertl asked if this includes the Tee Harbor mapping. Ms. Camery replied that the Tee Harbor mapping was a completely separate effort and a bonus that FEMA replied positively and created a separate mapping process for this area.

Mr. Bryson asked what the floodplain map does to available land for development. Ms. Maclean replied that the 141 properties going out of the map have greater development potential now and the few going in may find they need a permit for the development they wish to do. Generally speaking, the floodplain ordinance doesn't stop development it just tells one where and how to do the development you choose to do and in some instances it may not be viable.

Staff request that the Lands, Housing and Economic Development Committee pass a motion of support to forward Ordinance 2021-06, the Floodplain Ordinance to the whole Assembly. Motion passed.

VII. STAFF REPORTS

A. Duck Creek Update (verbal)

Ms. Maclean discussed this item and noted that this item came about due to a development project along Duck Creek on Mendenhall Loop Road near Cinema Drive. There has been a stop work order for this project for the grading permit and is being appealed. It will appear before the Planning Commission tomorrow, April 13, 2021, and this committee will need to be careful as to what they discuss prior to that appeal process. It has come to Ms. Maclean's attention that there was a previous practice of interpreting the Coastal Zone Management section of the code where an exception was applied to certain developments, which was a misapplication. Chair Gladziszewski asked Mr. Palmer if this committee should be talking about this topic at all until after the appeal. Mr. Palmer commented that Ms. Maclean is able to lay out the basic facts but any further discussion should be tabled until after the appeal process. Ms. Maclean relayed that there is a development along Duck Creek and setback requirements for streams that are habitats for fish and there are floodplain permits. Ms. Maclean became aware that the coastal zone management section of the code was being applied and the state coastal zone code was repealed about ten years ago. Staff was under direction and there was a misinterpretation to development, which should not have been applied. When it came to Ms. Maclean's attention, she issued a stop work order. CDD is following up on that and it is being appealed. There is one section of the code that seems useful and that is being looked at to be retained.

B. Urban Avalanche Mapping & Operational Forecasting

Tom Mattice discussed this item and noted that Juneau has had an unusual winter weather season. Mr. Bryson asked if any properties have both avalanche and floodplain issues. Mr. Mattice said he was unaware of any properties that had concurrent issues, although there may be one or two properties.

Mr. Smith asked about this memo, if there will be any action with this, such as buyouts in danger zones or prohibiting development. Chair Gladziszewski asked Mr. Mattice when the study was complete, he replied 2012 and then asked about the one being completed now, which has new mapping proposals for landslides and avalanches. New hazard maps will be proposed once that study is completed with additional zoning recommendations. The 2012 study was very specific addressing mitigation for the Behrends Avenue and White Subdivision areas. Chair Gladziszewski asked if the new study is designed for the urban avalanche pass. Mr. Mattice confirmed and noted that technology and computer modeling have changed and they wanted

the zoning maps to reflect those changes. Chair Gladziszewski asked when this study would be done. Ms. Camery replied that they are about two years into the grant they received and just received their second draft that is undergoing internal review. The second draft should be released to the public within the next month or so and a neighborhood meeting will be scheduled for all of the residents affected by the proposed mapping. Over the next few months, it will go to the Planning Commission and Assembly. That process should be completed by October or November of this year. There will be a second phase to the grant where we will go through a separate contract process to develop draft regulations and policies for the public, Planning Commission, and Assembly's consideration on what we want to do with those maps and if the Assembly wants to adopt them. Types of new policies, mitigation efforts, and different measures to implement will take place during a separate process.

Chair Gladziszewski asked about specifics of the memo that Mr. Smith was asking about, such as on page 47 of the packet "construction of new buildings should be prohibited in hazard zone," did we do that or reject to do that. Mr. Smith was wondering about the areas that were proposed to be done. Chair Gladziszewski commented that with the new study we would get more information to review. Mr. Mattice confirmed. The goal was to understand developable properties, such as Norway Point, as well as to be able to revisit mitigation for the jurisdiction and current zoning regulations and the recommendations came back from outside agencies but also from another country, the Swiss study. The goal is to get the best maps we can and revisit it with the modern zoning practices and bring those forward. Chair Gladziszewski asked if this study is similar to the 2012 study. Mr. Mattice said that it wasn't, it was a complete revision of our avalanche mapping and that the Swiss study is a very specific mitigation study on how we can mitigate these two areas, Behrends and White. The new study addresses the question of "is this an avalanche zone or isn't it, is this a landslide zone or isn't it," because our current maps are combined and were not built to the same standard. We need to split those maps out for people to understand if they are in an avalanche or flood zone and how that effects their property. The new study will also help us understand the best zoning practices and how we can build in those areas and maximize the best use of property and to mitigate efficient standards. Chair Gladziszewski commented that this new study reviews the maps and set up policies and regulations and asked if there is one entity conducting the new study. Ms. Camery replied that the contractor is Tetra Tech, an international company based out of Vancouver. Chair Gladziszewski asked for a link to the 2012 study, Mr. Mattice replied he would send that to the committee.

VIII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

No comments or questions.

IX. NEXT MEETING DATE

Monday, May 10, 2021

X. ADJOURNMENT

Chair Gladziszewski adjourned the meeting at 5:43 PM.